

## **DEVELOPMENT MANAGEMENT COMMITTEE**

### **Minutes of the Meeting held**

Wednesday, 14th March, 2018, 2.00 pm

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

#### **113 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

#### **114 ELECTION OF VICE CHAIRMAN (IF DESIRED)**

A Vice Chairman was not required on this occasion.

#### **115 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Cllr Matthew Davies – substitute Cllr Patrick Anketell-Jones.

It was noted that Cllr Caroline Roberts would be arriving late due to a prior commitment.

#### **116 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **117 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was no urgent business.

#### **118 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.

#### **119 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

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

#### **120 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 14 February 2018 were confirmed and signed as a correct record.

121 **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.
- 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 application be determined as set out in the decisions list attached as *Appendix 3* to these minutes.

**Item No. 1**

**Application No. 17/05316/FUL**

**Site Location: Bloomfield House, 3 Braysdown Lane, Peasedown St John, BA2 8HQ – Demolition of existing rear single storey extension and replacing with new two storey rear extension**

The Case Officer reported on the application and her recommendation for refusal.

The registered speaker spoke in favour of the application.

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

Cllr Kew felt that the application was acceptable, noted that changes would only be made to the side and rear elevations and stated that the extension would be a good addition to the property. He moved that the Committee delegate to permit. This was seconded by Cllr Jackson who stated that the extension would be at the rear of the property and would not be detrimental to the street scene.

Cllr Appleyard noted the importance of the site visit and stated that he supported the application provided conditions were put in place to ensure obscure glazing to prevent overlooking.

The motion was put to the vote and it was **RESOLVED** unanimously to **DELEGATE TO PERMIT** the application subject to conditions (including the provision of obscure glazing).

122 **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, 4, 5, and 9 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: 16/03829/RES**

**Site Location: Land between Hillside View and Bath Road, Greenlands Road, Peasedown St John, Bath – Approval of reserved matters with regard to outline application 12/05477/OUT allowed on appeal on 3<sup>rd</sup> June 2014 for the erection of 89 dwellings (72 houses and 17 flats), provision of public open space and landscaping; 1 vehicular access from Greenlands Road, undergrounding of overhead lines**

The Case Officer reported on the application and the recommendation for approval. He explained that outline planning permission had previously been granted and that this application was in respect of the reserved matters. There were a number of updates including the following representations that had been received:

A letter from residents of Hillside View expressing the following concerns:

- Stability due to the steep sloping bank on the site.
- Curo could build fewer houses on the site.
- The application is non-compliant with Policy D6.
- The application breaches Article 8 of the Human Rights Act.
- No human rights assessment has taken place.
- The scale of the development is not in keeping with the area.
- This is a poor design and there are health and safety concerns.
- The impact of HGVs has not been considered.
- A solicitor's letter had been received which set out concerns regarding open space, ecology, lack of human rights assessment, no assessment on the impact of HGV movements, inability to consider engineering works as a reserved matter and the detrimental impact on the amenity of no's 1 and 45 Hillside View.

Two letters from "Residents Protecting Peasedown" outlining concerns regarding the nature of the proposed public open space, particular concerns were expressed in relation to the inaccessible nature of some of the public open space and the removal of two areas of public open space from the earlier layout (submitted at the outline stage). Other concerns included:

- Steep nature of site
- Development is unachievable
- Outside the scope of the reserved matters
- Contrary to policy
- Poor design/out of scale and keeping
- Health and safety concerns
- Deviates from what was previously agreed

- No human rights assessment
- Poor location for allotments
- Heavily engineered platforms proposed rather than tiered arrangement

He also explained that 35% of the properties would be affordable housing with 75% of these being for social rent and 25% shared ownership. He informed the Committee that the recommendation was a delegation to permit subject to completing a deed of variation of an existing unilateral undertaking. The content of the Unilateral Undertaking imposed at the outline stage was explained by the officer as well as the variations that were now proposed to it and the reasoning behind those proposed variations.

It was noted that the Committee had visited the site.

The registered speakers spoke for and against the application.

Cllr Karen Walker, local ward member, spoke against the application.

The Case Officer responded to questions as follows:

- The public space could either be transferred to the Council for maintenance or be managed by the applicant themselves.
- There were 206 parking spaces (160 private parking spaces, 28 private garages and 18 visitor spaces).

Cllr Kew noted that this was a difficult site, although not an unusual one. He noted the large number of objections to the application. He explained that permission had been granted by the Planning Inspectorate following an appeal. He found the design acceptable with good variation, colours and materials. He noted that discussions and consultation had taken place prior to the submission of the application, the land was allocated for development and outline permission was in place. He then moved the officer recommendation to delegate to permit the application.

The motion was seconded by Cllr Organ who also noted the difficulty concerning the contours of the land on the site. He pointed out that the highway officer considered the proposed development to be acceptable.

Cllr Jackson felt that the design was unsuitable for a rural setting such as this. She also referred to a leaflet that had been circulated by Curo and whether this should be given any weight when making the decision. The Group Manager, Development Management, advised that the leaflet should be disregarded as it did not form part of the planning application process. He also confirmed that the unilateral undertaking set out a commitment to provide allotments for the residents.

Cllr Anketell-Jones felt that the design was appropriate and noted that open space would be provided.

The motion was put to the vote and it was RESOLVED by 6 votes for, 1 vote against and 2 abstentions to DELEGATE TO PERMIT the application subject to conditions and the prior completion of a deed of variation to the unilateral undertaking.

*(Note: Cllr Caroline Roberts expressed concern about the way that additional papers from a developer had been posted to Committee members requiring a signature for collection).*

## **Item No. 2**

### **Application No. 17/04338/FUL**

**Site Location: Bath Cricket Club, North Parade Road, Bathwick, Bath –  
Erection of 136 bed spaces of purpose built student accommodation (sui generis) and associated communal and ancillary facilities, re-provision of car parking, demolition and replacement of indoor cricket training facility, formation of new access and landscaping works**

The Case Officer reported on the application and his recommendation for refusal. He explained that revised drawings had been submitted but that the reduction of harm did not significantly tip the balance in favour of the application. He also informed the Committee of a change to the second proposed reason for refusal and the removal of the fourth proposed reason for refusal.

The Case Officer explained that the flood risk on this site was high and that National Planning Policy required that this should be taken into consideration. The flood risk should be balanced against the public benefit. Loss of trees was also a concern.

Cllr Becker, local ward member on the Committee, supported the officer recommendation to refuse the application. He noted that the proposed development was against the National Planning Policy Framework and the Placemaking Plan. He did not think that the modern design was appropriate for this special site in the centre of Bath and felt that the opportunity should be used to create a beautiful building for this site.

The Case Officer then responded to questions as follows:

- The building would be on stilts but whether water would reach the building would depend on the severity of the flooding. There could be additional pressure on emergency services should people become trapped in the building.
- If considering the development of a site within a flood zone than the Committee must feel that no other site could meet this need.
- A condition could be put in place to ensure that replacement trees were more mature so that they would grow more quickly. However, it would still take a long time for the new trees to grow to the height of the existing trees. The replacement trees would be more evenly spaced than the existing ones.
- There is no specific target figure for the provision of purpose built student accommodation.
- A small amount of weight could be given to the potential improvements to the cricket club which could be provided by this development, however, planning issues should be the main consideration and not financial matters which fell outside the planning application.

Cllr Jackson noted that the proposed building was not accessible for anyone with a disability and was therefore not inclusive. She felt that the building would be too high, was concerned about the loss of trees in this area and also queried the

demand for additional student accommodation in Bath.

Cllr Kew noted that there would normally be advance warning if flooding was expected.

Cllr Appleyard stated that there was a shortage of student accommodation and that a recent report had shown a need for 4,000 bed spaces in the city. The Group Manager, Development Management, explained that this was a fluid situation and that the requirement for student accommodation could change. Any specific figures should be treated with caution.

Cllr Becker then moved the officer recommendation for refusal. This was seconded by Cllr Organ who stated that flooding was a concern, mature trees would be lost and the building was of poor design.

Cllr Appleyard spoke against the motion to refuse stating that the flooding arguments were not strong enough. There would not be a negative impact on the city views from above. An emergency plan would be in place should flooding occur and advance warning would normally be given. There should be modern buildings within the city and this presented a good opportunity for the Bath Cricket Club to improve its facilities.

Cllr Crossley felt that the proposal offered a chance to repurpose the car park site in an imaginative way. It would be a gain for the Cricket Club and would be a positive addition to the community. He felt that the architecture was appropriate with interesting and varied design.

Cllr Kew agreed that the design was good and felt that this development would be an asset for Bath.

Cllr Anketell-Jones noted that Bath needed to grow internally as it could not expand outwards into the greenbelt. The current car park was ugly and this development would provide much needed student accommodation and a cricket school. The site did not constitute prime green space within the city.

The Group Manager, Development Management, clarified the flooding issue, stating that there would be a 5% chance of flooding on this site in any given year (it was within Flood Zone 3a). He explained that planning advice was clear that building on flood plains should be avoided. Escape routes could be hazardous at any level of flooding.

The motion was then put to the vote and there were 4 votes in favour and 5 against. The motion was therefore LOST.

Cllr Appleyard then moved that the Committee delegate to permit the application subject to conditions. This was seconded by Cllr Crossley.

The motion was put to the vote and it was RESOLVED by 5 votes in favour and 4 against to DELEGATE TO PERMIT the application subject to conditions following advertisement as a departure from the development plan and to no new planning issues being raised.

*(Note: Cllr Anketell-Jones left the meeting at this point).*

**Item No. 3**

**Application No. 17/04739/FUL**

**Site Location: 6 Madams Paddock, Chew Magna, BS40 8PN – Demolition of the existing dwelling, associated garage and greenhouse and erection of a new dwelling and garage. The proposal also includes the associated landscape and drainage works.**

The Case Officer reported on the application and her recommendation for refusal.

The registered speakers spoke in favour of the application.

Cllr Liz Richardson, local ward member, spoke in favour of the application.

In response to a question the Case Officer explained that the proposal represented a 118% increase in volume. She also confirmed that the property was located within the housing development boundary.

Cllr Crossley moved that consideration of the application be deferred pending a site visit. This was seconded by Cllr Appleyard.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 1 abstention to DEFER consideration of the application pending a site visit.

*(Note: Cllr Anketell-Jones returned to the meeting at this point).*

**Item No. 4**

**Application No. 17/06106/FUL**

**Site Location: Hinton House, Branch Road, Hinton Charterhouse, Bath – Installation of helipad**

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

The registered speakers spoke for and against the application.

Cllr Neil Butters, local ward member, also spoke regarding the application.

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

The motion was put to the vote and it was RESOLVED by 6 votes in favour and 3 votes against to DEFER consideration of the application pending a site visit.

*(Note: Cllr Roberts arrived at the meeting at this point).*

**Item No. 5**

**Application No. 17/05969/FUL**

**Site Location: Avonlea House, Station Road, Freshford, Bath – Erection of single-storey side extension (Resubmission)**

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

The registered speakers spoke against the application.

Cllr Neil Butters, local ward member, spoke against the application.

Councillor Crossley moved the officer recommendation to permit the application. This was seconded by Cllr Kew.

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

#### **Item No. 6**

##### **Application No. 17/06011/FUL**

**Site Location: Cromwell Farm, Combe Hay Lane, Combe Hay, Bath, BA2 8RF – Erection of a temporary (3 year) rural worker's dwelling**

The Case Officer reported on the application and the recommendation to permit. He explained that an amendment was proposed to condition no. 2 restricting occupation of the temporary dwelling to a person working for the business permitted and any dependents.

The registered speakers spoke for and against the application.

Cllr Veale, local ward member on the Committee, spoke against the application and stated that he supported the objections raised by Combe Hay Parish Council.

In response to a question the Case Officer explained that after the three year temporary period any permanent dwelling associated with the business would require planning permission.

Cllr Crossley welcomed this rural business and moved the officer recommendation to permit. This was seconded by Cllr Appleyard.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 against to PERMIT the application subject to conditions as set out in the report.

#### **Item No. 7**

##### **Application No. 17/05135/FUL**

**Site Location: Greenhill Farm, Brittens, Paulton – Resiting of existing mobile home for a temporary period of three years following demolition of existing barn**

The Case Officer reported on the application and his recommendation for refusal.

The registered speakers spoke in favour of the application.

Cllr Liz Hardman, local ward member, spoke in favour of the application.

Cllr Kew stated that he did not feel that the proposal would create any harm to the character of the area. He noted that both the Parish Council and local ward member supported the application. He then moved to delegate to permit the application

subject to conditions. This was seconded by Cllr Crossley.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 abstention to DELEGATE TO PERMIT the application subject to conditions.

**Item No. 8**

**Application No. 17/06179/FUL**

**Site Location: 12 Williamstowe, Combe Down, Bath, BA2 5EJ – Conversion of the garage and extension of roof to create annex (Resubmission)**

The Case Officer reported on the application and the recommendation for refusal.

Cllr Bob Goodman, local ward member, spoke in favour of the application.

In response to a question the Case Officer confirmed that clay tiles were the proposed roof materials.

Cllr Kew stated that he did not feel that the proposal would be harmful to the character of the area. He moved that the Committee delegate to permit the application. This was seconded by Cllr Anketell-Jones subject to the inclusion of a condition to secure appropriate roofing materials.

The motion was then put to the vote and it was RESOLVED by 8 votes in favour, 1 against and 1 abstention to DELEGATE TO PERMIT the application subject to conditions.

**Item No. 9**

**Application No. 18/00075/FUL**

**Site Location: 43 Fairfield Avenue, Fairfield Park, Bath, BA1 6NJ – Erection of a two storey side extension following demolition of existing detached single garage**

The Case Officer reported on the application and his recommendation for refusal.

The registered speaker spoke in favour of the application.

Cllr Appleyard, local ward member on the Committee, spoke in favour of the application stating that the property would not be overbearing and noting that there would not be a tunnelling effect on the streetscene.

It was noted that the original plan for this site had been for the erection of three terraced houses.

Cllr Jackson felt that the proposal would improve the property.

Cllr Appleyard moved that the Committee delegate to permit the application subject to conditions. This was seconded by Cllr Crossley.

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

*(Note: At this point Cllr Crossley left the meeting).*

**Item No. 10**

**Application No. 17/05413/FUL**

**Site Location: Willow Barn, Priston Hill, Priston – Erection of two storey rear extension**

The Case Officer reported on the application and his recommendation for refusal.

A statement from the applicant in favour of the application was read out at the meeting.

Cllr Kew noted that the property was neither listed nor in a Conservation Area. He felt that the design was in keeping with the area and the property and moved that the Committee delegate to permit the application subject to conditions. This was seconded by Cllr Anketell-Jones who felt that the character of the property would be retained.

Cllr Appleyard noted the 17% increase in volume which he felt was modest. He stated that the proposal would improve the usability of the property.

Cllr Jackson stated that the proposal appeared reasonable given that the property was not listed and was not a historical asset.

The Group Manager, Development Management, explained that the Case Officer objections related to the harm to the building and the need to retain its agricultural appearance.

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

**Item Nos. 11 and 12**

**Application Nos. 17/05621/FUL and 17/05622/LBA**

**Site Location: 9 Henrietta Villas, Bathwick, Bath, BA2 6LX – Erection of a rear single storey timber conservatory and replacement of the first floor door with a window. Internal and external alterations for the erection of a rear single storey timber conservatory and replacement of the first floor door with a window.**

The Case Officer reported on the applications and her recommendation to grant permission and listed building consent.

The registered speakers spoke for and against the applications.

Cllr Peter Turner, local ward member, spoke against the applications.

In response to a query the Case Officer explained that a listed building has a great deal fewer permitted development rights than a building that is not listed.

Cllr Jackson moved that consideration of the applications be deferred pending a site visit. This was seconded by Cllr Kew.

The motion was put to the vote in respect of each application and it was RESOLVED

unanimously to DEFER consideration of each application pending a site visit.

**Item Nos. 13 and 14**

**Application Nos. 17/06210/FUL and 17/06211/LBA**

**Site Location: 14 Bathford Hill, Bathford, Bath, BA1 7SL – Erection of side extension following demolition of existing lean-to extension and associated alterations to existing dwelling. Erection of side extension following demolition of existing lean-to extension and associated alterations to include demolition of existing porch and replacement porch to front.**

The Case officer reported on the applications and her recommendation for refusal.

The registered speaker spoke in favour of the applications.

In response to a question the Case Officer explained that the size of any extension should be proportionate but that there was no fixed volume that was permissible.

Cllr Kew noted that the extension looked to be a modern design.

*(Note: At this point Cllr Veale left the meeting).*

Councillor Organ then moved that consideration of the applications be deferred pending a site visit. The motion was seconded by Cllr Jackson.

The motion was put to the vote and there were 3 votes in favour, 4 votes against and 1 abstention. The motion was therefore LOST.

Cllr Kew then moved the officer recommendation to refuse the applications. This was seconded by Cllr Anketell-Jones.

The motion was put to the vote in respect of each application and it was RESOLVED by 6 votes in favour and 2 against to REFUSE each application for the reasons set out in the report.

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

The Committee considered the appeals report. The Committee commended the officers on the outcome of recent appeals.

RESOLVED to NOTE the report.

The meeting ended at 6.50 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Management Committee**

**14<sup>th</sup> March 2018**

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

**ITEMS FOR PLANNING PERMISSION**

**Item No. 1                      Application No. 16/03829/RES**

**Address: Land Between Hillside View And Bath Road, Greenlands Road,  
Peasedown St. John, Bath**

At the time of writing the main report Officers had preliminarily agreed and these discussion were reflect in the report. However the applicant has now submitted revised drawings to reflect the discussions and therefore the plans list has needed to be updated to refer to the following plans:

**PLANS LIST:**

This decision relates to drawing nos:

LP.01, SL.01 Rev KK, CSL.01 Rev LL, AH.01 Rev F, ML.01 Rev L, RS.01 Rev F,  
SHL.01 Rev H, SS.01 Rev M, PL.01 Rev E, HSML.01 Rev D

N.3B5P.p Rev D, N.3B5P.e Rev B  
S.3B6P.p Rev C, S.3B6P.e Rev E  
D.2B4P.pe Rev C  
AA.3B5P.p Rev C, AA.3B5P.e Rev E,  
F.2B4P.p Rev A, F.2B4P.e Rev D  
J.3B5P.p Rev C, J.3B5P.e1 Rev E, J.3B5P.e2 Rev E  
K.3B6P.p Rev B, K.3B6P.e1 Rev E, K.3B6P.e2 Rev D  
Q.3B6P.pe Rev C  
R.3B6P.pe Rev C  
M.3B6P.p Rev A, M.3B6P.e Rev B  
L.3B6P.p Rev B, L.3B6P.e Rev B  
L1.3B6P.p, L1.3B6P.e Rev A  
W.4B7P.p Rev C, W.4B7P.e Rev B  
X.4B7P.p, X.4B7P.e1 Rev C, X.4B7P.e2 Rev B  
Y.4B8P.P1 Rev A, Y.4B8P.p2 Rev A, Y.4B8P.e1 Rev C, Y.4B8P.e2 Rev B  
T.3B6P.pe1 Rev C, T.3B6P.pe2 Rev C  
AB.3B5P.p Rev C, AB.3B5P.e Rev D  
AC.3B5P.p Rev C, AC.3B5P.e1 Rev E, AC.3B5P.e2 Rev D  
G.2B4P.p Rev B, G.2B4P.e Rev C  
P.5-6.p1, P.5-6.p2, P.5-6.e Rev C  
P.22-24.p Rev A, P.22-24.e Rev E  
P.87.p Rev C, P.87.e Rev B  
P.81.85.p1 Rev C, P.81-85.p2 Rev C, P.81-85.p3 Rev C, P.81-85.e1 Rev C, P.81-85.e2 Rev A, P.81-85.e3 Rev B

P.44-49.p1 Rev D, P.44-49.p2 Rev D, P.44-49.e1 Rev C, P.44-49.e2 Rev C, P.44-49.e3 Rev D

P.59-63.p1 Rev D, P.59-63.p2 Rev C, P.59-63.e1 Rev E, P.59-63.e2 Rev C, P.59-63.e3 Rev C

P.3-4.e Rev C, P.3-4.p Rev D

P.66.e1 Rev A, P.66.p1 Rev A

BC.01 Rev A – Plots 44-49 & 81-75

GAR.01 Rev A, Gar.02 Rev A, GAR.03 Rev A

Design Compliance Statement Rev C

934/PA/01X, 943/PA/05K, 943/PA/07B, 943/PA/03S

171221 CUR-PSJ-TS-001

205-13f, 205-14e, 205-15f, 205-16f, 205-E021h, 205-E022j, 205-E023g, 205-E024f, 205-E025c, 205-E030i, 205-E080d, 205-E081c, 205-E082c, 205-E083c, 205-E084c, 205-E085c, 205-E086c, 205-E087c, 205-E088c, 205-E089c, 205-E090s, 205-E091q, 205-E092n, 205-E093o, 205-E094l

**Item No. 2                      Application No. 17/04338/FUL**

**Address: Bath Cricket Club, North Parade Road, Bathwick, Bath**

The applicant has submitted two revised drawings:

P101 PL03    PROPOSED FIRST FLOOR PLAN (HABITABLE LEVEL)

P100 PL03    PROPOSED GROUND FLOOR PLAN (CAR PARK LEVEL)

The revised drawings show two new external lifts providing disabled access to the ground floor of the building. The first of these lifts would be located in the north-east corner of the site and be located at street level. The second lift would be located on the first raised terrace and would afford access to the second terrace where there is level access to the ground floor of the student accommodation.

The changes proposed are an attempt to address the concerns raised in the main Officer Report in relation to the lack of disabled access. The proposal as now presented does provide a route into the building for disabled users or those with a mobility impairment. Whilst the route for disabled access is somewhat convoluted, requiring the navigation of two separate lift platforms, the revised approach can no longer be considered as exclusionary and should ensure that the building can be visited by those with a disability or mobility impairment. However, the proposals still do not offer disabled accommodation within the student block due to the need to provide on-site parking and a lift down to the car park level which hasn't been included.

Introducing disabled access to the building emphasises the concerns raised in the main Officer Report about flood risk. Whilst evacuation for wheelchair

users could be achieved, this approach will inevitably increase the risk during a flood event.

Visually the proposed lift platforms are located in relatively discrete areas and will not worsen the level of harm to the character and appearance of the Conservation Area already identified in the main Officer Report. The precise details of the appearance of these lifts could be secured by a condition.

In light of these revised drawings, it is considered that the proposals are now less harmful to those with a disability or mobility impairment. Whilst the proposed changes are still not entirely satisfactory, as they do not enable disabled accommodation within the proposal, it is considered that this harm is no longer great enough to a separate reason for refusal. **Reason for refusal 4** is no longer relevant and is therefore removed from the recommendation.

The harm identified in the planning balance undertaken as part of the Officer Report is there also of a lower order. However, it is considered that the reduction of this harm does not significantly tip the balance in favour of the application and the officer recommendation remains to **refuse** the application for the multiple and significant harms identified in the other three reasons for refusal.

**Item No. 9                      Application No. 18/00075/FUL**  
**Address: 43 Fairfield Avenue, Fairfield Park, Bath, BA1 6NJ**

The reason for refusal notes policy D6 (Amenity) of the Bath and North East Somerset Placemaking Plan. This policy should be omitted, and the reason for refusal should read as follows:

*‘The proposed two storey side extension by virtue of its size, scale, massing and height situated in such a prominent position would harm the character and appearance of the existing dwelling and contribute to visual harm to the wider area and World Heritage Site. The proposal conflicts with Policies D2, D4, D5 of the Bath and North East Somerset Council Placemaking Plan (2017) and Policy B4 of the Core Strategy (2014).’*

**Item No.4                      Application No. 17/06106/FUL**  
**Address: Hinton House, Branch Road, Hinton, Charterhouse, Bath, Bath And North, East Somerset**

The agenda states the application recommendation is delegate to permit. This is incorrect and should be recommended for permission.

The report refers to Historic England having objected to the application. This is incorrect. Whilst Historic England has raised concerns, addressed in the report, they have not formally objected but commented on the scheme.

Four additional comments have been received in regards to the application since the time of writing the report. These comments raise various concerns including information in regards to the nearby Brown Shuttles Airfield, information on recent flights in and out of the site, photographs of the helicopter, and site visit requests.

Most of these comments have also been copied into councillors and there has been some correspondence between third parties and councillors. The points raised in these comments have been addressed in the report and none of the points raised alter the outcome of the planning recommendation. Councillors can decide if a site visit is required at committee.

**Item No.5      Application No. 17/059669/FUL**

**Address: Avonlea House, Station Road, Freshford, Bath, Bath And North East, Somerset**

A further objection letter was received from the same neighbour that has previously objected on the 26<sup>th</sup> February 2018, raising concerns over the revised plans. Further concerns are raised in regards to the height of the extension, the proposed walls being higher than the roof, the position of the roof lantern, and the change of materials. The points raised in these comments have been addressed in the report and none of the points raised alter the outcome of the planning 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 14 MARCH 2018

SITE VISIT LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	Bloomfield House, 3 Braysdown Lane, Peasedown St John	Chris Marsland (Agent)	For
		Cllr Karen Walker (Local Ward Member)	For

MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1.	Land between Hillside View and Bath Road, Greenlands Road, Peasedown St John	Cllr Cathy Thomas (Peasedown St John Parish Council)	Against
		Tom Clifford (Residents Protecting Peasedown)	Against
		John White (Agent)	For
		Cllr Karen Walker (Local Ward Member)	Against
2.	Bath Cricket Club, North Parade Road, Bathwick, Bath	Caroline Kay (Bath Preservation Trust)	Against (To share 3 minutes)
		Steve Osgood	
		Chris Beaver (Agent)	For (To share 3 minutes)
		Karen Yurn (On behalf of applicant)	
3.	6 Madams Paddock, Chew Magna, BS40 8PN	Christopher MacKenzie (Agent)	For (To share 3 minutes)
		Andy Bamford (Applicant)	

		Cllr Liz Richardson (Local Ward Member)	For
4.	Hinton House, Branch Road, Hinton Charterhouse, Bath	Cllr David Turvey (Hinton Charterhouse Parish Council)	Against
		Anthony Thornton (Freshford Parish Council)	Against (2 minutes)
		Chris Eke	Against
		Chris Beaver (Agent)	For
		Cllr Neil Butters (Local Ward Member)	N/A
5.	Avonlea House, Station Road, Freshford	Cllr Roger Paine (Freshford Parish Council)	Against
		Mr Arbaney	Against
		Cllr Neil Butters (Local Ward Member)	Against
6.	Cromwell Farm, Combe Hay Lane, Combe Hay, BA2 8RF	Cllr Martin Austwick (Combe Hay Parish Council)	Against
		Frank Shellard (Applicant)	For
7.	Greenhill Farm, Brittens, Paulton	Martyn Stutchbury (Agent)	For (To share 3 minutes)
		Daniel Mott (Applicant)	
		Cllr Liz Hardman (Local Ward Member)	For
8.	12 Williamstowe, Combe Down, Bath	Cllr Bob Goodman (Local Ward Member)	For
9.	43 Fairfield Avenue, Fairfield Park, Bath, BA1 6NJ	Allium Chowdhury (Agent)	For

10.	Willow Barn, Priston Hill, Priston, Bath	Statement read out on behalf of Vicky Pai (Applicant)	For
11 and 12.	9 Henrietta Villas, Bathwick, Bath, BA2 6LX	Dr Joanna Seddon	Against (6 minutes)
		Simon Martin (Agent)	For (6 minutes)
		Cllr Peter Turner (Local Ward Member)	Against (10 minutes)
13 and 14.	14 Bathford Hill, Bathford, Bath, BA1 7SL	Simon Chambers (Agent)	For (6 minutes)

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**BATH AND NORTH EAST SOMERSET COUNCIL**  
**DEVELOPMENT MANAGEMENT COMMITTEE**

**14th March 2018**

**SITE VISIT DECISIONS**

<b>Item No:</b>	03		
<b>Application No:</b>	17/04739/FUL		
<b>Site Location:</b>	6 Madams Paddock, Chew Magna, Bristol, Bath And North East Somerset		
<b>Ward:</b> Chew Valley North	<b>Parish:</b> Chew Magna	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Demolition of the existing dwelling, associated garage and greenhouse and erection of a new dwelling and garage. The proposal also includes the associated landscape and drainage works.		
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Policy CP9 Affordable Housing Zones, Flood Zone 2, Flood Zone 3, Greenbelt, 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,		
<b>Applicant:</b>	Mr Andy Bamford		
<b>Expiry Date:</b>	15th March 2018		
<b>Case Officer:</b>	Tessa Hampden		

**DECISION**    Defer for Site Visit

<b>Item No:</b>	04		
<b>Application No:</b>	17/06106/FUL		
<b>Site Location:</b>	Hinton House, Branch Road, Hinton Charterhouse, Bath		
<b>Ward:</b> Bathavon South	<b>Parish:</b> Hinton Charterhouse	<b>LB</b>	<b>Grade:</b>
IISTAR			
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Installation of helipad.		
<b>Constraints:</b>	,		
<b>Applicant:</b>	Mr J Dyson		
<b>Expiry Date:</b>	15th March 2018		
<b>Case Officer:</b>	Samantha Mason		

**DECISION**    Defer for Site Visit

<b>Item No:</b>	11 and 12
<b>Application No:</b>	17/05621/FUL and 17/05622/LBA
<b>Site Location:</b>	9 Henrietta Villas, Bathwick, Bath, Bath And North East Somerset
<b>Ward:</b> Abbey	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of a rear single storey timber conservatory and replacement of the first floor door with a window
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, 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, Flood Zone 2, Flood Zone 3, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr & Mrs Whitcroft
<b>Expiry Date:</b>	12th April 2018
<b>Case Officer:</b>	Chloe Buckingham

**DECISION**    Defer for Site Visit

**BATH AND NORTH EAST SOMERSET COUNCIL**  
**DEVELOPMENT MANAGEMENT COMMITTEE**

**14th March 2018**

**DECISIONS**

<b>Item No:</b>	001		
<b>Application No:</b>	17/05316/FUL		
<b>Site Location:</b>	Bloomfield House, 3 Braysdown Lane, Peasedown St. John, Bath		
<b>Ward:</b> Peasedown St John	<b>Parish:</b> Peasedown St John	<b>LB</b>	
<b>Grade:</b> N/A			
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Demolition of existing rear single storey extension and replacing with new two storey rear extension		
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Neighbourhood Plan, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr James Tadman		
<b>Expiry Date:</b>	15th February 2018		
<b>Case Officer:</b>	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 Obscure Glazing and Non-opening Window(s) (Compliance)**

The two proposed windows at first floor on the southern side elevation 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.

**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:

This decision relates to the following plans:

31 Oct 2017 3491-03 Site Location Plan  
31 Oct 2017 3491-04 Existing & Proposed Block Plans  
31 Oct 2017 3491-02 Proposed Floor Plans & Elevations

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.

<b>Item No:</b>	01		
<b>Application No:</b>	16/03829/RES		
<b>Site Location:</b>	Land Between Hillside View And Bath Road, Greenlands Road, Peasedown St. John, Bath		
<b>Ward:</b> Peasedown St John	<b>Parish:</b> Peasedown St John	<b>LB</b>	
<b>Grade:</b> N/A			
<b>Application Type:</b>	PI Permission (ApprovalReserved Matters)		
<b>Proposal:</b>	Approval of reserved matters with regard to outline application 12/05477/OUT allowed on appeal 3rd June 2014 for the erection of 89 dwellings (72 houses, 17 flats); provision of public open space and landscaping; 1 vehicular access from Greenlands Road; undergrounding of overhead lines.		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, Public Right of Way, SSSI - Impact Risk Zones, Tree Preservation Order,		
<b>Applicant:</b>	Curo Enterprise Ltd		
<b>Expiry Date:</b>	26th July 2017		
<b>Case Officer:</b>			

**DECISION** Delegate to PERMIT subject to appropriate conditions and for a S106 Agreement

<b>Item No:</b>	05	
<b>Application No:</b>	17/05969/FUL	
<b>Site Location:</b>	Avonlea House, Station Road, Freshford, Bath	
<b>Ward:</b> Bathavon South	<b>Parish:</b> Freshford	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of single-storey side extension (Resubmission).	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Conservation Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones. Housing Development	

	Boundary, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, Neighbourhood Plan, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Ms Sarah Lynott
<b>Expiry Date:</b>	15th March 2018
<b>Case Officer:</b>	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 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 D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

### **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:**

This decision relates to the following plans:

07 Dec 2017 Block Plan  
 07 Dec 2017 Site Location Plan  
 15 Feb 2018 Ah.4.D Proposed Plans and Elevations  
 20 Feb 2018 Proposed North and East Elevations

## **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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

<b>Item No:</b>	06		
<b>Application No:</b>	17/06011/FUL		
<b>Site Location:</b>	Cromwell Farm , Combe Hay Lane, Combe Hay, Bath		
<b>Ward:</b> Bathavon West	<b>Parish:</b> Combe Hay	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of a temporary (3 year) rural workers dwelling		
<b>Constraints:</b>	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Indicative Extent, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Public Right of Way, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mrs Jones		
<b>Expiry Date:</b>	16th March 2018		
<b>Case Officer:</b>	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 Occupation (Compliance)**

The occupation of the temporary rural workers dwelling hereby approved shall be limited to a person solely or mainly working within the horse milking enterprise and to any resident dependants. If the use of the land for horse milking ceases, the mobile home shall be permanently removed from the land.

Reason: To accord with the policies in the Development Plan to avoid an isolated dwelling within the countryside without justification.

### **3 Temporary Permission - Building (Compliance)**

This permission shall expire on 16th March 2021 and the development hereby permitted shall be removed and the use hereby permitted discontinued and the land restored

Reason: The Local Planning Authority considers that a permanent planning permission is not appropriate in this case because the dwelling is essential to support a newly established business

### **4 Bound/Compacted Vehicle Access (Pre-occupation)**

Before the dwelling hereby approved is first occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed for a minimum of 5.0m beyond the highway boundary, details of which shall have been submitted to and approved by the Local Planning Authority.

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.

### **5 Parking Pre-occupation)**

No occupation of the development shall commence until 2 no. parking spaces have been provided on-site and should be retained thereafter for the duration of the development.

Reason: To ensure that adequate and safe parking is provided in the interests of amenity and highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **6 External Lighting (Bespoke Trigger)**

No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights; details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not

required and to prevent light spill onto nearby vegetation and adjacent land; and to avoid harm to bat activity and other wildlife. The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

### **7 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.

### **8 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.

### **9 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  
Proposed floor plans and elevations

#### **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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

### **Community Infrastructure Levy**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before development commences, failure to comply with the regulations can result in surcharges and additional payments. 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](http://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.

<b>Item No:</b>	07
<b>Application No:</b>	17/05135/FUL
<b>Site Location:</b>	Greenhill Farm, Brittens, Paulton, Bristol

<b>Ward:</b> Paulton	<b>Parish:</b> Paulton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Resiting of existing mobile home for a temporary period of three years, following demolition of existing barn.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy NE2A Landscapes and the green set, Public Right of Way, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr Daniel Mott	
<b>Expiry Date:</b>	20th March 2018	
<b>Case Officer:</b>	Martin Almond	

## **DECISION PERMIT**

### **1 Temporary Permission - Building (Compliance)**

This permission shall expire on 20th March 2021 and the development hereby permitted shall be removed and the use hereby permitted discontinued and the land restored.

Reason: To preserve the character and appearance of the surrounding area.

### **2 Boundary Fence (Pre-occupation)**

The boundary fence shown on drawing 101 P3 dated as received 8th January 2018 shall be fully constructed prior to the first occupation of the mobile home. The boundary fence shall be retained for the duration of this permission. No alterations to the boundary fence shall take place without prior written approval of the local planning authority.

Reason: In the interests of residential amenity and the character and appearance of the surrounding area.

### **3 Implementation of Wildlife Scheme (Pre-occupation)**

The development hereby approved shall be carried out only in accordance with the recommendations described in section 5 of the approved report entitled "Preliminary Ecological Appraisal Report" dated December 2017 by Holmes Ecology. No occupation of the development hereby approved shall commence until the following have been implemented and details submitted to and approved in writing by the Local Planning Authority:

(a) Additional measures have been installed to provide wildlife benefit and replacement wildlife habitat, to include, as applicable, bird boxes / nesting opportunities for birds; bat boxes; hedgehog homes and wildlife friendly planting; in accordance with advice and specifications provided by a suitably experienced ecologist,

(b) A brief report produced by a suitably experienced ecologist confirming and demonstrating, using photographs where appropriate, completion of the recommendations

of the approved ecology report, and completion of the measures described in part (a) of this condition, All such measures and features shall be retained and maintained thereafter for the purposes of providing wildlife habitat.

Reason: To avoid a net loss of wildlife habitat and to provide biodiversity gain in accordance with NPPF.

#### **4 Obscure Glazing of Window(s) (Pre-occupation)**

The proposed bedroom window in the east elevation of the mobile home shall be obscurely glazed prior the first occupation of the mobile home. 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.

#### **5 Plans List (Compliance)**

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

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

#### **PLANS LIST:**

This decision relates to site location plan dated as received 21st October 2017, existing block plan, proposed caravan and existing barn elevations dated 2nd November 2017, proposed block plan dated as received 8th January 2018 and existing and proposed site sections dated as received 23rd January 2018.

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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

### Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before development commences, failure to comply with the regulations can result in surcharges and additional payments. 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](http://www.bathnes.gov.uk/cil)

<b>Item No:</b>	08		
<b>Application No:</b>	17/06179/FUL		
<b>Site Location:</b>	12 Williamstowe, Combe Down, Bath, Bath And North East Somerset		
<b>Ward:</b> Combe Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Conversion of the garage and extension of roof to create annex (Resubmission).		
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, 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, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mrs Belinda Everitt		
<b>Expiry Date:</b>	16th March 2018		
<b>Case Officer:</b>	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 Ancillary Use (Compliance)**

The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 12 Williamstowe; and shall not be occupied as an independent dwelling unit.

Reason: The accommodation hereby approved is not capable of independent occupation without adverse impact on the amenities of existing or future residential occupiers.

### **3 Parking (Pre-occupation)**

No occupation of the development shall commence until 2 no. parking spaces have been provided as shown on drawing 004 dated as received 20th December 2017 and thereafter permanently retained.

Reason: To ensure that adequate and safe parking is provided in the interests of amenity and highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **4 Parking (Compliance)**

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

Reason: To ensure sufficient parking is 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.

### **5 External Lighting (Bespoke Trigger)**

No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights; details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not required and to prevent light spill onto nearby vegetation and adjacent land; and to avoid harm to bat activity and other wildlife. The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policies NE3 of the Bath and North East Somerset Placemaking Plan.

### **6 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:**

Location plan 0066  
Existing elevations and plans 001  
Proposed plans and elevations 002 rev A  
Block plan 004  
Streetscene 010 rev A

## **Community Infrastructure Levy**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before development commences, failure to comply with the regulations can result in surcharges and additional payments. 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](http://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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

<b>Item No:</b>	09		
<b>Application No:</b>	18/00075/FUL		
<b>Site Location:</b>	43 Fairfield Avenue, Fairfield Park, Bath, Bath And North East Somerset		
<b>Ward:</b> Lambridge	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of a two storey side extension following demolition of existing detached single garage		
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr Choudhury		
<b>Expiry Date:</b>	6th March 2018		
<b>Case Officer:</b>	Hayden Foster		

## **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.

### **3 Flood Risk and Drainage - Surface Water Discharge Rates (Pre-commencement)**

No development shall commence, except ground investigations, until written confirmation from the sewerage company (Wessex Water) accepting the surface water discharge into their network. If the sewerage company are not able to accept the proposed surface water discharge, an alternative method of surface water drainage, which has first been submitted to and approved in writing by the Local Planning Authority, should be 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 the discharge rates are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

#### **4 Parking (Compliance)**

The area allocated for 3 no. parking spaces on the submitted plan shall be kept clear of obstruction, and shall not thereafter be used for any other purpose.

Reason: In the interests of amenity and highway safety.

#### **5 Materials (Compliance)**

All external masonry walling and slate roofing tiles to be used shall match those of the existing house 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, 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 - Submission of Schedule and Samples (Bespoke Trigger)**

No construction of the proposed porch 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.

### **PLANS LIST:**

This decision relates to the following plans received 9th January 2018:

Drawing Number: 0117.012.01A - Site and Block Plan

Drawing Number: 0117.012.04B - Existing and Proposed First Floor Plan

Drawing Number: 0117.012.05B - Existing and Proposed Front Elevations

Drawing Number: 0117.012.06B - Existing and Proposed Side and Rear Elevations

Drawing Number: 0117.012.07B - Proposed Roof Plan

Drawing Number: 0117.012.013A - Proposed Ground Floor Plan

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.

### **Community Infrastructure Levy**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any

development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before development commences, failure to comply with the regulations can result in surcharges and additional payments. 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](http://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.

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### **Advisory**

The applicant should be advised to contact the Highway Maintenance Team at [Highways@bathnes.gov.uk](mailto:Highways@bathnes.gov.uk) 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.

<b>Item No:</b>	10
<b>Application No:</b>	17/05413/FUL

<b>Site Location:</b>	Willow Barn, Priston Hill, Priston, Bath	
<b>Ward:</b> Bathavon West	<b>Parish:</b> Priston	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of two storey rear extension.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Policy CP9 Affordable Housing Zones, Greenbelt, Housing Development Boundary, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr & Mrs Pai	
<b>Expiry Date:</b>	8th January 2018	
<b>Case Officer:</b>	Dominic Battrick	

## **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 and roofing materials to be used shall match those of the existing building 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, 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 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: Existing Block and Location Plans, Existing Elevations, Existing Ground and First Floor Plans, Proposed Block and Location Plans, all received 07/11/2017; Proposed Elevations (revised), Proposed Ground Floor (revised) and Proposed First Floor (revised), all received 07/12/2017.

## **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.

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Bats are protected species under EU and national law. If bats are found during the construction phase, works must cease and Natural England contacted for advice on 0300 060 3900.

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.

<b>Item No:</b>	13
<b>Application No:</b>	17/06210/FUL
<b>Site Location:</b>	14 Bathford Hill, Bathford, Bath, Bath And North East Somerset

<b>Ward:</b> Bathavon North	<b>Parish:</b> Bathford	<b>LB Grade:</b> II
<b>Application Type:</b> Full Application		
<b>Proposal:</b>	Erection of side extension following demolition of existing lean-to extension and associated alterations to existing dwelling.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,	
<b>Applicant:</b>	Ms N Tobin	
<b>Expiry Date:</b>	16th March 2018	
<b>Case Officer:</b>	Helen Ellison	

## **DECISION REFUSE**

1 The proposed extension, due to its size and scale, would result in an unsympathetic, overly large and disproportionate addition that would disrupt the symmetry and overriding unity of this row of listed buildings, dominate the listed building and its setting, fail to preserve or enhance the character or appearance of the conservation area and fail to maintain the character and appearance of the surrounding area. This would be harmful to the significance of the designated heritage assets contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CP6 of the adopted Core Strategy (2014), Policies D2, D5 & HE1 of the Placemaking Plan for Bath and North East Somerset (2017), the National Planning Policy Framework and guidance from Historic England.

## **PLANS LIST:**

This decision relates to the following drawings received on 21.12.2017:

Drwg. No. 1027-P02 Drwg. title: Section A-A & B-B

Drwg. No. 1027-P01 Drwg. title: Proposed plans & elevations

Drwg. No. 1027-S01 Drwg. title: Location plan & existing plans & elevations

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.

## **Community Infrastructure Levy**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application

has been refused by the Local Planning Authority please note that CIL applies to all relevant 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](http://www.bathnes.gov.uk/cil)

<b>Item No:</b>	14		
<b>Application No:</b>	17/06211/LBA		
<b>Site Location:</b>	14 Bathford Hill, Bathford, Bath, Bath And North East Somerset		
<b>Ward:</b> Bathavon North	<b>Parish:</b> Bathford	<b>LB Grade:</b> II	
<b>Application Type:</b>	Listed Building Consent (Alts/exts)		
<b>Proposal:</b>	Erection of side extension following demolition of existing lean-to extension and associated alterations to include demolition of existing porch and replacement porch to front		
<b>Constraints:</b>	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
<b>Applicant:</b>	Ms N Tobin		
<b>Expiry Date:</b>	16th March 2018		
<b>Case Officer:</b>	Helen Ellison		

## DECISION REFUSE

1 The proposed extension, due to its size and scale, would result in an unsympathetic, overly large and disproportionate addition that would disrupt the symmetry and overriding unity of this row of listed buildings and dominate the listed building and its setting. This would be harmful to the significance of the designated heritage asset and special interest of the listed building contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CP6 of the adopted Core Strategy (2014), Policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017), the National Planning Policy Framework and guidance from Historic England.

2 Demolition of the existing outbuilding would result in loss of historic fabric and removal of a structure that is of historic interest. Insufficient justification has been put forward in support of its demolition. The loss of the outbuilding would harm the significance of the designated heritage asset and special interest of the listed building contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CP6 of the adopted Core Strategy (2014), Policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017), the National Planning Policy Framework and guidance from Historic England.

3 The proposed porch would detract from the architectural interest of this listed building, represent an unsympathetic addition to the front elevation and compromise the architectural integrity and detail of the original front entrance. This would be harmful to the significance of the designated heritage asset and special interest of the listed building contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CP6 of the adopted Core Strategy (2014), Policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017), the National Planning Policy Framework and guidance from Historic England.

## **PLANS LIST:**

This decision relates to the following drawings received on 21.12.2017:

Drwg. No. 1027-P02 Drwg. title: Section A-A & B-B

Drwg. No. 1027-P01 Drwg. title: Proposed plans & elevations

Drwg. No. 1027-S01 Drwg. title: Location plan & existing plans & elevations

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.

## **Community Infrastructure Levy**

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