

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 15th November, 2017, 2.00 pm

Councillors: Sally Davis (Chair), Rob Appleyard, Jasper Becker, Paul Crossley, Matthew Davies, Eleanor Jackson, Les Kew, Bryan Organ and Caroline Roberts

67 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

68 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

69 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor David Veale.

70 DECLARATIONS OF INTEREST

Councillor Matthew Davies declared a non-pecuniary interest in planning application number 17/03603/FUL – 9 Partis Way, Lower Weston, Bath – as the applicants' children attend the same school as his children. Councillor Davies stated that he would speak and vote on this item.

71 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

72 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.

73 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

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

74 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 18 October 2017 were confirmed and signed as a correct record.

75 **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. 17/03041/FUL

Site Location: 28 Meadlands, Corston, 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.

In response to a question the Case Officer confirmed that the extension would be at the same floor level as the existing property.

Councillor Kew stated that he understood the concern of the neighbours regarding potential loss of light but, on balance, felt that this would be negligible. He then moved the officer recommendation to permit the application. This was seconded by Councillor Organ.

The motion was then put to the vote and it was **RESOLVED** by 7 votes in favour, 1 vote against and 1 abstention to **PERMIT** the application subject to the conditions set out in the report.

76 **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, 2, 3, 4 and 6 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. 17/03774/OUT

Site Location: 34-35 Lower Bristol Road, Westmoreland, Bath, BA2 3AZ – Outline application for the erection of two buildings to provide residential accommodation for students (up to 204 bedrooms) with ancillary accommodation and facilities and external courtyards, alterations to existing pedestrian and vehicular access, and associated infrastructure following demolition of existing building. Access, appearance, layout and scale to be determined and landscaping reserved.

The Case Officer reported on the application and his recommendation to permit. He gave the following updates:

- An additional objection had been received stating that only minimal changes had been made to the original application and urging the Committee to view the site rather than relying on computer images.
- The Senior Conservation Officer had raised no objection to the application noting that there had been some refinements to the original design. It was felt that the World Heritage site would not be affected by this development.
- Where the report referred to the "Local Plan" this should now be replaced with the words "Placemaking Plan".

The registered speakers spoke for and against the application.

Cllr Becker, local ward member, stated that the changes made by the applicant did not address the concerns the Committee had raised when it previously considered this proposal. If this area were to be redeveloped then it should be made as attractive as possible. He felt that the Committee should reject this design as the building was ugly and did not enhance the area. Cllr Becker also expressed concern about the massing and quality of architecture and noted that the building was tall and would be very prominent in this central location. He then moved that permission be refused but there was no seconder.

In response to a question the Case Officer confirmed that the cycle parking area was large enough to provide spaces for 50 bicycles.

Councillor Appleyard noted the changes that the applicant had made to the original design and felt that the issues previously raised by the Committee had been addressed. In particular the lighter brickwork would improve the appearance of the building. He then moved that permission be granted.

Councillor Crossley seconded the motion to permit. He had supported the previous application and felt that the design reflected the industrial heritage of this area of the city. The site was sustainable due to its location in the city centre and being on a bus route. He stated that the provision of purpose built student accommodation would remove some of the pressure caused by family homes being used for this

purpose. He was supportive of both the concept and the design.

Councillor Kew supported the proposal and noted the need for student accommodation and the improved design.

Councillor Organ felt that the proposal would be an improvement to this area but noted that it would be quite dominant.

The motion was then put to the vote and it was RESOLVED by 6 votes for and 3 votes against to PERMIT the application subject to the conditions set out in the report and the prior completion of a Section 106 Agreement to secure the matters set out in the officer's report.

Item No. 2

Application No. 17/03603/FUL

Site Location: 9 Partis Way, Lower Weston, Bath, BA1 3QG – Erection of single storey garage and detached 4 bed house with garage following demolition of existing rear conservatory and side extension (accommodating garage) to existing dwelling

The Case Officer reported on the application and her recommendation to permit. She confirmed that the Highways Officer had been consulted on both the original and revised plans and had raised no objections.

The registered speakers spoke for and against the application.

Councillor Roberts, local ward member, pointed out that there had been a high number of objections from neighbours. She noted that the applicant had amended the design; however, she still felt that the building would be too high and overbearing which would impact adversely on local residents.

In response to a question the Team Leader, Place Legal Team, explained that any existing covenant on the property was a private property right and would not be relevant to the determination of this planning application.

Councillor Jackson then moved that consideration of the application be deferred pending a site visit. This was seconded by Councillor Roberts.

The motion was put to the vote and there were 3 votes in favour, 4 against and 2 abstentions. The motion was therefore LOST.

In response to a question the Team Leader, Place Legal Team, explained that although a planning permission could be made personal to the applicant this was unusual and special planning reasons would be required to do so.

Councillor Organ stated that he felt there was room on this plot of land for the proposed development. He moved the officer recommendation to permit. This was seconded by Councillor Jackson.

Councillor Crossley stated that the application was for a large building which represented overdevelopment of the site. He was concerned at the potential impact on neighbouring properties and the loss of the green space in the area.

Councillor Appleyard agreed that more houses were required but was concerned at the erosion of gardens in this area and felt that this would affect the viability of the properties as family homes.

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

Item No. 3

Application No. 17/04031/FUL

Site Location: The Paddocks, Pilgrims Way, Chew Stoke – Erection of a new dwelling (Resubmission)

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

The registered speakers spoke for and against the application.

A statement in favour of the application from Councillor Liz Richardson, local ward member, was read out.

The Team Manager, Development Management, explained that if members felt that there would be harm to the Conservation Area then great weight should be given to this. She informed members that, if they were minded to permit the application on the basis that it was infilling, then very special circumstances for allowing development in the greenbelt should be specified. She also clarified the definition of infilling in the Core Strategy which stated:

“The filling of small gaps within existing development e.g. the building of one or two houses on a small vacant plot in an otherwise extensively built up frontage. The plot will generally be surrounded on at least three sides by developed sites or roads.”

Councillor Kew felt that this proposal represented infill development and stated that other developments in Pilgrim Way had been approved by officers on this basis. He noted that the application was supported by the local councillor and the Parish Council and that the site was located within the Chew Stoke housing development boundary. He stated that the development would have no impact on neighbouring properties and represented sustainable development within a village. There would be no harm to the Conservation Area and the development would not be contrary to the Placemaking Plan. Councillor Kew then moved that permission be granted as infill development which would not dominate the area or harm the openness of the greenbelt.

(At this point Councillor Caroline Roberts left the meeting).

In response to a question the Case Officer explained that the Urban Design Officer had raised objections relating to the design of the building including the provision of dormer windows leading to the “compression” of the house. She also clarified that policy D7 related to infill and backland development.

It was noted that although the Case Officer had considered the harm to the

Conservation Area to be “less than substantial”, some level of harm had still been identified.

Councillor Appleyard understood the reasons for the application but did not feel that these represented very special circumstances. The proposal did not fit the criteria for infill development and was contrary to greenbelt policy. He moved the officer recommendation to refuse permission. This was seconded by Councillor Jackson who stated that the design was poor and that the development was not appropriate in a greenbelt location as the “green lung” should be protected.

The motion was put to the vote and it was RESOLVED by 4 votes for, 3 votes against and 1 abstention to REFUSE permission for the reasons set out in the report.

Item No. 4

Application No. 17/02313/FUL

Site Location: 6 High Bannerdown, Batheaston, Bath, BA1 7JY – Erection of two storey side extension, new front boundary wall and change of layout of existing gardens

The Case Officer reported on the application and her recommendation to permit. She clarified points made within the report regarding night lighting and the removal of a tree affecting a bat roost. There was no evidence of a bat roost in this location and the tree had been removed prior to the submission of the planning application so was not relevant in this case. The night lighting did not require planning permission. The Case Officer had taken advice from the Council’s ecologist and it was not considered that the lighting would be harmful to the bat population.

The registered speakers spoke for and against the application.

In response to a question the Team Manager, Development Management, confirmed that a condition to restrict the time when works can take place could be included if necessary and reasonable. Councillor Jackson supported the inclusion of such a condition.

Councillor Appleyard moved the officer recommendation to permit with the addition of a condition to limit the times when construction could take place. This was seconded by Councillor Organ.

The motion was put to the vote and it was RESOLVED by 7 votes for and 1 abstention to PERMIT the application subject to the conditions set out in the report and the inclusion of a condition requiring a construction management plan.

(At this point Councillor Roberts returned to the meeting).

Items No. 5 and 6

Application Nos. 17/03629/FUL and 17/03630/LBA

Site Location: Manor House Farm, North Stoke Lane, North Stoke – Widening of front entrance and garden access with installation of aluminium frame doors. Internal and external alterations for the re-arrangement of internal stud walls, exposing of original stone walling in lobby and widening of garden and front access with replacement aluminium framed doors

The Case Officer reported on the applications and his recommendations to permit.

Councillor Jackson moved that planning permission and listed building consent be granted. This was seconded by Councillor Matthew Davies.

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

Item No. 6

Application No. 17/03930/FUL

Site Location: 1 Audley Avenue, Lower Weston, Bath, BA1 3BL – Removal of front boundary of off street parking with permeable hardstanding

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

The registered speakers spoke for and against the application.

Councillor Appleyard felt that this proposal represented overdevelopment of the site for parking. He moved that planning permission be refused.

Councillor Crossley seconded the motion as he felt this was a major intensification of the area and pointed out that there was already a large amount of parking for this property.

Councillor Jackson queried the highway and pedestrian safety implications of the proposal.

Councillor Kew agreed that this was overdevelopment and that attention should be paid to the impact on the Conservation Area.

The motion was put to the vote and it was RESOLVED by 7 votes for and 2 votes against to REFUSE the application for reasons of harm to the street scene and the Conservation Area.

77 QUARTERLY PERFORMANCE REPORT - JULY TO SEPTEMBER 2017

The Committee considered the quarterly performance report for the period July to September 2017.

Members asked a number of questions regarding the performance statistics to which the Team Manager, Development Management responded as follows:

- Targets are reviewed regularly with an aim to continuing performance improvement.
- No specific reason had been identified for the dip in performance from January to March.
- Members noted that there had been a 29% increase in appeal numbers. It

was confirmed that managers regularly analyse the performance data to identify any trends.

- Officers would provide a response to Councillor Appleyard's question regarding the closure of enforcement cases.

Councillor Crossley stated that local members could assist in identifying HMOs in their areas to ensure that these are registered appropriately.

Councillor Kew noted the high number of enforcement cases and queried whether there were adequate numbers of Enforcement Officers to deal with such a high caseload. He stressed the importance of effective enforcement.

RESOLVED to NOTE the report.

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

The Committee considered the appeals report.

RESOLVED to NOTE the report.

The meeting ended at 4.45 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date: 15 November 2017

OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN AGENDA

ITEM

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
001	17/03041/FUL	28 Meadlands, Corston, Bath

Additional comments have been received from the adjoining neighbour:

"I am still unclear how the loss of light to our property has been assessed as 'not considered significantly harmful'.

You have stated that you do not have to use the 45° rule despite it being included in The Residential Proximity Standards in B&NES as a standard that could be reasonably be expected to be used by the authority, and indeed has been applied in other planning applications (pot luck it would seem).

Please could you confirm the formula/quantifiable method of assessment that was used to formulate your opinion, so that I can assess the viability of appointing an independent surveyor?

Although a legal rather than planning matter, we can claim Right to Light under the 1832 Prescriptions Act."

There is no formula/quantifiable method for assessing the impact of proposed development on residential amenity. Each case is different and there is considerable variety within the district. Officers make recommendations on planning applications based on professional judgement. Planning applications are assessed against national and local planning policy and informed by comments received. In some cases a 45 degree rule may be used if this is deemed appropriate. In this case, due to the context of the site and the development proposed the level of harm from the development when compared to the existing situation is not considered significantly harmful to warrant refusal of the application.

Corston Parish Council has reiterated objections to the application. Objections include:

- Loss of light and overbearing impact on neighbouring property
- Proposed extension is too close to the boundary of the neighbouring property
- Unsympathetic design that is harmful to the character and appearance of the street scene

There is no change to the officer recommendation to permit this application.

Item No.	Application No.	Address
01	17/03774/OUT	34 - 35 Lower Bristol Road, Westmoreland, Bath

Following further discussions between the case officer and agent a number of amendments to the conditions set out in the main report have been made. None of these amendments materially alter the nature of the conditions but relate to matters of implementation and clarification. The revised conditions are as follows:

3. Samples of all external facing materials shall be submitted to and approved in writing by the local planning authority prior to their first incorporation in the development hereby authorised. The development shall proceed in accordance with the details/samples so approved. [*Case Officer Note: Trigger altered from prior to commencement of construction to prior to first use of the material concerned*].

14 No development (excluding any demolition works which are essential to facilitate the investigative work required by this condition) 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).

[*Case Officer Notes: this condition has been altered to enable essential demolition works to be undertaken prior to the submission and approval of the investigation as such investigation is likely to be difficult prior to any demolition*].

15. No development (excluding any demolition works which are essential to facilitate the production of the remediation scheme required by this condition) 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.

[Case Officer Notes: this condition has been altered to enable essential demolition works to be undertaken prior to the submission and approval of the remediation scheme].

22. No development (excluding any demolition works which are essential to facilitate the works required by this condition) shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a field evaluation of the site to determine date, extent, and significance of any archaeological deposits or features, and shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of potential archaeological interest and the Council will wish to evaluate the significance and extent of any archaeological remains.

[Case Officer Notes: this condition has been altered to enable essential demolition works to be undertaken prior to the programme of archaeological being approved as such work is likely to be difficult with some buildings in situ].

23 No development (excluding any demolition works which are essential to facilitate the works required by this condition) shall commence until the applicant, or their agents or successors in title, has presented the results of the archaeological field evaluation to the Local Planning Authority, and has secured the implementation of a subsequent programme of archaeological work in accordance with a written scheme of investigation which has first been agreed and approved in writing by the Local Planning Authority. The agreed programme of archaeological work shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of potential archaeological interest and the Council will wish record and protect any archaeological remains

[Case Officer Notes: this condition has been altered to enable essential demolition works to be undertaken prior to the submission of a field evaluation etc. as such evaluation is likely to be difficult prior to any demolition].

24. In the event of a programme of archaeological work being deemed necessary by the local planning authority further to the findings of the preliminary archaeological field evaluation, the development shall not be brought into use or occupied until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

[Case Officer Notes: this condition has been reworded to clarify that the required works are only necessary in certain circumstances].

Item No.	Application No.	Address
2	17/03603/FUL	9 Partis Way Lower Weston Bath BA1 3QG

Please note for a point of clarification that the site is not within the conservation area, although it is adjacent to it. The policies section of the report references s72 P(LBCA)A 1990 of the legislation but this does not apply as the site is outside of the Conservation Area. This hasn't been referenced elsewhere.

Item No.	Application No.	Address
3	17/04031/FUL	The Paddocks Pilgrims Way Chew Stoke

Since the publication of the agenda one representation has been received objecting to the application for the following reasons:

The development has already been refused
This is not an infill site within a built up frontage and is contrary to green belt policy
The development is contrary to policy D.7 of the placemaking plan

Officer comments

The proposed development is not considered to be infill and is contrary to current housing policy. It is considered to be inappropriate development in the green belt. The submitted objection does not alter the case officers recommendation.

Item No.	Application No.	Address
4	17/02313/FUL	6 High Bannerdown Batheaston

Since the agenda was published one further representation has been received making the following comments:

It is appreciated that the delay in building work was due to a dispute with a builder.
The site has been improved in the last few weeks.
The project should be completed to a high standard and the garden reinstated.
Improving the look of the garage area will be of benefit to the overall site.

Officer comments

The submitted representation does not alter the case officers recommendation.

Item No.	Application No.	Address
06	17/03930/FUL	1 Audley Avenue, Lower Weston, Bath, BA1 3BL

Condition 3 should read:

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 dwelling known as 1 Audley Avenue.

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.

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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 15 NOVEMBER 2017**

SITE VISIT LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	28 Meadlands, Corston	Sandra McCrory	Against
		Natasha Lawday (Applicant)	For

MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	34-35 Lower Bristol Road, Bath	Ian Hull	Against
		Paul Withers (on behalf of applicant)	For
2	9 Partis Way, Lower Weston, Bath	Susan Hamer	Against
		Kevin Murphy (Agent)	For
3	The Paddocks, Pilgrims Way, Chew Stoke	John White	Against
		Ann Fawcett (Applicant)	For

4	6 High Bannerdown, Batheaston, Bath	Andrew Randle	Against
		David Hadfield (Agent)	For
6	1 Audley Avenue, Lower Weston, Bath	Jeremy Gardiner	Against
		Tony Phillips (Planning Consultant)	For

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

15th November 2017
SITE VISIT DECISIONS

Item No:	001	
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:	16th November 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:

02, 01 - received 27.06.17

17/013 03 REV B - received 11.09.17

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.

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

15th November 2017

DECISIONS

Item No:	01	
Application No:	17/03774/OUT	
Site Location:	34 - 35 Lower Bristol Road, Westmoreland, Bath, Bath And North East Somerset	
Ward: Widcombe	Parish: N/A	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Outline application for the erection of two buildings to provide residential accommodation for students (up to 204 bedrooms) with ancillary accommodation and facilities and external courtyards, alterations to existing pedestrian and vehicular access, and associated infrastructure following demolition of existing building. Access, appearance, layout and scale to be determined and landscaping reserved.	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, British Waterways Major and EIA, British Waterways Minor and Householders, Contaminated Land, Flood Zone 2, Flood Zone 3, LLFA - Flood Risk Management, MOD Safeguarded Areas, Other Please specify, Other Please specify, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	c/o Agent	
Expiry Date:	9th November 2017	
Case Officer:	Chris Gomm	

DECISION Delegated to permit subject to applicant entering into S106 agreement and relevant conditions.

Item No:	02	
Application No:	17/03603/FUL	
Site Location:	9 Partis Way, Lower Weston, Bath, Bath And North East Somerset	
Ward: Newbridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of single garage and detached 4 bed house with garage following demolition of existing rear conservatory and side extension (accommodating garage) to existing dwelling	
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:	Amanda and Robert Hawking	
Expiry Date:	16th November 2017	
Case Officer:	Samantha Mason	

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 Surface water drainage (Compliance)

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 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.

4 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.

5 Arboricultural Method Statement and Tree Protection Plan (Pre-commencement)

No development shall commence 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. The arboricultural 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 include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); 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. No development or other operations shall thereafter take place except in complete accordance with the approved details.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy NE6 of the Bath and North East Somerset Placemaking Plan. 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 Arboriculture - Compliance with Arb Method Statement (Pre-occupation)

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. No occupation of the approved development shall commence until a signed certificate of compliance by the appointed Arboriculturalist has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy NE6 of the Bath and North East

Somerset Placemaking Plan. To ensure that the approved method statement is complied with for the duration of the development.

7 Archaeology - Watching Brief (Pre-commencement)

No development shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

8 Materials - Sample of Render (Bespoke Trigger)

No external walls of the development shall be rendered until a sample of the colour and texture of the render to be used 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 materials.

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.

9 Garages (Compliance)

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose.

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

10 Bound/Compacted Vehicle Access (Pre-occupation)

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 ST7 of the Bath and North East Somerset Placemaking Plan.

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

The proposed windows located in the first floor on the east and west elevation serving the master bedroom, bed 2, and the two ensembles shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window 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.

12 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.

13 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.

14 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:

This decision relates to the following plans:

27 Jul 2017 1289 002 B Site Survey Plan
27 Jul 2017 1289 019 B Demolition Plan
27 Jul 2017 1289 001 B Site Location Plan
05 Oct 2017 1289 020 D Proposed Block Plan
05 Oct 2017 1289 021 C Proposed Ground Floor Plan
05 Oct 2017 1289 022 C Proposed First Floor Plan
05 Oct 2017 1289 023 C Proposed Second Floor Plan
05 Oct 2017 1289 024 C Proposed South Elevation
05 Oct 2017 1289 025 D Proposed East Elevation
05 Oct 2017 1289 026 C Proposed North Elevation
05 Oct 2017 1289 027 D Proposed West Elevation
05 Oct 2017 1289 028 C Proposed Roof Plan

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.

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:	03		
Application No:	17/04031/FUL		
Site Location:	The Paddocks, Pilgrims Way, Chew Stoke, Bristol		
Ward: Chew Valley North	Parish: Chew Stoke	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of a new dwelling (Resubmission).		
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Conservation Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro, Tree Preservation Order,		
Applicant:	Mr B & Mrs A Fawcett		
Expiry Date:	22nd November 2017		
Case Officer:	Alice Barnes		

DECISION REFUSE

1 The proposed dwelling does not represent infilling and is considered to be inappropriate development in the Green Belt. The proposal is therefore contrary to policy CP8 of the Bath and North East Somerset Core Strategy (adopted July 2014), policy GB2 of the Placemaking Plan (adopted July 2017) and guidance in the National Planning Policy Framework.

2 The proposed dwelling, by reason of its size and siting would dominate this space to the detriment of the character and appearance of the Conservation Area and would harm the openness and semi-rural appearance of this part of Pilgrims Way. The proposal is therefore contrary to policies D1, D2 and GB1 of the Bath and North East Somerset Placemaking Plan (adopted July 2017), policy HDE1 of the Chew Valley Neighbourhood Plan (November 2016) and guidance in the National Planning Policy Framework.

PLANS LIST:

This decision relates to the following plans received on 21 August 2017:

Site location plan: 1818-21

Proposed floor plans: 1818-27

Proposed west and south elevations: 1818-28

Proposed east and north elevations: 1818-29

Sectional dimensions: 1818-30

Proposed elevation details (part east / part south): 1818-31

Proposed roof plan and cycle shed: 1818-32

Tree protection plan: 170403-TP-TPP-AM

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.

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:	04
Application No:	17/02313/FUL
Site Location:	6 High Bannerdown, Batheaston, Bath, Bath And North East Somerset
Ward:	Bathavon North
Parish:	Batheaston
LB Grade:	N/A
Application Type:	Full Application
Proposal:	Erection of two storey side extension, new front boundary wall and change of layout of existing gardens.
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Forest of Avon, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones,
Applicant:	Mr & Mrs Sue & Andrew Milloy
Expiry Date:	17th November 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 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 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.

4 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 000
Plan: ground 698:S:001
Plan : first 698:S:002
Plan: roof 698:S:003
Elevation: south and north 698:S:004
Elevation: east and west 698:S:005
Section 698:S:006
Plans: site 698:001 rev A
Plan: ground proposed 698:002 rev A
Plan: first proposed 698:003 rev A
Plan: roof proposed 698:004 rev A
Elevation: south-east proposed 698:005-1 rev A
Elevation: north-west proposed 006 rev A
Side elevation 698:007 rev A
Section: proposed 698:008 rev 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:	05	
Application No:	17/03629/FUL	
Site Location:	Manor House Farm, North Stoke Lane, North Stoke, Bath	
Ward: Bathavon North	Parish: Northstoke	LB Grade: II
Application Type:	Full Application	
Proposal:	Widening of front entrance and garden access with installation of aluminium frame doors.	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs B & J Hogg & Stratford	
Expiry Date:	22nd September 2017	
Case Officer:	Adrian Neilson	

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 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:

CLC5/321/101 EXISTING & PROPOSED PLANS AND DETAIL and CLC5/321/102 Site Location Plan and HERITAGE STATEMENT date stamped 28 July 2017.

DECISION TAKING 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:

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:	17/03630/LBA		
Site Location:	Manor House Farm, North Stoke Lane, North Stoke, Bath		
Ward: Bathavon North	Parish: Northstoke	LB Grade: II	
Application Type:	Listed Building Consent (Alts/exts)		
Proposal:	Internal and external alterations for the re-arrangement of internal stud walls, exposing of original stone walling in lobby and widening of garden and front access with replacement aluminium framed doors.		
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs B & J Hogg & Stratford		
Expiry Date:	22nd September 2017		
Case Officer:	Adrian Neilson		

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 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.

3 Metal Double Door and Timber Door Details (Bespoke Trigger)

No installation of the metal double doors or timber doors shall commence until full details comprising 1:1 or 1:2 horizontal and vertical sections have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

4 Rear Elevation as Proposed (Bespoke Trigger)

No installation of the external metal double doors shall commence until an elevation (1:20) that clearly shows how the new arch will be formed associated with the proposed doors has been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

5 Opening masonry and making good (Compliance)

All stonework associated with the proposals to be made good using an appropriate lime mortar to match the historic mortar originally used to construct the existing historic extension in terms of colour, aggregate matrix, texture and depth and the opening shall be formed using arch and quoin details to match the existing openings.

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.

6 Materials (Bespoke Trigger)

No construction associated with the proposed new openings shall commence until samples of all associated materials and finishes to be used have been provided 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.

PLANS LIST:

CLC5/321/101 EXISTING & PROPOSED PLANS AND DETAIL and CLC5/321/102 Site Location Plan and HERITAGE STATEMENT date stamped 28 July 2017.

DECISION TAKING 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:

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:	06		
Application No:	17/03930/FUL		
Site Location:	1 Audley Avenue, Lower Weston, Bath, Bath And North East Somerset		
Ward: Kingsmead	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Removal of front boundary low wall and fence and formation of off street parking with permeable hardstanding		
Constraints:	Article 4 Bath Demolition Wall, Article 4 HMO, , Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs Tavender		
Expiry Date:	16th November 2017		
Case Officer:	Chloe Buckingham		

DECISION REFUSE

1 The proposed development would have a detrimental impact on the character and appearance of the streetscene and this part of the Bath Conservation Area and therefore does not accord with Policies D.2, D.4 or HE.1 of the Bath and North East Somerset Placemaking Plan (2017).

PLANS LIST:

This decision relates to;

Existing and Proposed Site Plan and Block Plan (SMH/06/17/16-01) received 15th August 2017.

Existing and Proposed Plans and Elevations (SMH/06/17/16-02 A) received 31st August 2017.

DECISION TAKING 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. The applicant was advised that the application was to be recommended for refusal. Having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

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.

The applicant should be advised to contact the Highway Maintenance Team on 01225 394337 with regard to securing a licence under Section 184 of the Highways Act 1980 for the construction of a vehicular crossing. The access shall not be brought into use until the details have been approved and constructed in accordance with the current Specification.