

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 29th August, 2018, 2.00 pm

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

34 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

35 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

36 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Caroline Roberts – substitute Cllr Will Sandry.

37 DECLARATIONS OF INTEREST

Cllr Eleanor Jackson declared a non-pecuniary interest in planning application number 18/01744/FUL – St Hugh's RC Church, Wells Road, Westfield – for the following reasons:

- As a member of the Environment and Development Committee of Westfield Parish Council.
- As a Trustee of Radstock Museum.
- As Chair of Christians Together in Radstock and Westfield.
- As a RADCO shareholder.

Cllr Jackson stated that she would speak on this item both on behalf of Westfield Parish Council and as local ward member but would then leave the meeting and would not take part in the debate or vote.

38 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

39 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.

40 **ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

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

41 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 1 August 2018 were confirmed and signed as a correct record.

42 **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.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 1* 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 2* to these minutes.

Item No. 1

Application No. 18/01744/FUL

Site Location: St Hugh's RC Church, Wells Road, Westfield – Conversion of former Mass Centre to provide 8 residential units with associated car parking and incidental works of demolition

The Case Officer reported on the application and her recommendation to permit. She explained that, if permission were granted, an additional condition would be added requiring the parking spaces associated with the proposed development to be provided in accordance with the drawings.

The agent spoke in favour of the application.

Cllr Eleanor Jackson spoke against the application on behalf of Westfield Parish Council.

Cllr Jackson then spoke as local ward member against the application. She expressed concern that a valuable community resource would be lost if the church were to be converted to residential units. She stated that she had tried to engage with Downside Abbey regarding the future use of the building for either community uses or as a place of worship. She also drew attention to the number of accidents that had occurred just below St Hugh's Church and highlighted the difficulties for vehicles exiting the site. She stated that the ownership of the land was currently unclear and that trees at the rear of the site should be protected.

(Note: Cllr Jackson then withdrew from the meeting having declared a non-pecuniary interest in this item).

The Case Officer responded to questions from members as follows:

- She provided clarification on parking arrangements and layouts.
- The site is located in a Conservation Area so the trees would have some level of protection.
- Bicycle storage and an electric car charge point were now included within the proposal.
- As far as she was aware there was no dispute regarding land ownership and details were in line with the land registry entry.
- Use of the Church and the Hall had ceased in late 2015/early 2016.

Cllr Crossley stated that this was a good scheme which would provide affordable housing in 8 small units. The road was busy but he had no specific concerns regarding highway safety. The site had been marketed and no community use had been forthcoming. He moved the officer recommendation to permit.

Cllr Appleyard seconded the motion noting that the application was timely and would prevent the building falling into decay.

Cllr Kew supported the proposal and noted that as this was a town centre site a higher level of density would be expected.

The motion was put to the vote and it was RESOLVED unanimously to PERMIT the application subject to the conditions set out in the report and the additional condition outlined by the Case Officer.

(Note: Cllr Jackson returned to the meeting)

Item No. 2

Application No. 18/03034/FUL

Site Location: Dryleaze, Bath Road, Saltford – Erection of two storey side extension and loft conversion with front dormer window following removal of existing conservatory (resubmission following withdrawal of 18/00679/FUL)

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

The applicant spoke in favour of the application.

Cllr Sally Davis, local ward member, pointed out that the applicant had put forward a fall-back position of implementing permitted development rights and this would have to be weighed against potential harm to the greenbelt.

The Case Officer then responded to questions from members as follows:

- The applicant could use their permitted development rights in addition to building the extension applied for.
- If permitted development rights were used then this would be a larger volume than the extension applied for and would be single storey.
- It would be possible to remove permitted development rights if required, although government advice was to avoid doing this. However, the removal

of these rights would only take effect once the development has commenced. Permitted development rights are based on measurements not volume.

Cllr Jackson noted that there was another house in the street that had been extended and that it was important to be consistent. The property was not on a main road and would not be visible from the street.

Cllr Kew felt that, on balance, the proposal was reasonable and would be aesthetically better than the permitted development rights option. He then moved that the Committee delegate to permit the application subject to conditions and the removal of permitted development rights.

Cllr Appleyard noted that if permitted development rights were used to extend then the extension would be larger than the current application. He seconded the motion.

The very special circumstances for permitting this development in the Greenbelt were that there was a strong likelihood that the applicant would implement the fall-back position of his permitted development rights. The Committee also noted that the site was located within a large plot of land and at some distance to its nearest neighbour. It was not considered that the proposal would cause harm by either overlooking or by causing an overbearing impact.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 vote against to DELEGATE TO PERMIT the application subject to conditions and the removal of permitted development rights.

Item No. 3

Application No. 18/01240/FUL

Site Location: Stables, Access Road to Weston Reservoir, Upper Weston, Bath – Conversion of stables to 2 bedroom single storey dwelling house (Class C3) and associated works

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

A representative from the Parish Council spoke against the application.

The agent spoke in favour of the application.

Cllr Geoff Ward, local ward member, spoke against the application. He stated that the site was overlooked and was located in an Area of Outstanding Natural Beauty. The development would create a different environment. The site was tight and had elevated land on both sides.

The Case Officer and Team Manager, Development Management, responded to questions from members as follows:

- There was a terraced area which could be used to grow vegetables if required.
- Although there were animals adjacent to the site the application was not considered to be a property for an agricultural worker. The application was for conversion of a building to a dwelling and was policy compliant.

- Any proposal to build stables on the adjacent land would most likely require planning permission although agricultural buildings could be erected without permission.
- If approved permitted development rights would apply to the property but these would be limited due to the particular site layout and size.
- A structural survey had been provided with the application and this showed that the building was suitable for conversion.

Cllr Appleyard stated that, on balance, he was in favour of the application and moved the officer recommendation to permit.

Cllr Kew seconded the motion and noted that the distance from the neighbouring dwelling was around 40m and he did not feel that overlooking would be a problem.

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

Item No. 4

Application No. 18/02507/FUL

Site Location: 97 Sheridan Road, Whiteway, Bath, BA2 1RA – Change of use from dwelling house (use class C3) to HMO (use class C4)

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

A local resident spoke against the application.

The applicant spoke in favour of the application.

Cllr Tim Ball, local ward member, spoke against the application. He pointed out that the property was originally a 3 bedroom family home and the proposal was now for a 6 bedroom HMO. Parking is currently very difficult in the area and, if approved, this application would exacerbate the problem causing a hazard for local residents including young children.

The Case Officer, Highways Officer and the Team Manager, Development Management, responded to questions from members as follows:

- There would be 3 bedrooms on the first floor and 3 on the second floor.
- A condition to remove the parking rights of residents could not be included. In purpose-built student accommodation a clause had sometimes been included in the tenancy agreement regarding car ownership but this would not be appropriate for a private residence.
- The survey data used by the Highways Team when making their assessment was from a DCLG report published in 2007. This was the most up to date information available regarding tenure and car ownership.
- The room dimensions would be in line with the terms of the HMO licence.
- The HMO policy was prescriptive but this did not mean that the Committee had to approve the application providing they had specific valid and evidence based reasons for refusal.

Cllr Appleyard stated that there was an issue regarding the proliferation of HMO

properties in the area which was leading to an imbalance. He acknowledged that this type of accommodation was needed but family homes were being lost due to properties being purchased for use as HMOs. Parking was a problem in this area and an HMO for six residents would have a negative impact. The 2007 survey was carried out some time ago and car ownership was likely to have increased since the document was published. He then moved that the application be refused for the following reasons:

- The adverse impact on the residential amenity of the area; and
- The adverse impact on parking in the area leading to a deterioration in highway safety.

Cllr Crossley seconded the motion and stated that residents would be adversely affected by this proposal. The roads were narrow in this location and residents often parked on the pavements. It was important to maintain access for emergency vehicles.

Cllr Kew had sympathy with local residents but felt that the HMO policy should be applied. There was no clear evidence regarding the adverse impact on residents. If members wished to review the B&NES HMO policy then this should be considered as a separate matter.

Cllr Sandry was concerned regarding the adverse effect of the proposal on the amenity of existing residents. He noted that the 2007 data was out of date.

Cllr Jackson stated that as this was a terraced property noise could be an issue for adjoining properties. She also felt the application represented an overdevelopment of the site as the property was originally intended to be a family home.

Cllr Appleyard pointed out that policy was for guidance only and could be varied and challenged where necessary.

The Team Manager, Development Management, explained that the HMO policy offered guidance and that planning decisions should be made in accordance with the development plan. He pointed out that the proposal accorded with the development plan and policies. If members felt that the policy was not fit for purpose then it should be reviewed as part of the procedure for updating development plan policies.

The motion was put to the vote and it was RESOLVED by 6 votes in favour and 4 votes against to REFUSE the application on the grounds of the adverse impact on the residential amenity and highway safety concerns.

Item No. 5

Application No. 18/02256/FUL

Site Location: 99 Sheridan Road, Whiteway, Bath, BA2 1RA – Change of use from a 4 bed dwelling house (Use Class C3) to a 4 bed house in Multiple Occupation (Use Class C4) (Retrospective)

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

Cllr Tim Ball, local ward member, spoke against the application. He stated that, although he had received no complaints about this particular HMO, there were still

concerns relating to parking and residential amenity.

Cllr Appleyard stated that action should be taken about the number of unregistered HMO properties in the area. Cross referencing should take place between the licensing, council tax and planning teams.

Cllr Crossley moved that permission be refused for reasons of the adverse impact on the residential amenity and highway safety concerns. He stated that more accurate data was required on which to base decisions. The current policy did not conform to the reality of the situation. This was a family home which would be over-occupied, leading to more cars parking on an already narrow road.

Cllr Sandry seconded the motion noting that it was very similar to the previous application. He felt that there were probably a number of hidden unregistered HMOs in the area.

Cllr Kew understood the concerns of residents but felt that the reasons put forward for refusal were not evidence based. He stated that an urgent debate needed to be held regarding the HMO policy.

Cllr Jackson noted that the layout was similar to that of a family home.

The Team Manager, Development Management, stated that the application accorded with the current policy on HMOs and that the survey data used was the most current that was available. He pointed out that this application was different to the previous one as it was for a 4 bed HMO rather than a 6 bed HMO.

The motion was put to the vote and there were 3 votes in favour and 7 votes against. The motion was therefore LOST.

Cllr Kew then moved the officer recommendation to permit the application subject to conditions. This was seconded by Cllr Organ.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 3 votes against to PERMIT the application subject to conditions as set out in the report.

Item No. 6

Application No. 18/02432/FUL

Site Location: 56 Brook Road, Twerton, Bath, BA2 3RS – Change of use from 6 bedroom house in multiple occupation (use class C4) to 7 bedroom house in multiple occupation (sui generis use)

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

The applicant spoke in favour of the recommendation.

Cllr June Player, local ward member, spoke against the application. She stated that even one additional bedroom would have an adverse effect on the local community. The data being used by the Highways Team was 17 years out of date and did not give a true picture of residents parking. Parking was an issue for people living in this area and student lets often created problems relating to rubbish and noise.

There was an imbalance of student accommodation in the community as 27% of properties in Brook Road were HMO properties.

The Team Manager, Development Management, explained that the current use pre-dates the requirement for the need for planning permission. The application was purely to extend the existing HMO and therefore the HMO policy was not relevant to this application which should be treated on its merits. He also explained that if members felt that this represented overdevelopment then harm must be demonstrated.

Cllr Sandry was concerned at the increase to a 7 bed HMO as this could lead to a large increase in the number of residents if other properties did the same. Many students did own cars and this affected the availability of parking spaces in the area.

Cllr Jackson pointed out that there was a bus stop very close to the property.

Cllr Kew pointed out that the property was large with good facilities for an HMO. He moved that the officer recommendation to permit the application. This was seconded by Cllr Organ.

Cllr Crossley felt that landlords were squeezing more and more rooms out of HMO properties which impacted negatively on the community as a whole.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 3 against to PERMIT the application subject to conditions as set out in the report.

Item No. 7

Application No. 18/01994/FUL

Site Location: Rose Cottage, Church Lane, Chew Stoke – Erection of a rear two storey extension

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

The agent spoke in favour of the application.

Cllr Liz Richardson, local ward member, spoke in favour of the application. She stated that she did not feel that the proposal was inappropriate development in the greenbelt. Chew Stoke Parish Council also supported the application and there had been no local objections. The property was very small and the application was for a modest extension which would not detract or harm the greenbelt. The applicant was from a local family and now needed extra space to enable them to continue to live in the village.

The Case Officer explained that the agent had calculated the volume increase as 42.64% and the officer calculations indicated a 46.3% increase. The officer view was that there would be harm to the Greenbelt as the extension would be visible from the roadside.

Cllr Kew noted that the guidelines referred to an increase of above 33% in the Greenbelt. However, he stated that this was a very small property and the actual increase would not be noticeable. He felt that there were special circumstances in this case to enable a young family to remain in the village. He moved that the

Committee delegate to permit the application.

Cllr Crossley seconded the motion. He felt that there was a difference in extending old buildings that were built to different standards as opposed to extending more modern houses that meet current building regulations. The extension was a good design and would make the property more suitable for family accommodation.

Cllr Sandry expressed some concern regarding harm to a historic building and stated that, if approved, there should be a condition relating to materials.

The Team Manager, Development Management, stated that Greenbelt policy referred to about one third in volume increase and this was considered appropriate to apply to all sizes of house. The proposal was also considered to harm the character of the Conservation Area and the openness of the Greenbelt. He also confirmed that permitted development rights were restricted because the property was in a Conservation Area.

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

43 **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 5.35 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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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 29 AUGUST 2018

MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1.	St Hugh's RC Church, Wells Road, Westfield	Tom Rocke (Agent)	For
2.	Dryleaze, Bath Road, Saltford	Paul Mallon (Applicant)	For
3.	Stables, Access Road to Weston Reservoir, Upper Weston, Bath	Cllr John Rippin (Charlcombe Parish Council)	Against
		Chris Beaver (Agent)	For
		Cllr Geoff Ward (Local Ward Member)	N/A
4.	97 Sheridan Road, Whiteway, Bath, BA2 1RA	Alexia Jones	Against
		Josephine Vercoe (Applicant)	For
		Cllr Tim Ball (Local Ward Member)	Against
5.	99 Sheridan Road, Whiteway, Bath, BA2 1RA	Cllr Tim Ball (Local Ward Member)	Against
6.	56 Brook Road, Twerton, Bath, BA2 3RS	Peter Collins (Applicant)	For
		Cllr June Player (Local Ward Member)	Against

7.	Rose Cottage, Church Lane, Chew Stoke	John White (Agent)	For
		Cllr Liz Richardson (Local Ward Member)	For

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

29th August 2018

DECISIONS

Item No:	01	
Application No:	18/01744/FUL	
Site Location:	St Hugh's Rc Church, Wells Road, Westfield,	
Ward: Westfield	Parish: Westfield	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Conversion of former Mass Centre to provide 8 No. residential units with associated car parking and incidental works of demolition	
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,	
Applicant:	Bainesbury Developments Limited	
Expiry Date:	30th August 2018	
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 Fixture and Fittings Schedule (Compliance)

The existing fixtures and fittings scheduled for retention in accordance with the supporting information submitted on the 13 August 2018 shall remain in place for the lifetime of the development. Any repairs shall only be carried out in accordance with the approved details.

Reason: To safeguard features of special architectural and historical interest and preserve 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.

3 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. 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.

4 Parking (Compliance)

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

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

5 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.

6 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until a Water Butt as shown on the approved plans is installed.

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

7 Parking (Pre-occupation)

No occupation of the development shall commence until then parking spaces for the development hereby permitted, as shown on the submitted block plan (P03) have been provided on-site and retained permanently thereafter.

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.

8 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:

20 Apr 2018 P03 Block Plan

20 Apr 2018 Location Plan
23 Aug 2018 1789 02H Plans and Elevations
13 Aug 2018 Construction Management Site Plan

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 paragraph 38 of the National Planning Policy Framework.

Item No:	02	
Application No:	18/03034/FUL	
Site Location:	Dryleaze, Bath Road, Saltford, Bristol	
Ward: Farmborough	Parish: Corston	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of two storey side extension and loft conversion with front dormer window following removal of existing conservatory (resubmission following withdrawal of 18/00679/FUL)	
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Greenbelt, Hazards & Pipelines, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Public Right of Way, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs Mallon	
Expiry Date:	3rd September 2018	
Case Officer:	Rae Mephram	

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

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

Reason: Any further extensions require detailed consideration by the Local Planning Authority because of potential harm to the openness of the Green Belt

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:

This decision relates to:

13109/001 SITE LOCATION PLAN
13109/005 E PROPOSED PLANS
13109/006 E PROPOSED ELEVATIONS 1 OF 2
13109/007 E PROPOSED ELEVATIONS 2 OF 2
13109/009 A PROPOSED SECOND FLOOR PLANS
13109/010 A PROPOSED SITE PLAN

all received 9th July 2018

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Item No:	03	
Application No:	18/01240/FUL	
Site Location:	Stables, Access Road To Weston Reservoir, Upper Weston, Bath	
Ward: Bathavon North	Parish: Charlcombe	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Conversion of stables to 2no. bedroom single storey dwelling house (Class C3) and associated works.	
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mrs Amanda Ridings	
Expiry Date:	31st August 2018	
Case Officer:	Rae Mephum	

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 Removal of Permitted Development Rights - No Windows (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the property at any time unless a further planning permission has been granted.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D6, and to protect the rural character of the landscape in accordance with Policy NE2 of the Bath and North East Somerset Placemaking Plan.

4 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; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs, a detailed specification for wildflower meadow seeding including an establishment management programmed for a 5 year period; 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. The submitted Whole Site landscape Masterplan & Biodiversity and Enhancement Strategy to be implemented in full with the addition of the planting of a new native hedgerow to include three hedgerow trees (oak, field maple are suggested species) along the northern boundary of the application site (currently post and wire).

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies NE2 and NE2A of the Bath and North East Somerset Local Plan.

5 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. The wildflower meadow to be assessed for successful establishment in the second year and re-seeded where establishment has resulted in less than 50% of herbaceous species in the original mix surviving. 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 NE2 and NE2A of the Bath and North East Somerset Local Plan.

6 Landscape Maintenance/Management (Compliance)

The existing boundary vegetation along the boundary to Broadmoor Lane and the lane to Weston Reservoir shall be maintained at a mature height of 1.8m or higher to ensure effective screening of the development. Should the existing boundary vegetation, within a period of five years from the date of the development being completed, die, be 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.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies NE2 and NE2A of the Bath and North East Somerset Local Plan.

7 Drainage Strategy (Pre-commencement)

No development shall commence, except ground investigations and remediation, until detailed drawings showing the proposed connection of the site surface water drainage to the culverted watercourse has been submitted to and approved in writing by the Local Planning Authority and installed prior to the occupation of the development. Proposed designs should be accompanied with a new Micro Drainage model to be reviewed and approved by the Lead Local Flood Authority.

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 that the proposed method of connection to the culverted watercourse is viable prior to any initial construction works which may prejudice the surface water drainage strategy.

8 Parking (Compliance)

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

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

9 Protection of nesting birds and bats (Compliance)

The development hereby permitted shall be carried out only in accordance with the recommendations and ecological enhancement measures described on pages 12 and 13 of the approved Bat Survey Report (Stark Ecology, June 2017). No removal of ivy, hedgerow or woody vegetation shall take place between 1st March and 31st August unless a Survey to assess the nesting bird activity on the site during this period and a Scheme to protect the nesting birds has been submitted to and approved in writing by the Local Planning Authority. No ivy, hedgerow or woody vegetation shall be removed between 1st March and 31st August other than in accordance with the approved bird nesting protection scheme.

Reason: To protect nesting birds and bats and prevent ecological harm in accordance with NE3 of the Bath and North East Somerset Placemaking Plan.

10 External Lighting (Bespoke Trigger)

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

Reason: To avoid harm to bats and wildlife in accordance with policies NE3 and D8 of the Bath and North East Somerset Placemaking Plan.

11 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.

12 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.

13 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:

08 Jun 2018 002 REVISION E PROPOSED PLAN AND ELEVATIONS

19 Mar 2018 002 FIGURE 7B PROPOSED LANDSCAPE LAYOUT PLAN

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Condition Categories

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

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

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

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

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

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

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

Item No:	04	
Application No:	18/02507/FUL	
Site Location:	97 Sheridan Road, Whiteway, Bath, Bath And North East Somerset	
Ward: Twerton	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from dwelling house (use class C3) to HMO (use class C4)	
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Mrs Josephine Vercoe	
Expiry Date:	2nd August 2018	
Case Officer:	Christine Moorfield	

DECISION REFUSE

1 The proposed use of the property as a six bedroom HMO is likely to lead to an adverse effect on the amenity of nearby residents and lead to an unacceptable impact on highway safety, contrary to policies D6 and ST7 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

Location plan 7/06/2018, Elevations and Floor Plans 25/06/2018.

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 paragraph 38 of the National Planning Policy Framework. Whilst the application was recommended for permission by Officers the Development Management Committee considered the proposal to be unacceptable for the stated reasons.

Item No:	05	
Application No:	18/02256/FUL	
Site Location:	99 Sheridan Road, Whiteway, Bath, Bath And North East Somerset	
Ward: Twerton	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from a 4 bed dwelling house (Use Class C3) to a 4 bed House in Multiple Occupation (Use Class C4) (Retrospective)	
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Mr Dan McGauley	
Expiry Date:	31st August 2018	
Case Officer:	Thomas Boyle	

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:

This decision relates specifically to drawing numbers D161 02 - Existing and Proposed Floor Plans and D161 01 Site and Location Plan received on 22nd May 2018.

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.

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

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Item No:	06	
Application No:	18/02432/FUL	
Site Location:	56 Brook Road, Twerton, Bath, Bath And North East Somerset	
Ward: Westmoreland	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of Use from 6no. bedroom house in multiple occupation (use class C4) to 7no. bedroom house in multiple occupation (sui generis use).	
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, HMO Stage 1 Test Area (Stage 2 Test Req), LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,	
Applicant:	Mr P Collins	
Expiry Date:	1st August 2018	
Case Officer:	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 Occupancy (Compliance)

The development hereby permitted shall not be occupied by more than seven unrelated occupants unless a further planning permission has been granted.

Reason: An increase in the number of occupants would need further consideration by the Local Planning Authority with regard to residential amenity, parking and highway safety, in accordance with policies D6 and ST7 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:

Site Plan - 001, Layout Plan - 002, Existing Plans - 003, Proposed Plans - 004, Design and Access Statement, all received 4 June 2018.

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.

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

HMO Licensing

Please note that you may also require a HMO Licence for your property to operate as an HMO. Planning and HMO licensing are two separate requirements and it is essential that an HMO licence is obtained, if applicable, after receiving planning permission. Although

Planning Permission may be granted without an HMO licence, you may legally not be able to use the property as an HMO. If you have any queries, please contact Housing Services by email at hmo_licensing@bathnes.gov.uk or telephone 01225 396269.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Item No:	07	
Application No:	18/01994/FUL	
Site Location:	Rose Cottage, Church Lane, Chew Stoke, Bristol	
Ward: Chew Valley North	Parish: Chew Stoke	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a rear two storey extension.	
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Conservation Area, Conservation Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Greenbelt, Housing Development Boundary, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE3 SNCl, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mrs Deborah Phillips	
Expiry Date:	31st August 2018	
Case Officer:	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, colour, profile, texture, pointing and coursing.

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:

Plans and Elevations as Existing - S5794/001A, Plans and Elevations as Proposed - S5794/100D, both received 04/05/2018; Design and Access Statement (May 2018), received 06/06/2018; Green Belt Calculations Email, received 07/06/2018.

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

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

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