

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 23rd August, 2017, 2.00 pm

Councillors: Sally Davis (Chair), Patrick Anketell-Jones (Reserve) (in place of Jasper Becker), Ian Gilchrist (Reserve) (in place of Rob Appleyard), Liz Hardman (Reserve) (in place of Eleanor Jackson), Les Kew, Bryan Organ, Vic Pritchard (Reserve) (in place of Matthew Davies), Caroline Roberts, Will Sandry (Reserve) (in place of Paul Crossley) and David Veale

35 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

36 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

37 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from:

Cllr Rob Appleyard – substitute Cllr Ian Gilchrist
Cllr Jasper Becker – substitute Cllr Patrick Anketell-Jones
Cllr Paul Crossley – substitute Cllr Will Sandry
Cllr Matthew Davies – substitute Cllr Vic Pritchard
Cllr Eleanor Jackson – substitute Cllr Liz Hardman

38 DECLARATIONS OF INTEREST

There were no declarations of interest.

39 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

40 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

The Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when these items were discussed.

41 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were no items from Councillors or Co-Opted Members.

42 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 26 July 2017 were confirmed and signed as a correct record.

43 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered:

- A report by the Group Manager (Development Management) on various planning applications.
- An update report by the Group Manager (Development Management) on items 1 and 2 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

RESOLVED that in accordance with the delegated powers, the applications be determined as set out in the decisions list attached as *Appendix 3* to these minutes.

Item No. 1

Application No. 17/01466/FUL

Site Location: Waterloo Road Open Space, Waterloo Road, Radstock – Development of a new Healthy Living Centre (1,464sqm GIA) to provide new health centre and ancillary pharmacy, community kitchen, children's centre and library

The Case Officer reported on the application and her recommendation to delegate to permit. She explained that approval would be subject to the completion of a Section 106 agreement and the expiry of the departure notice.

The registered speakers spoke for and against the application.

A statement by the local ward member, Cllr Chris Dando, was also read out.

The Highways Officer confirmed that the delivery and pick up area could also be used for drop off and pick up of patients when not occupied by delivery vehicles. The Case Officer explained that the original plans had been amended to include more use of stone on the building. She confirmed that the drainage engineers were satisfied with the plans.

Cllr Kew stated that this was a good scheme and that the facilities provided would be positive for the area. However, he had concerns regarding the design, in particular the use of timber cladding, and felt that this could be improved. He believed that the use of white lias would be more suitable for this location.

Cllr Kew then moved that consideration of the application be deferred for one month for further discussions and negotiation regarding the design of the building. Cllr Organ seconded the motion and stated that although he was in favour of the overall

project he believed that the design could be better as it was out of character with the area.

Cllr Hardman stated that there was a balance to be struck between improving the resources in the area and the retention of green space. It was important to provide a building fit for Radstock which was pleasing and fitted in with the landscape.

Cllr Sandry noted that the building would be large but concluded that the provision of all the proposed services on site would be excellent. He also expressed some concern about the loss of green space.

Cllr Roberts was concerned at the loss of open space and also the size and poor design of the building.

Cllr Pritchard supported the proposal to co-locate the services in one building. He queried how much could be achieved in one month if the application were deferred. He noted that the timber materials were part of the design concept and felt that this should not be diluted.

Cllr Anketell-Jones supported the motion to defer the application stating that if green space were to be lost then the building replacing it should be of good design. He felt that the current design was too utilitarian and industrial and would favour more use of stone rather than timber.

Cllr Veale did not support the current design of the building and felt that it was too large.

The Team Manager, Development Management, explained that officers had already been in negotiations with the applicant for a number of weeks and that more natural stone had been added to the design. The building had to be provided within the finance available and the variety of changes suggested by members could also lead to a substantial redesign, which may require further consultation. However, the Team Manager acknowledged that it was clear that the majority of concerns raised related to the limited use of natural local stone within the scheme. The building also had to be large enough to accommodate all the services in one location.

The motion was then put to the vote and it was RESOLVED by 6 votes for and 4 votes against to DEFER consideration of the application pending further discussion and negotiation regarding amendments to the design.

Item No. 2

Application No.16/04870/FUL

Site Location: Bidwell Metals Ltd, Chapel Road, Clandown, Radstock – erection of 28 dwellings, public open space, a community building and ancillary works following the demolition of 2 buildings (Revised description)

The Case Officer reported on the application and her recommendation to delegate to permit. She explained that following consultation with highways it was now proposed to secure traffic management by means of condition rather than a Section 106 agreement.

In response to a question the Highways Officer explained that 66 parking spaces

would be provided including garage space. The Case Officer confirmed that, if required, a condition could be added regarding the retaining walls.

The registered speakers spoke for and against the application.

Cllrs Veale and Kew both expressed concern regarding the safety and security of the retaining walls and suggested that a condition should be included to deal with these.

Cllr Organ moved to delegate to permit the application subject to the conditions set out in the report and an additional condition regarding the retaining walls. This was seconded by Cllr Sandry. He stated that this was a thoughtful redevelopment and felt that the parking and access seemed sufficient. He felt that the development would improve the site.

Cllr Hardman stated that it would be beneficial to develop this brownfield site, although she had some reservations about the parking provision.

Cllr Anketell-Jones noted that Chapel Road needed some highway improvements.

The motion was then put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application subject to the conditions set out in the report and an additional condition relating to the retaining walls.

Item No. 3

Application No. 17/02364/FUL

Site Location: Sawyers Mill, Hunstrete, Marksbury, BS39 4NT – Demolition of existing commercial buildings, subdivision of land and erection of three new dwellings with associated access and garden

The Case Officer reported on the application and her recommendation to permit.

The registered speaker spoke in favour of the application.

Cllr Kew stated that this was appropriate development within the greenbelt as set out in the officer report. He then moved that permission be granted. This was seconded by Cllr Hardman.

The motion was then put to the vote and it was RESOLVED unanimously to PERMIT the application subject to the conditions set out in the report.

Item No. 4

Application No. 17/01775/FUL

Site Location: Stanton Drew Village Hall, Sandy Lane, Stanton Drew – Creation of enlarged access with new wall and increased car parking area

The Case Officer reported on the application and her recommendation to refuse.

The local ward member, Cllr Karen Warrington, spoke in favour of the application.

Cllr Kew stated that he felt this application should be approved. The site had been used as an “unofficial” car park for a number of years and did not appear to have an adverse impact on the village. The village hall provided an excellent facility for the

area and was important for the viability of village life. He moved to delegate to permit the application subject to conditions for the following reasons:

- There was a need for a village hall facility in the area
- There would be no visual harm to the openness of the greenbelt
- To protect the viability of village life
- It relates to a leisure facility

The motion was seconded by Cllr Pritchard who noted that the current car park was very small and the access was difficult to negotiate. The hall provided an important meeting point for the village and it was important to maintain this vital facility.

Cllr Sandry expressed concern regarding the proposed materials and the encroachment by cars on the greenbelt.

Cllr Hardman also expressed concern regarding detriment to the openness of the greenbelt and noted that the car park was outside the housing development boundary.

Cllr Roberts noted that parking was an issue within the village and queried whether more suitable materials could be used to minimise the impact on the green space.

Cllr Anketell-Jones stated that he did not feel the proposal would compromise the openness of the greenbelt and noted that country life depended on car usage. On balance he supported the application which would benefit local residents.

Cllr Organ felt that the application should be approved to support the viability of the hall and the village.

The Team Manager, Development Management, pointed out that policies were in place to protect the greenbelt from inappropriate and harmful development. The provision of a car park would be a significant encroachment into the countryside and, although it had been used as a car park in the past, this was not used on an intensive basis and did not have the benefit of planning permission. Officers did not consider that the applicant had provided adequate justification on the plans put forward. However, if the Committee were minded to approve the application then conditions could be put in place regarding landscaping, planting and the surface treatment of the proposed car park.

The Highways Officer also requested conditions to provide 5m of tarmac from the edge of the car park and to ensure that parking spaces were kept clear of obstruction and used only for that purpose. NB: It should be noted that, as the entrance to the proposed car park is across an existing hard surfaced area the condition requiring 5ms of tarmac is not required.

The motion was then put to the vote and it was **RESOLVED** by 8 votes for and 2 abstentions to **DELEGATE TO PERMIT** the application subject to conditions.

Items No. 5 and 6**Application Nos: 16/05548/MINW and 17/00329/FUL****Site Location: Upper Lawn Quarry, St Winifred's Drive, Combe Down, Bath – Extension to quarry and change of use of an area of paddock land for use as allotments**

The Case Officer reported on the application and his recommendation to delegate to permit. He explained that since the report was circulated comments had been received from the Landscape Officer regarding the planting scheme and the relevant condition could be updated to reflect these comments.

The registered speakers spoke in favour of the application.

Statements from the local ward members, Cllrs Bob Goodman and Cherry Beath were read out.

In response to a question the Case Officer confirmed that condition 4 could be amended to allow a sufficient time period for the allotment relocation.

Cllr Kew stated that he found the report and issues raised by speakers confusing. It appeared that there were still matters that needed to be resolved before a decision could be made on the application.

Councillor Pritchard agreed that there were outstanding issues which needed to be addressed and moved that consideration of the applications be deferred for further clarification. This was seconded by Cllr Kew.

Cllr Sandry queried the plans for a restoration scheme on the site and stressed the need for any plans to be discussed between the applicant, the community and planning officers. The Case Officer explained that there was a restoration plan in place for the wider site.

The motion was then put to the vote and it was RESOLVED unanimously to DEFER consideration of the applications pending clarification of the various issues raised including the restoration plans for the site.

Item No. 7**Application No. 17/00378/FUL****Site Location: Land at Rear of 69 Haycombe Drive, Whiteway Road, Whiteway, Bath – Erection of one 3 bed dwelling with associated driveway and parking**

The Case Officer reported on the application and his recommendation to permit. He drew the Committee's attention to the Planning Inspector's decision regarding a previous application on this site.

A statement from the local ward member, Cllr Dine Romero, against the application was read out.

Councillor Roberts moved that planning permission be refused on highway safety grounds and to prevent a precedent being set with regard to other properties in the street. This motion was not seconded and therefore was not put to the vote.

Cllr Hardman pointed out that the Planning Inspector had concluded that the principle of residential development was acceptable and so it would be difficult to refuse the application.

Cllr Pritchard moved that permission be granted subject to conditions. This was seconded by Cllr Organ.

The motion was put to the vote and it was RESOLVED by 8 for, 1 against and 1 abstention to PERMIT the application subject to the conditions set out in the report.

Item No. 8

Application No. 17/02485/FUL

Site Location: Honey Gaston, Featherbed Lane, Clutton – New barn to replace the original barn which was destroyed by fire. Remedial arboricultural works to fire-damaged trees

The Case Officer reported on the application and her recommendation to delegate to permit.

The registered speaker spoke in favour of the application.

Cllr Karen Warrington, local ward member, spoke in favour of the application.

The Team Manager, Development Management, explained that comments from the Ecology Officer were still awaited and that any suggested conditions subsequently received could be included by the Case Officer if appropriate.

Cllr Kew moved to delegate to permit the application subject to conditions. This was seconded by Cllr Hardman.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application subject to conditions.

44 QUARTERLY PERFORMANCE REPORT - APRIL TO JUNE 2017

The Committee considered the quarterly performance report for the period April to June 2017.

RESOLVED to NOTE the report.

45 NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES

The Committee considered the appeals report. It was noted that the appeal relating to Pilgrims House, Pilgrims Way, Chew Stoke had been dismissed and not allowed as set out in the report.

RESOLVED to NOTE the report.

The meeting ended at 4.55 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 23rd August 2017

**OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN
AGENDA**

ITEM

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
01	17/01466/FUL	Waterloo Road Open Space Waterloo Road Radstock

10 further objection comments, 1 general comment and 1 additional supporting comment have been received.

These comments generally cover issues raised by representations already summarised within the Committee Report.

A third party has referenced an earlier application in 2002 for the Memorial Park, which is located to the east of the application site at the entrance of Waterloo Road. This application linked the Memorial Park to the open space which is the subject of this planning application. However, the improvements as illustrated though the 2002 application were not fully implemented on the application site.

The above does not alter the conclusion outlined within the Committee Report. The loss of the amenity space has been fully assessed. The current use and potential future use of the site as an amenity green space has been considered.

Historic England – do not wish to offer any comments on the application.

Revised elevations:

The agent has also submitted an updated plan in response to comments received. This introduces a further element of natural stone on the first floor setbacks sections on the elevations fronting Waterloo Road. Offices are satisfied that this change does not require further consultation, and is an acceptable change.

Plans List

01 Aug 2017 003 B PROPOSED SITE PLAN

27 Mar 2017	004	PROPOSED GROUND FLOOR PLAN
27 Mar 2017	005	PROPOSED FIRST FLOOR PLAN
27 Mar 2017	006	PROPOSED ROOF SPACE
27 Mar 2017	007	PROPOSED ROOF PLAN
27 Mar 2017	010	TREES TO BE RETAINED/REMOVED
27 Mar 2017	001	LOCATION PLAN
16 Aug 2017	008A	PROPOSED ELEVATIONS

Item No.	Application No.	Address
02	16/04870/FUL	Bidwell Metals Ltd Chapel Road

Historic England – do not wish to offer any comments on the application

BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES WISHING TO MAKE A STATEMENT AT THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE ON WEDNESDAY 23 AUGUST 2017

MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	Hope House Surgery, Waterloo Road Open Space, Radstock	Cllr Keith Tyrell (Chair, Radstock Town Council) or Cllr Rupert Bevan (Vice Chair Radstock Town Council)	For
		Jos Binns (Radstock Museum) Terry Reakes Colin Currie	Against (To share 6 minutes)
		Dr Alison Humphrey (Hope House Surgery) Dr Ian Orpen (Co-Chair of Health and Wellbeing Board and Chair of CCG)	For (To share 6 minutes)
2	Bidwell Metals Ltd, Chapel Road, Clandown, Radstock	Jeff Blake	Against
		Matthew Kendrick (Agent)	For
3	Sawyers Mill, Hunstrete, Marksbury	John White (Agent)	For
4	Stanton Drew Village Hall, Sandy Lane, Stanton Drew	Cllr Karen Warrington	For
5 & 6	Upper Lawn Quarry, St Winifred's Drive, Combe Down, Bath	Virginia Williamson (B&NES Allotments Association) Martin Coulson	For (To share 6 minutes)

		Simon Burrows	
		Simon Chambers (Agent)	For (3 minutes)
8	Honey Gaston, Featherbed Lane, Clutton	Rosemary Naish (Chair of Clutton Parish Council)	For
		Cllr Karen Warrington	For

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

23rd August 2017

DECISIONS

Item No:	01	
Application No:	17/01466/FUL	
Site Location:	Waterloo Road Open Space, Waterloo Road, Radstock, Bath And North East Somerset	
Ward: Radstock	Parish: Radstock	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Development of a new Healthy Living Centre (1,464 sqm GIA) to provide new health centre and ancillary pharmacy, community kitchen, children's centre and library	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Flood Zone 2, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,	
Applicant:	Hope House Surgery	
Expiry Date:	21st September 2017	
Case Officer:	Tessa Hampden	

Defer to enable the applicant to make design amendments to the proposal.

Item No:	02	
Application No:	16/04870/FUL	
Site Location:	Bidwell Metals Ltd, Chapel Road, Clandown, Radstock	
Ward: Radstock	Parish: Radstock	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 28 dwellings, public open space, a community building and ancillary works following the demolition of 2 buildings (REVISED DESCRIPTION)	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Forest of Avon, Housing Development Boundary, Public Right of Way, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	Bidwell Metals Ltd	
Expiry Date:	25th August 2017	
Case Officer:	Tessa Hampden	

DECISION Delegate to Permit subject to an additional condition relating to the size and appearance of retaining walls and subject to a S106.

Item No:	03	
Application No:	17/02364/FUL	
Site Location:	Sawyers Mill , Hunstrete, Marksbury, Bristol	
Ward: Farmborough	Parish: Marksbury	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Demolition of existing commercial buildings, subdivision of land and erection of three new dwellings with associated access and garden.	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Forest of Avon, Greenbelt, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones,	
Applicant:	Mr Tim Warren	
Expiry Date:	25th August 2017	
Case Officer:	Alice Barnes	

DECISION PERMIT

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission

2 Drainage (pre-commencement)

No development shall commence, except ground investigations and remediation, until infiltration testing and soakaway design in accordance with Building regulations Part H, section 3 (3.30) have been undertaken to verify that soakaways will be suitable for the development. If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority and installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy. This is a condition precedent because it is necessary to understand whether soakaways are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

3 Investigation and risk assessment (pre-commencement)

No development shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent

person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

4 Remediation scheme (pre-commencement)

No development shall commence until a detailed remediation scheme to bring the site to a condition

suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out. The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences

5 Verification report (pre-occupation)

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

6 Unexpected contamination (compliance)

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

7 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

8 Wildlife protection measures (compliance)

Site preparation including demolition work and vegetation removal for the development hereby permitted shall be carried out only in accordance with the wildlife protection measures and working methods described section 7.5 of the approved Ecological Survey report by Clarkson and Woods dated Oct 2014 updated June 2017.

Reason: To avoid harm to wildlife and protected species including nesting birds and reptiles

9 Wildlife protection and enhancement (pre-occupation)

1. No occupation of the development hereby approved shall commence until ecological measures

as described in sections 7.5 and 7.6 of the approved Ecological Survey report by Clarkson and

Woods dated Oct 2014 updated June 2017, have been incorporated into the development and installed on site in accordance with advice and specifications provided by a suitably experienced ecologist; and

2. a brief post-completion report and photographs, produced by a suitably experienced ecologist, have been submitted to and approved in writing by the Local Planning Authority, demonstrating completed installation of such ecological features, including the following:

a. provision of new bird nesting sites

b. provision of bat roosting opportunities

c. provision of additional features to benefit wildlife, to include as applicable, hedgehog homes; access points through fencing for wildlife; wildlife friendly-planting and habitat creation;

All such measures and features shall be retained and maintained thereafter for the purposes of providing wildlife habitat

Reason: To avoid net loss to biodiversity and to provide biodiversity gain in accordance with NPPF

10 Sensitive lighting (Compliance)

No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the LPA; details to include lamp specifications, positions,

numbers and heights; and details of all necessary measures to limit use of lights when not required and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to avoid harm to bat activity and other wildlife. The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and other wildlife

11 Removal of Permitted Development Rights - No means of enclosure (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fences, gates, walls or other means of enclosure shall be erected or placed on the site without a further planning permission being granted.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and policies D1, D2, D3 and D4 of the Bath and North East Somerset Placemaking Plan and to safeguard the measures for wildlife protection and enhancement required by condition no.9 of this permission.

12 Hard and Soft Landscaping (Pre-occupation)

No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained, a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

13 Hard and Soft Landscaping (Compliance)

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

14 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

15 Water Efficiency (Compliance)

The approved dwellings shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Bath and North East Somerset Placemaking Plan.

16 Housing Accessibility (Compliance)

The following dwelling hereby approved shall meet the optional technical standards 4(2) in the Building Regulations Approved Document M: Plot 1

Reason: To ensure that the optional technical standards for accessibility are met in accordance with policy H7 of the Bath and North East Somerset Council Placemaking Plan.

17 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

Site location plan
Existing site location and layout plan 001
Existing site sections 003
Proposed site sections 004
Site survey 01
Plot 1 floor plan 03
Plot 1 elevations 04
Plot 2 floor plans 05
Plot 2 elevations 06
Plot 3 floor plans 07
Plot 3 elevations 08
Block plan 09 B
Plot 1 Garage 09 A

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, details of the fee can be found on the "what happens

after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework.

Item No:	04	
Application No:	17/01775/FUL	
Site Location:	Stanton Drew Village Hall, Sandy Lane, Stanton Drew, Bristol	
Ward: Clutton	Parish: Stanton Drew	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Creation of enlarged access with new wall and increased car parking area	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Greenbelt, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Stanton Drew Village Hall	
Expiry Date:	25th August 2017	
Case Officer:	Alice Barnes	

DECISION PERMIT

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission

2 Hard and Soft Landscaping (Pre-occupation)

The car park hereby permitted shall not be brought into use until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained, a planting specification to include numbers, size, species and positions of all new trees and

shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

3 Parking (Compliance)

The areas allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

4 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No development shall commence until a schedule of materials and finishes for the surface material of the car park have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

5 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

Site location plan
Block plan 2217
Proposed plans 2217/1

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Item No:	05	
Application No:	16/05548/MINW	
Site Location:	Upper Lawn Quarry, St Winifred's Drive, Combe Down, Bath	
Ward: Combe Down	Parish: N/A	LB Grade: N/A
Application Type:	Minerals and Waste application	
Proposal:	Extension to quarry	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Existing Mineral Working, Forest of Avon, Hotspring Protection, Preferred Area for Mineral Extraction, MOD Safeguarded Areas, Regionally Important Geological Site RIG, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,	
Applicant:	Messrs Hancock	
Expiry Date:	30th September 2017	
Case Officer:	Tim Pearce	

Defer for further clarification about the proposal and restoration of the site.

Item No:	06	
Application No:	17/00329/FUL	
Site Location:	Upper Lawn Quarry, St Winifred's Drive, Combe Down, Bath	
Ward: Combe Down	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use of an area of paddock land for use as allotments	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Existing Mineral Working, Forest of Avon, Hotspring Protection, Mineral Construction Area, MOD Safeguarded Areas, Regionally Important Geological Site RIG, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,	
Applicant:	Messrs Hancock	
Expiry Date:	30th September 2017	
Case Officer:	Tim Pearce	

Defer pending resolution of application no.16/05548/MINW.

Item No:	07	
Application No:	17/00378/FUL	
Site Location:	Land At Rear Of 69 Haycombe Drive, Whiteway Road, Whiteway, Bath	
Ward: Southdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 1no 3 bed dwelling with associated driveway and parking	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Mr R Jay	
Expiry Date:	7th July 2017	
Case Officer:	Chris Griggs-Trevarthen	

DECISION PERMIT

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission

2 Arboricultural Method Statement (Pre-commencement)

Notwithstanding the submission of the Arboricultural Method Statement dated 12th January 2017, no development shall take place until a Detailed Arboricultural Method Statement with scaled Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with policy NE.6 of the Placemaking Plan and CP7 of the Core Strategy. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

3 Wildlife Protection and Enhancement (Pre-commencement)

No development or site clearance shall take place until full details of a Wildlife Protection and Enhancement Scheme produced by a suitably experienced ecologist have been submitted to and approved in writing by the local planning authority. These details shall include:

- (i) Completed pre-commencement reptile survey, carried out in accordance with current published best practice guidance
- (ii) a proposed reptile mitigation scheme with details of all necessary measures that shall be implemented to avoid harm to reptiles and to provide compensatory replacement habitat of equivalent value to habitat that will be removed
- (iii) proposed method statements for the avoidance of harm during site preparation and construction works to nesting birds and other wildlife as applicable
- (iv) Details of proposed measures to enhance the value of the site for wildlife and provide biodiversity gain

All works within the scheme shall be carried out in accordance with the approved details.

Reason: To avoid harm to reptiles and other wildlife, to achieve "no net loss" to biodiversity and provide net gain for biodiversity in accordance with policy NE.3 of the Bath and North East Somerset Placemaking Plan. This is a condition precedent because the commencement of development may result in harm to any reptiles present on the site without appropriate mitigation in place.

4 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by

the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy

5 Implementation of Wildlife Scheme (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs where appropriate, full implementation of the Wildlife Protection and Enhancement Scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with policy NE.3 of the Bath and North East Somerset Placemaking Plan.

6 Arboricultural Compliance (Pre-occupation)

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement. A signed certificate of compliance shall be provided by the appointed arboriculturalist to the local planning authority on completion and prior to the first occupation of the dwelling.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

7 Boundary Fencing (Pre-occupation)

No occupation shall commence until a fence has been erected along the boundary between the application site and 69 Haycombe Drive in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

8 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

9 Water Efficiency (Compliance)

The approved dwellings shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

10 Obscure Glazing and Non-opening Window(s) (Compliance)

The proposed first floor rear elevation window serving the workroom, the first floor window on the west elevation serving bedroom 1 and the first floor window on the east elevation serving the bath (as shown on drawing number 3) shall be obscurely glazed and non-opening unless the parts of the windows which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the windows shall be permanently retained as such.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

11 Parking and turning areas (Compliance)

The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy ST.7 of the Bath and North East Somerset Placemaking Plan.

12 Surfacing material (Compliance)

No occupation of the development shall commence until the vehicular access has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy ST.7 of the Bath and North East Placemaking Plan.

13 Removal of Permitted Development Rights - No extensions or alterations (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration (including the insertion of new windows) or enlargement of the dwelling hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: The site is tightly constrained in terms of privacy and amenity. Permitted development rights for extensions and alterations are therefore removed because any further extensions require detailed consideration by the Local Planning Authority to ensure that the amenity of adjoining occupiers is preserved and the character and appearance of the area is maintained in accordance with policies D1, D2, D3, D5 and D6 of the Bath and North East Somerset Placemaking Plan.

14 Visibility splays (Compliance)

Before the dwelling hereby permitted is first occupied the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge

along the centre line of the access and points on the carriageway edge 43m from and on both sides of the centre line of the access shall be cleared of obstruction to visibility at and above a height of 600mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: To ensure visibility is maintained in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

15 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

Drawing 1 Existing Site survey
Drawing 2 Proposed Site Plan / Location Plan
Drawing 3 A Floor Plans / Elevations
Drawing 4 Proposed Site Plan / Tree Protection Plan

DECISION MAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

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Item No:	08	
Application No:	17/02485/FUL	
Site Location:	Honey Gaston, Featherbed Lane, Clutton, Bristol	
Ward: Clutton	Parish: Clutton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	New barn to replace the original barn which was destroyed by fire. Remedial arboricultural works to fire-damaged trees.	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Neighbourhood Plan, Public Right of Way, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	Mr Paul May	
Expiry Date:	24th August 2017	
Case Officer:	Chloe Buckingham	

DECISION Delegate to PERMIT subject to no objections being raised by council's ecologist and subject to any additional conditions recommended by ecologist.