

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 18th October, 2017, 2.00 pm

Councillors: Sally Davis (Chair), Patrick Anketell-Jones (Reserve) (in place of Les Kew), Jasper Becker, Paul Crossley, Matthew Davies, Eleanor Jackson, Bryan Organ, Caroline Roberts and Brian Simmons (in place of David Veale)

56 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

57 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

58 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from:

Cllr Rob Appleyard

Cllr Les Kew – substitute Cllr Patrick Anketell-Jones

Cllr David Veale – substitute Cllr Brian Simmons

59 DECLARATIONS OF INTEREST

There were no declarations of interest.

60 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

61 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.

62 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

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

63 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 20 September 2017 were confirmed and signed as a correct record subject to the following amendments:

Minute 54 – Item 1 – Application No. 17/01466/FUL – paragraph 5 – Add the words “Cllr Eleanor Jackson explained the viewpoint of Westfield residents.”

Minute 54 – Item 5 – Application No. 17/01542/FUL – paragraph 4, Delete the words “Cllr Crossley acknowledged the limited increase in jobs arising from the proposal” and replace with the words “Cllr Crossley acknowledged that no new jobs would be created by the proposal.”

64 **SITE VISIT 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) 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 Committee's 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. 17/02591/FUL

Site Location: 143 Calton Road, Lyncombe, Bath, BA2 4PP – Erection of 2 townhouses following demolition of existing 2 bed apartment

The Case Officer reported on the application and the recommendation to permit. He explained that an additional condition was now suggested as follows:

“Notwithstanding the approved plans, the lower half of the first floor and second floor windows on the rear elevation hereby approved shall be non-opening and obscurely glazed and retained as such in perpetuity.”

The registered speakers spoke for and against the application.

Councillor Ian Gilchrist, local Ward Member, spoke against the application.

Councillor Becker, local Ward Member on the Committee, noted that the proposal would have an adverse shadowing effect on the neighbours situated below the property. He felt that further information was required, in particular, an impact study to ascertain the level of impact on neighbouring properties. The Case Officer explained that an impact assessment had already been provided. The Group Manager advised the Committee that there would be some impact on neighbours but it was for members to make a judgement “on balance” as to whether the application should be permitted or refused.

Councillor Jackson asked a question relating to the doorway on the front wall of the property. The Case Officer confirmed that this doorway would be demolished if the development went ahead. The Highways Officer confirmed that there was no allocated parking for the proposed development as it was in a sustainable location close to the city centre, train and bus stations.

Councillor Becker then moved that the application be refused for reasons of overdevelopment, shadowing and blocking of access. This was seconded by Councillor Roberts.

Councillor Anketell-Jones noted that the hillside location was a part of living in the World Heritage city of Bath. Infill development provided much needed housing and was a necessary intensification of use. This proposed new build was in keeping with the Conservation Area and was subservient to its neighbour. He did not see the reduction in lighting as significant.

Councillor Organ supported the officer recommendation and did not feel that the shadowing issue was significant.

Councillor Jackson felt that the current building did not enhance the Conservation Area and that the proposed development would be a marked improvement.

The motion was then put to the vote and there were 3 voted in favour, 6 votes against. The motion was therefore LOST.

Councillor Jackson then moved the officer recommendation that planning permission be granted subject to conditions. This was seconded by Councillor Organ.

The motion was then put to the vote and it was RESOLVED by 6 votes in favour and 3 votes against to PERMIT the application subject to the conditions set out in the main report and update report.

Item No. 2

Application No. 17/01708/FUL

Site Location: 2 Manor Farm Cottages, Anchor Lane, Combe Hay, Bath – Interior and exterior alterations including a two-storey extension and creation of new vehicle access

Item No. 3

Application No. 17/01709/LBA

Site Location: 2 Manor Farm Cottages, Anchor Lane, Combe Hay, Bath – Interior and exterior alterations (part retrospective) including a two-storey extension and partial demolition of rear boundary wall to create a vehicle access

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

The registered speaker spoke for the application.

Cllr Jackson noted that the renovation work to the house was necessary but that the current proposal was unjustified given that the building was listed. Many residents in

the area do not park on their drives but in the street and there were no parking restrictions in the area. The ditch around the property also provided a habitat for wildlife. Cllr Jackson then moved the officer recommendation to refuse.

Cllr Organ seconded the motion and stated that the proposed driveway was too large for this Conservation Area.

Cllr Crossley stated that the long driveway was intrusive and domineering in this village location.

Cllr Anketell-Jones stated that he felt the application, if approved, would lead to “suburbanisation” in Combe Hay and that the village character should be maintained.

The Group Manager explained that the Committee could give weight to the reinstatement of the wall and the removal of cars from the highway. This should then be balanced against any harm to the character of the village.

The motion was put to the vote and it was RESOLVED unanimously to REFUSE the planning application and listed building consent application for the reasons set out in the officer report.

65 **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 4 and 5 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 4* to these minutes.

Item No. 1

Application No. 17/02607/FUL

Site Location: University of Bath, Claverton Down, Bath – Works to refurbish existing waste compound with the erection of raised canopy to cover plant, erection of new welfare unit following demolition of existing, relocation of confidential waste shed and alterations to entrance roadway

The Case Officer reported on the application and his recommendation to permit. He informed the Committee that an additional condition was proposed to ensure that the canopy building was constructed prior to the installation of any mechanical plant.

The registered speakers spoke for and against the application.

The local Ward Member, Cllr Matt Cochrane, spoke against the application.

In response to questions from members the Case Officer and Highways Officer clarified the following matters:

- The proposal would result in fewer vehicle movements on the campus as the volume of waste would decrease. There would be a reduction from 2 collections to 1 collection every 2-3 weeks.
- If the level of noise generated exceeded the levels specified by the conditions then residents could report this to the Council and, if a breach had occurred, measures could be put in place to resolve the issue.
- If the required operating hours were exceeded then this could be dealt with by enforcement action.
- No new types of waste would be dealt with at the site.

Cllr Crossley stated that the local residents had been surprised by this application and felt that the University should have discussed plans with their neighbours at an early stage. He noted that there were alternative sites on the University campus that could be used for a waste compound. He felt that the application now represented a change of use and intensification from storage to compacting waste which required further debate. He moved that the application be refused for the following reasons:

- Lack of consultation with local residents
- Intensification of use of the site
- Change of use of the site from waste storage to waste processing and removal

The motion was seconded by Cllr Roberts.

The Group Manager explained that the usual consultation process for planning applications had been carried out by the Council in this case. The application did not fall into the category of a major waste application. A waste facility was already sited in this location and the compacting facility would mean that fewer trucks would need to visit the site.

The motion was put to the vote and there were 3 votes in favour and 6 votes against. The motion was therefore LOST.

Cllr Jackson then moved the officer recommendation to permit the application. This was seconded by Cllr Organ.

Cllr Anketell-Jones stated that it would be essential to monitor noise levels in this location.

The motion was put to the vote and it was RESOLVED by 6 votes for and 3 against to PERMIT the application subject to the conditions set out in the officer report plus the additional condition outlined by the Case Officer regarding the canopy building.

Item No. 2**Application No. 16/04499/FUL**

Site Location: 17 Station Road, Welton, Midsomer Norton, BA3 2AZ – Erection of 6 new dwellings following demolition of existing dwelling and outbuildings (resubmission) - revised plans

The Case Officer reported on the application and the recommendation to refuse. She explained that the application was being brought back to the Committee for consideration following a decision to quash the previous planning approval which had been subject to a successful legal challenge. The reason for this decision was that a non-designated heritage asset had not been properly considered when the application was determined. The previous decision should now be disregarded by the Committee.

The Group Manager informed the Committee that the Placemaking Plan policy HE1 stated that there should be a presumption in favour of safeguarding and retaining buildings and to seek alternative uses for them in the first instance. The distinction between policies HE1 and BH7 were outlined. It was noted that the Committee had previously visited the site and had viewed the existing brewery stables.

The registered speaker spoke against the application.

Cllr Jackson pointed out the historical importance of the brewery stables which were very rare. She was surprised that only one reason for refusal had been set out in the officer report. She moved that permission be refused for the following reasons:

- Poor design
- Unsustainable location – buses only run every two hours, it is a long walk to the main bus stops and there are no places available at the nearest schools
- The site is currently an employment site and should not be residential in order to prevent “suburbanisation.”

The motion was seconded by Cllr Crossley who agreed that the existing buildings should not be demolished.

Cllr Anketell-Jones stated that the existing buildings on the site should have some degree of protection to enable them to be safeguarded and reused.

In response to a question the Group Manager confirmed that officers consider that the existing buildings do make a positive contribution to the location. He advised the Committee to refuse the application for the reason set out in the officer report rather than to introduce new reasons which could be difficult to defend. The planning inspector had already ruled that the design and sustainability of the site were acceptable.

The motion was put to the vote and there were 2 votes in favour, 6 votes against and 1 abstention. The motion was therefore LOST.

Cllr Crossley moved the officer recommendation to refuse. This was seconded by Cllr Roberts.

The motion was put to the vote and it was RESOLVED by 8 votes for and 1 abstention to REFUSE the application for the reason set out in the officer report.

Item No. 3

Application No. 17/02826/FUL

Site Location: Matfen House, Packhorse Lane, Southstoke, Bath – Erection of single storey garden room extension and first floor bedroom extension over garage

The Case Officer reported on the application and her recommendation to permit. She explained that further representations had been received regarding the application. In response to the issues raised she confirmed that:

- the Conservation Officer had not needed to be consulted on the application.
- officers had considered whether a Heritage Asset Assessment was required and had concluded that it was not necessary in this case.
- The Case Officer had visited the site.
- Officers felt that the proposal would enhance the Conservation Area.

The registered speaker spoke in favour of the application.

Cllr Neil Butters, local Ward Member, spoke regarding the application and read out a statement from Mrs John, a local resident who had objected to the application.

Cllr Anketell-Jones stated that the extension appeared to be a good design and he welcomed the condition requiring external wall materials to match those of the existing dwelling. He moved the officer recommendation to permit. This was seconded by Cllr Organ.

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

Item No. 4

Application No. 17/03041/FUL

Site Location: 28 Meadlands, Corston, Bath, BA2 9AS – Erection of single storey rear extension

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

The registered speakers spoke for and against the application.

A statement from Corston Parish Council was also read out.

Cllr Sally Davis, local Ward Member, stated that there was a height difference between neighbouring properties. The property was in the housing development boundary and there were existing permitted development rights. The main issue was loss of light to the neighbouring property.

In response to a question the Case Officer explained that an assessment on the amenity of the neighbouring property had taken place and, although there would be some loss of light, this was not considered to warrant refusal of the application.

Cllr Roberts moved that consideration of the application be deferred pending a site visit to fully understand the issues raised. This was seconded by Cllr Jackson.

The motion was put to the vote and it was RESOLVED, by 4 votes in favour, 2 votes against and 3 abstentions to DEFER consideration of the application pending a site visit.

Item No. 5

Application No. 17/03012/LBA

Site Location: The Clock House, Bathford Hill, Bathford, Bath, BA1 7SW – Replacement front door (Retrospective)

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

Cllr Jackson noted that only one door had been replaced which did not improve the appearance of the building. She moved the officer recommendation to refuse. This was seconded by Cllr Crossley.

The motion was put to the vote and it was RESOLVED unanimously to REFUSE the application for the reasons set out in the report.

Item No. 6

Application No. 16/04872/FUL

Site Location: Church Hall, School Lane, Batheaston, Bath – Erection of new single storey Church Hall, activity rooms, kitchen, toilets, stores and associated car park/landscaping and external works following demolition of existing Church Hall

The Case Officer reported on the application and her recommendation for approval. She explained that the application was being brought to the Committee as the applicant had appealed for non-determination. Plans had now been submitted and members could only resolve as to what decision they would make had they been able to determine the application.

There was already a permission to build a hall on this site. If this application were to be permitted then either plan could be implemented going forward.

In response to a question the Case Officer explained that a notification of the planning application had been served on the landowner of the site. Once notified it would be for the applicant and landowner to agree as to which plan goes ahead.

Cllr Organ moved the officer recommendation to permit. This was seconded by Cllr Matthew Davies.

Cllr Jackson expressed concern about potential damage to trees which would not conserve or enhance the Conservation Area.

Cllr Crossley noted that this was a smaller scheme than the one that had previously been approved and that it also contained a car park area. Car parking did not appear to be an issue in this location and open space could be lost.

The motion was put to the vote and it was RESOLVED by 6 votes for and 3 against that, had an appeal on the grounds of non-determination not been submitted, the Committee would have PERMITTED the application.

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

The Committee considered the appeals report.

Members requested that details of costs awarded be included in future appeals reports.

RESOLVED to **NOTE** the report.

The meeting ended at 5.15 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 18 October 2017

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

ITEMS FOR PLANNING PERMISSION

Item

001	17/02591/FUL	143 Calton Road Lyncombe, Bath
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The following additional condition is suggested:

Notwithstanding the approved plans, the lower half of the first floor and second floor windows on the rear elevation hereby approved shall be non-opening and obscurely glazed and retained as such in perpetuity.

Reason: To safeguard the residential amenity of the neighbouring occupiers.

ITEM

Item No.	Application No.	Address
002 & 003	17/01708/FUL & 17/01709/LBA	2 Manor Farm Cottages, Anchor Lane, Combe Hay, BA2 7EH

Since the Committee Report was written, one further letter of support has been received from the owner/occupier of Week Cottage, Combe Hay, the content of which is summarised below:

- Harm to the Conservation Area from on-street parking;
- The proposed development will result in four vehicles;
- Potential highway safety and access issues from additional on-street parking.

The existing dwelling has three bedrooms. Following the proposed development, the property would have four bedrooms. It is not considered that the creation of one additional bedroom will significantly increase the parking

demand associated with the property compared to the existing three bedroom dwelling.

The parking standards set in the schedule to Placemaking Plan Policy ST7 apply to new residential development and not extensions. Nevertheless, these parking standards do not require four parking spaces for a four bedroom dwelling.

As set out in the Committee Report, the parking of cars on the adjacent lanes is not considered to result in an unacceptable road safety or congestion issue, not does it cause substantial harm to the setting of surrounding listed buildings or the character or appearance of the Conservation Area.

There is no change to the officer recommendation.

Item No.	Application No.	Address
04	17/03041/FUL	28 Meadlands, Corston, Bath

Since the Committee Report was written, further comments have been received from Corston Parish Council. The Clerk has visited the neighbouring property at number 27 and has reiterated previous objections raised, which are summarized below:

- Due to the property's orientation, the existing sitting room of number 27 has limited sunlight currently.
- Number 27 is set 3-4 feet below the application site.
- Light is restricted into the rear window of number 27 by a fence.
- The proposed development would significantly darken the front room of number 27
- The proposed extension is not visually attractive.
- The proposed extension is too close to the boundary of number 27.
- Any future planning application should be moved from the boundary, redesigned to better complement the local character and include window panels along the edge of the boundary to enable as much light as possible to enter the front room of number 27.

There is no change to the officer recommendation.

Item No.	Application No.	Address
05	17/03012/FUL	Clock House Bathford

Since the committee report was written further written comments have been received from the applicant supporting the application and disputing the

accuracy of the report and assessment. The entire email is reproduced below in italics;

Unfortunately I will be abroad when my application is considered by the Committee otherwise I would have attended and defended it. However I must register my strongest possible objection to Ms Waldron's continuing campaign of misinformation regarding our property included in the REPORT in spite of the unqualified support of the Parish Council.

1. Her assertion that the former coach house and stables to Titan Barrow were converted into two cottages in the 1930's is pure speculation. The original doors would not have matched or had equal function - the Left being a door to the stables the Right being a door to the coachman's residential accommodation.

2. Her assertion that the original building is 'relatively simple and unpretentious' defies belief. She rightly describes the style as Tudor Gothic though hardly 'simple' but ignores the three original Georgian stone pineapple embellishments to the parapet.

3. Her assertion that any photograph shows two top lights is wrong. The opening height of the doorways is 6'6" IE No adequate height for any top lights.

4. Her assertion that the door that replaced the door described in the Listing details as 'modern' is again hardly 'elaborate' though a description 'traditional' might be appropriate. The replacement door is identical in design and every detail to the glazed screen to the Dining room immediately adjoining permitted by Ms Waldron in 2009.

5. Her assertion of any erosion of the special character is again wrong. Given the present use of the building as a single family home the original duality of doors is irrelevant and disturbing architecturally. A single visually important entrance door is a more logical expression of the current function of the undivided building. It can be argued that the creation of an important aesthetic axis provides a more harmonious balance of the elevational elements particularly taking the large glazed screen she permitted into consideration.

6. Her fifth paragraph is entirely inappropriate at best and untrue at worst. NOTHING WAS NEGOTIATED OUT. Nash Partnership were simply instructed to omit that element of the applications.

6. Her penultimate assertion regarding the duty of special regard for 'the desirability of preserving the building or it's setting or any features of special architectural or historic interest' is not empirical to the Committees' decision since the preservation of the building is irrelevant - THE BUILDING IS NOT AT RISK and the setting and any special features are UNCHANGED. She equally ignores Historic England General principles BH8: 'Architectural details that match or are in keeping with those found in the building/cumulative change reflecting the history of use and ownership have contributed to the historic interest of...buildings'. The committee will note from the Listing LBS 32180 dated 19 October 1963 the reference to '2 Modern doors' NOT '2 HISTORIC DOORS'.

In the event of refusal an Appeal will be made to the Planning Inspectorate not least because of Ms Waldron's continuing personal bias but equally since

*there is no measurable harm caused to the character or significance of the Listed former coach house by these proposals.
I trust you will bring these comments to the attention of the Committee given that by force of circumstances I cannot attend.*

Information about the history of the building has been taken from the Design and Access Statement submitted by the applicant in connection with a previous application on site. The report notes that the coach house was converted to cottages in the 1930s and includes a photograph showing the building in the early 20th century.

Listed buildings will often retain features and characteristics relating to a former use. This is part of their significance and altering them to reflect the current use will often harm the listed building.

The penultimate paragraph in the report is a statement of the councils statutory duty which is included in all reports relating to listed building consent applications.

There is no change to the officer recommendation.

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 18 OCTOBER 2017

SITE VISIT LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	143 Calton Road, Lyncombe, Bath	Keith Palmer	Against (3 minutes)
		Nigel Whitehead	(3 minutes)
		John White (Agent)	For (6 minutes)
		Cllr Ian Gilchrist	Ward Councillor
2 and 3	2 Manor Farm Cottages, Anchor Lane, Combe Hay, Bath	Nigel Whitehead (Agent)	For (6 minutes)

MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	University of Bath, Claverton Down, Bath	Chris Beezley (Beech Avenue and Woodland Grove Residents' Associations)	Against
		Ben Ponting (Agent)	For
		Cllr Matt Cochrane	Ward Councillor
2	17 Station Road, Welton, Midsomer Norton	Jane Lewis	Against

3	Matfen House, Packhorse Lane, Southstoke, Bath	Stephen Ruddock (Applicant)	For
		Cllr Neil Butters	Ward Councillor
4	28 Meadlands, Corston	Sandra McCrory	Against
		Jason Kean (Applicant)	For

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

18th October 2017

SITE VISIT DECISIONS

Item No:	001	
Application No:	17/02591/FUL	
Site Location:	143 Calton Road, Lyncombe, Bath, Bath And North East Somerset	
Ward: Widcombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 2no townhouses following demolition of existing 2 bed apartment	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, British Waterways Major and EIA, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Mr Jim Rees	
Expiry Date:	22nd September 2017	
Case Officer:	Tessa Hampden	

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 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.

3 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.

4 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.

5 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 or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority to assess the impact upon residential amenity

6 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

7 Screening (Pre-occupation)

The development hereby approved shall not be occupied until the details of screening/means of enclosure at the rear boundary have been submitted to and approved in writing by the Local Planning Authority. These shall be installed prior to occupation of the development and permanently retained as such.

Reason: In the interest of residential and visual amenity in accordance with Policy D2 and D6 of the Bath and North East Somerset Placemaking Plan.

8 Drainage (Compliance)

The drainage design should ensure that no surface water generated as a result of the development should flow onto the highway or other neighbouring land.

Reason; This is to ensure that there is no increase in flood risk away from the development in accordance with Policy CP5 of the Bath and North East Somerset Placemaking Plan.

9 Notwithstanding the approved plans, the lower half of the first floor and second floor windows on the rear elevation hereby approved shall be nonopening and obscurely glazed and retained as such in perpetuity.

Reason: To safeguard the residential amenity of the neighbouring occupiers.

10 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:

31 May 2017	EXISTING SITE PLAN AND PROPOSED SITE PLAN
31 May 2017	AP(0)09 A PROPOSED SECTION
31 May 2017	AP(0)08 A EXISTING SECTION
31 May 2017	AP(0)05 A EXISTING ELEVATIONS
31 May 2017	AP(0)04 A EXISTING PLANS
31 May 2017	AP (0)01 SITE LOCATION PLAN
27 Sep 2017	1419 AP(0)06 D PROPOSED PLANS
27 Sep 2017	1419 AP(0)07 D PROPOSED ELEVATIONS

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.

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.

This permission does not convey or imply any civil or legal consents required to undertake the works.

Item No:	002		
Application No:	17/01708/FUL		
Site Location:	2 Manor Farm Cottages, Anchor Lane, Combe Hay, Bath		
Ward: Bathavon West	Parish: Combe Hay	LB Grade: II	
Application Type:	Full Application		
Proposal:	Interior and exterior alterations, including a two-storey extension and creation of new vehicle access.		
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building, Neighbourhood Plan, SSSI - Impact Risk Zones,		
Applicant:	Lacroix		
Expiry Date:	23rd October 2017		
Case Officer:	Emma Hardy		

DECISION REFUSE

1 The proposed works to create a new access and associated drive and hardstanding would be harmful to the setting of the Grade II listed building result in a loss of historic fabric and is detrimental to the character and appearance of the Conservation Area. The public benefits of the proposal are limited and do not outweigh this harm. Consequently the application is contrary to Core Strategy Policy CP6 and policy H.E1 of the Placemaking Plan.

PLANS LIST:

This decision relates to the following drawings: 255 _BP01, PD01(1), PD02, PD03, PD04, PD05, PD06, PE01, PE02, PE03, PL01, PP01, PP02, SP01, SP02, SP03, SE01, L417/07 Rev A, L417/08, L417/09, SPL01.

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. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

Item No:	003		
Application No:	17/01709/LBA		
Site Location:	2 Manor Farm Cottages, Anchor Lane, Combe Hay, Bath		
Ward: Bathavon West	Parish: Combe Hay	LB Grade: II	
Application Type:	Listed Building Consent (Alts/exts)		
Proposal:	Interior and exterior alterations (part retrospective), including a two-storey extension and partial demolition of rear boundary wall to create a vehicle access.		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building, Neighbourhood Plan, SSSI - Impact Risk Zones,		
Applicant:	Lacroix		
Expiry Date:	23rd October 2017		
Case Officer:	Emma Hardy		

DECISION REFUSE

1 The proposed works to create a new access and associated drive and hardstanding would be harmful to the setting of the Grade II listed building result in a loss of historic fabric and is detrimental to the character and appearance of the Conservation Area. The public benefits of the proposal are limited and do not outweigh this harm. Consequently the application is contrary to Core Strategy Policy CP6 and policy H.E1 of the Placemaking Plan and to the aims, requirements and objectives of the Planning (Listed Buildings & Conservation Areas) Act 1990 and NPPF Section 12: Conserving and enhancing the historic environment.

PLANS LIST:

This decision relates to the following drawings: 255 _BP01, PD01(1), PD02, PD03, PD04, PD05, PD06, PE01A, PE02, PE03, PL01, PP01B, PP02, SP01, SP02, SP03, SE01, L417/07 Rev A, L417/08, L417/09, SPL01.

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. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

18th October 2017

DECISIONS

Item No:	01
Application No:	17/02607/FUL
Site Location:	University Of Bath, University Of Bath Campus, Claverton Down, Bath
Ward: Bathwick	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Works to refurbish existing waste compound with the erection of raised canopy to cover plant, erection of new welfare unit following demolition of existing, relocation of confidential waste shed and alterations to entrance roadway.
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Sites with Planning Permission, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Tree Preservation Order, World Heritage Site,
Applicant:	University Of Bath
Expiry Date:	20th October 2017
Case Officer:	Chris Gomm

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 The rating level of noise emitted from any fixed plant and /or machinery associated with the development hereby approved shall not exceed background sound levels determined as 38dB (LA90). The rating level shall be determined by measurement or calculation at the boundary of the nearest noise sensitive premises as identified in the submitted acoustic report.

Reason: To protect local residents from unacceptable levels of noise disturbance.

3 There shall be no operation of the hereby approved compactors or bailers other than between the hours of 8am and 6pm on Mondays to Fridays (inclusive) and at no other times.

Reason: To protect local residents from unacceptable levels of noise disturbance.

4 There shall be no vehicular deliveries nor vehicular collections to/from the site other than between the hours of 10am to 4pm on Monday to Fridays (inclusive).

Reason: To reduce the risk of conflicts with other users of the site during peak traffic times in the interests of highway safety and in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

5 No demolition or development shall take place until a Detailed Arboricultural Method Statement with 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, 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.

6 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 There shall be no shredding within the application site.

Reason: To protect local residents from unacceptable levels of noise disturbance.

8 Lighting for the development hereby permitted shall be installed and operated thereafter in accordance with the approved "External Lighting Statement" reference UOB-HYD-WC-XX-RP-ME-0002 dated 29th September 2017 and "proposed lighting layout" drawing number UOB-HYD-WC-00-DR-E-2002 P01 dated 14th Sept 2017 and shall be installed and operated so that lux levels fall within the predicted light spill levels. Prior to operation of the development, full details of proposed measures to further minimise light spill onto adjacent land and vegetation must be first submitted to and approved in writing by the Local Planning Authority. These details shall include, as applicable, use of directional lighting, tilting and orientation of lamps; fitting of hoods or baffles onto lamps; screening; and specified times and durations of use of lighting, to include, as appropriate, use of automated systems; dimming regimes and remote sensors. Upon approval in writing, the details shall be implemented and thereafter the development shall be operated in accordance with the approved details. No new external lighting or changes to the

approved scheme of lighting shall be installed thereafter without full details of proposed lighting design being first submitted to and approved in writing by the LPA.

Reason: to provide a sensitive lighting scheme that avoids harm to bat activity and other wildlife

9 The fixed plant hereby approved (compactors and bailers) shall not be installed or operated until such time that the building within which they will be sited is constructed in accordance with the details shown on Drawing No. 170275_L(0)4-

Reason: To protect local residents from undue noise and disturbance.

10 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:

Plans List:

- o Site Plan (Existing): Drawing No. 170275_L(0)1-A-
- o Site Location Plan: Drawing No. 170275_L(0)2-
- o Proposed Welfare Building: Drawing No. 170275_L(0)3-
- o Proposed Canopy Elevations: Drawing No. 170275_L(0)4-
- o Site Plan (Proposed): 170275_L(0)5-A-
- o Section A-A & B-B: Drawing No. 170275_L(0)6-
- o Drainage Works: Drawing No. 8131_003_P3
- o Proposed External Services Layout: Drawing No. UOB-HYD-WC-00-DR-M-1001-P03
- o Proposed External Services Layout2: Drawing No. UOB-HYD-WC-00-DR-M-1002-P02
- o M&E Services Concept Layout: Drawing No. UOB-HYD-WC-00-DR-M-1003-P01

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.

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

Item No:	02		
Application No:	16/04499/FUL		
Site Location:	17 Station Road, Welton, Midsomer Norton, BA3 2AZ		
Ward: Midsomer Norton North	Parish: Midsomer Norton	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of 6no. new dwellings following demolition of existing dwelling and outbuildings (resubmission) - revised plans		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
Applicant:	Flower And Hayes Ltd		
Expiry Date:	20th July 2017		
Case Officer:	Tessa Hampden		

DECISION REFUSE

1 The development results in the demolition of 17 Station Road and associated outbuildings which are considered to be non designated heritage assets. This loss has not been justified and whilst the development is considered to result in less than substantial harm to the Conservation Area the public benefits resulting from the scheme do not

outweigh the harm identified. The development is therefore considered to be contrary to Placemaking Plan policies HE1, D1, and D2 and Core Strategy Policy SV1 and CP6.

PLANS LIST:

15 Nov 2016	F1123/100F	PROPOSED SITE PLANS AND SECTION
15 Nov 2016	F1123/101E	PROPOSED SITE SECTION AND SCHEDULES
15 Nov 2016	F1123/112D	PROPOSED PLANS AND ELEVATIONS PLOT
15 Nov 2016	F1123/115D	PROPOSED PLANS AND SECTIONS PLOTS 5 AND
15 Nov 2016	F1123/116D	PROPOSED SITE PLAN SHOWING VEHICULAR MOVEMENTS

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. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule comes into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	03		
Application No:	17/02826/FUL		
Site Location:	Matfen House, Packhorse Lane, South Stoke, Bath		
Ward: Bathavon South	Parish: South Stoke	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of single storey garden room extension and first floor bedroom extension over garage		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, Public Right of Way, SSSI - Impact Risk Zones,		
Applicant:	Mr Stephen Ruddock		
Expiry Date:	19th October 2017		
Case Officer:	Nikki Honan		

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 Materials (Compliance)

All external walling materials to be used shall match those of the host dwelling in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1 and D2 of The Placemaking Plan for Bath and North East Somerset Council (2017) and Policy CP6 of the Bath and North East Somerset Core Strategy (2014).

3 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:

The development shall be carried out strictly in accordance with the details shown on the following drawings/documents:

591/P/01, 591/P/02, 591/P/03, 591/S/01, 591/S/02, 591/S/03, all received 14 June 2017

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.

If Wales & West Utilities apparatus may be at risk during construction works the promoter of these works is required to contact Wales & West Utilities directly to discuss requirements in detail.

Item No:	04	
Application No:	17/03041/FUL	
Site Location:	28 Meadlands, Corston, Bath, Bath And North East Somerset	
Ward: Farmborough	Parish: Corston	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of single storey rear extension.	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones,	
Applicant:	Mr Jason Kean	
Expiry Date:	19th October 2017	
Case Officer:	Nikki Honan	

Defer for site visit - to allow Members to understand the context of the site

Item No:	05	
Application No:	17/03012/LBA	
Site Location:	The Clock House, Bathford Hill, Bathford, Bath	
Ward: Bathavon North	Parish: Bathford	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Replacement front door (Retrospective)	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Conservation Area, Forest of Avon, Greenbelt, Housing Development Boundary, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Mr Michael Brady & Mrs Sandra Milner	
Expiry Date:	29th August 2017	
Case Officer:	Caroline Waldron	

DECISION REFUSE

1 The unauthorised replacement front door by reason of its detailed design harms the intrinsic character and significance of the listed former coach house contrary to Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and relevant Historic England advice.

PLANS LIST:

Drawings site location plan, Design and Access Statement, photographs of doors date stamped: 22nd June 2017

Drawing elevation of replacement door, additional statement dated the 20th January 2017 and date stamped: 4th July 2017

Drawings 1:50 existing elevation, 1:50 proposed elevation (Right hand door only. Any other alterations do not form part of the current application).

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. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

Item No:	06	
Application No:	16/04872/FUL	
Site Location:	Church Hall, School Lane, Batheaston, Bath	
Ward: Bathavon North	Parish: Batheaston	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of new single storey Church Hall, activity rooms, kitchen, toilets, stores and associated car park/landscaping and external works following demolition of existing Church Hall.	
Constraints:	Agric Land Class 3b,4,5, Conservation Area, Forest of Avon, Hotspring Protection, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Batheaston Shared Vision (BSVG)	
Expiry Date:	27th July 2017	
Case Officer:	Sarah James	

Members resolved that they would have approved the application if it had not been subject to an appeal against non-determination.

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