

## **DEVELOPMENT MANAGEMENT COMMITTEE**

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

Wednesday, 6th June, 2018, 2.00 pm

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

#### **1 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

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

A Vice Chairman was not required on this occasion.

#### **3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from:

Cllr Bryan Organ - substitute Cllr Liz Richardson  
Cllr Caroline Roberts – substitute Cllr Will Sandry

#### **4 DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

There was no urgent business.

#### **6 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.

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

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

#### **8 MINUTES OF THE PREVIOUS MEETING**

Cllr Jackson asked that in future the minutes indicate who speakers are (e.g. whether agent or applicant). She also asked that a summary of the ward councillor's statement be set out in the minutes.

The minutes of the meeting held on 11 April 2018 were confirmed and signed as a correct record.

## 9 **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, 4 and 10 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

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

### **Item No. 1**

#### **Application No. 17/02588/EFUL**

**Site Location: Parcel 4234, Combe Hay Lane, Combe Hay, Bath – Full planning permission for the erection of 171 residential units, open space, green infrastructure, landscaping and associated works including provision of vehicular access from Combe Hay Lane**

The Case Officer reported on the application and his recommendation to permit. He updated members on the following matters:

- Although the masterplan for the strategic allocation has not yet been submitted for formal approval it is a material consideration in the determination of the current application. Approval of this application without agreement of the masterplan would not prejudice the comprehensive development of the wider strategic allocation and not having an agreed masterplan is not considered to be a sufficient reason to refuse the application.
- South Stoke Parish Council has sought a Legal Opinion, given its concerns that a piecemeal grant of planning permission in advance of the agreement of a comprehensive masterplan for the wider allocation may prejudice the deliverability of the wider allocation in accordance with the Placemaking Principles. A response to each of the issues raised was provided in the update report circulated to the Committee.
- Additional comments had been received since the publication of the original report and these were included in the update report. These included two letters of support and objections relating to increased traffic congestion, impact on the AONB and greenbelt and the availability of other brownfield sites for housing. One additional objection was received after the publication of the update report on similar grounds.
- The Highways Officer has asked for an additional condition to be included

should the Committee approve the application.

Representatives from South Stoke, Wellow and Combe Hay Parish Councils spoke against the application.

A representative from Bath Preservation Trust and a resident spoke against the application.

The agent and applicant spoke in favour of the application.

Councillor Neil Butters, local ward member, spoke against the application. He expressed concern regarding the impact on the environment and increased highway congestion and the subsequent adverse impact on Combe Hay Lane. He felt that if the final development comprised of 450 houses this was a very high number. He stated that an approved masterplan should be provided for the whole site. He referred to the legal opinion provided by South Stoke Parish Council which concluded that the application does not meet the minimum requirements of Policy B3a.

Councillor Steve Hedges, adjoining local ward member, spoke against the application. He expressed concern regarding the potential increase in traffic congestion in Odd Down, taking into account the Mulberry Park development comprising 700 new homes. Some roads in the area were already gridlocked at peak hours and air pollution was also a concern. He also referred to the lack of an agreed masterplan.

Councillor Veale, local ward member on the Committee supported the concerns raised by the Parish Councils and felt that traffic congestion would be an issue with surrounding roads being used as “rat-runs”.

The Case Officer and Highways Officer then responded to questions as follows:

- Allotment sites were proposed within the masterplan on land controlled by the applicant and would be secured through the S106 Agreement. The properties had gardens and a recreation area, including public footpaths, was accessible for leisure purposes. There were 33 dwellings per hectare which was broadly in line with planning policy.
- With regard to the accuracy of traffic forecasting the Highways Officer explained that a reliable modelling system was used which was based on data from similar developments. She also explained that there was no official definition of a “severe” impact. Under previous Government guidance (now withdrawn) 5% increase in traffic would be considered to be “significant”. It was acknowledged that with 450 dwellings on the site the predicted additional queue length would have a severe impact on the northbound approach to the Odd Down Park & Ride roundabout. The prediction for the current application before the Committee showed an increase of around 10 vehicles.
- There would be one vehicular access point to the site.
- With regard to the number of houses to be built on the whole site the Case Officer confirmed that the figure of 300 was not a cap. During the Placemaking Plan Examination the Council had acknowledged that 300 homes was a conservative estimate and 400 – 450 houses could be built in

accordance with the Placemaking Principles. Highways impacts would, however, need to be mitigated.

The Legal Advisor confirmed that the Committee should consider the application on its merits and in respect of what was being applied for. Some weight could be given to the masterplan given its inclusion in policy; however, the land was already allocated for housing and the application was for 171 dwellings and that was what needed to be considered.

The Group Manager, Development Management, explained that the Masterplan covers the whole site. It complies with the majority of the Placemaking Principles and a failure to fully comply with all the Principles was not considered to be a barrier to granting planning permission.

Councillor Jackson expressed concern about traffic congestion in the area, particularly around the Old Fosse Road and Combe Hay Lane. She felt that there would be a cumulative impact. She considered that the objectors had made some valid points regarding highways matters. Councillor Jackson was concerned about the impact on wildlife and trees in the area. She requested that the Section 106 Agreement should cover the provision of allotments, wildlife protection, green spaces and signage.

Councillor Kew acknowledged that large developments caused concern to local communities. However he felt that many of the problems around traffic flows were matters of perception. The land has been allocated for development and the masterplan issue was not a barrier to making a decision on this application. He felt that the layout was sensible and noted that the density was lower than in some other locations. The Council had a duty to develop the site and provide homes.

Councillor Jackson noted that, despite some concerns, the application was in line with the Core Strategy and Placemaking Plan. She then moved the officer recommendation to permit the application. This was seconded by Councillor Kew.

Councillor Crossley noted that developments were taking place across B&NES and that this site has potential. However, he felt that this proposal represented piecemeal development and that the Committee should await the approval of the comprehensive masterplan for the site. There was currently no indication of future density. There was only one entrance and exit and surrounding roads comprised country lanes and potential "rat-runs". More detail was required as there were still too many outstanding questions which needed to be resolved.

Councillor Appleyard did not support the proposal to permit and felt that, while the layout was acceptable, the transport elements were a concern which warranted further discussion.

Councillor Richardson pointed out that the Committee could only consider the proposal for 171 houses as this was the application being put forward. It was acceptable within the Core Strategy and the location was very sustainable, being within walking distance of the regular Park & Ride bus service. There were also schools within walking distance. The design was good and she welcomed the

40% affordable housing allocation.

Councillor Becker liked the design but recognised that local roads were already congested.

The Group Manager, Development Management, explained that further phases of the development would have to be considered by the Committee in future. At that point members could consider the cumulative impact on highways and how any issues identified could be mitigated. The application for consideration at this meeting was for 171 houses only. He confirmed that the concerns raised by Councillor Jackson regarding allotments and open space would be addressed by the S106 Agreement.

Councillor Sandry felt that the design was good; however, he believed that Bath required more homes that young families could afford.

The motion was put to the vote and it was RESOLVED by 6 votes in favour and 4 against to PERMIT the application subject to the conditions outlined in the report and the provision of a Section 106 Agreement to cover the issues set out in the report.

## **Item No. 2**

### **Application No. 17/06214/FUL**

#### **Site Location: City of Bath College, Milk Street, Bath – Demolition of existing building and erection of new hotel**

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

A representative from the Hotel Association and Bath Independent Guest House Association spoke against the application.

The Agent and Applicant spoke in favour of the application.

Cllr Patrick Anketell-Jones, acting local ward member, spoke regarding the application. He felt that the architecture was good but had concerns about the flat roof with plant on the top as this would be visible from higher areas of Bath. He also referred to the current economic climate and the increase in Airbnb rooms which were leading to a chaotic increase in bed spaces. This was likely to impact on the hotel and guest house sector. If the Committee were minded to approve the application he requested that a condition be included to ensure that the demolition of the existing building was carried out in a sustainable manner.

The Case Officer responded to questions as follows:

- In regard to a question regarding Bath design boundaries he stated that James Street West already had a wide range of architectural styles with no definable character. This meant that there was a good deal of scope for architects and he felt that this was an acceptable design.
- He confirmed that some highway works were proposed which would include drop-off points. There would be a condition requiring full highway plans to be submitted and this would ensure that there were adequate bus drop-off

- points. The provision of cycle racks could also be explored if necessary.
- He confirmed that the provision planned in the Core Strategy for 500-750 bedrooms has already been met. He stated that new hotel provision provided in the city since 2011 amounted to 762 additional rooms (including those currently known to be in the pipeline). He explained that Airbnb rooms were not categorised as hotel rooms.

Councillor Becker felt that the application should be rejected on the grounds that it is not compliant with policies B4, BD1, D1-D5 of the Placemaking Plan. He did not believe that it satisfied the design values or enhanced architectural values. It contradicts what the Council is trying to achieve in the centre of Bath. Kingsmead Square should be the benchmark for this area. The demolition of a building that is only 25 years old proves that this type of architecture is a failure. He felt that the applicants should come back with an improved design and that the Committee should also take some time to analyse whether more hotels were needed in the city centre. He then moved that the application be refused for these two reasons. It was to be delegated to officers to refuse.

The motion was seconded by Councillor Jackson who also agreed that the building was of poor design due to its scale, height and massing which would not preserve or enhance the conservation area.

Councillor Richardson noted that James Street West had an eclectic mix of buildings but that this did not preserve or enhance the area.

Councillor Sandry felt that the urban design aspects of this application were not good and that a more interesting proposal could be put forward. He noted the large increase in the number of Airbnb rooms in the city over the last year. He also felt that the proposed building should be one storey lower.

Councillor Crossley referred to the economic impact of the proposal. He noted that the target of an additional 750 hotel rooms had already been exceeded. With the increase of Airbnb properties there was a risk of small local Guesthouses and Hotels going out of business. Another hotel was not required and there was a real need for low cost and social housing in the city.

The Group Manager, Development Management, informed members that officers believed that this design was acceptable for the James Street West area. He explained that the test was did the proposed development preserve or enhance in comparison to the existing building. The Committee did not need to wait until the outcome of the local plan review regarding the need for hotel rooms before making a decision. The application should be considered in line with the policies currently in place. He pointed out that economic impact was not a valid planning reason for refusal, in the absence of up to date evidence, and that the figure of 750 hotel rooms should not be considered as a cap. The site was a city centre location where hotels are appropriate uses. The building was no longer required by the college and so could be considered for redevelopment. Councillor Becker withdrew the second reason for refusal at this point leaving the design reason in place. This was with agreement of Councillor Jackson as seconder of the motion.

Councillor Jackson expressed concerns about the lack of disabled access to the proposed hotel. The Highways Officer explained that there was an aspiration to

provide a flush surface on Avon Street and that building regulations and conditions would ensure that the building was accessible for all.

Councillor Kew noted that the principle of a hotel on this site was acceptable and stated that if the application were refused on the grounds of design then the applicant could still reapply with revised plans.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 3 against to DELEGATE TO REFUSE the application on the basis of the reasons put forward by Councillors Becker and Jackson.

### **Item No. 3**

#### **Application No. 15/01802/FUL**

**Site Location: Church Farm Derelict Property, Church Hill, High Littleton – Construction of new pedestrian and vehicular access to Church Farm, High Littleton from A39 High Street following removal of section of boundary wall**

The Case Officer reported on the application and her recommendation to permit. She explained that the applicant had now agreed to retain the existing milk churn stand and has requested permission to move the bus stop slightly. Revised drawings have been received.

The Case Officer also reported that one additional comment had been received regarding the location of the bus stop, the potential to set a precedent and the possibility in future of further development on this site.

The registered speaker, who was a neighbour, spoke against the application.

Councillor Kew, local ward member, explained that the farmhouse had been derelict for over 20 years. Local people were keen for the house to be developed to improve the condition of the building. The access was needed to enable this to happen. Conditions could be put in place as necessary regarding pedestrian access.

Cllr Kew then moved the officer recommendation to delegate to permit subject to a Section 106 agreement. Cllr Crossley seconded the motion.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application subject to conditions and the completion of a Section 106 agreement as set out in the report.

### **Item No. 4**

#### **Application No. 18/00650/FUL**

**Site Location: Highfields, White Cross, Hallatrow – Erection of a dwelling house following demolition of conservatory**

The Case Officer reported on the application and his recommendation to refuse. He explained that the parking concerns had now been addressed and that the third reason for refusal had subsequently been amended as set out in the update report.

Councillor Kew, local ward member, spoke in favour of the application. Although the site was outside of the housing development boundary he felt that Whitecross was a separate settlement in its own right. He noted that this was a simple garden

site and that the house would be occupied by employees of the adjacent car wash facility. He explained that there were 2 bus stops on the A37 and two convenience stores within half a mile of the property. A Post Office, church and schools were also close by which meant that it would be a sustainable development. Traffic lights onto the A37 also provided ease of access and egress.

Councillor Kew then moved that the Committee delegate to permit the application as the site was in an existing settlement, the plot was an infill site and the development would be in keeping with other dwellings in the area. The development would also enhance the character of the area. Councillor Matthew Davies seconded the motion.

The Highways Officer explained how distances to urban areas, employment and schools were calculated. She advised that, if the Committee were minded to permit the application, then they should consider including a condition to include a pedestrian phase within the traffic light system.

Councillor Crossley stated that the correct process would be to work with the community to include Whitecross within the housing development boundary. He felt that there were no extenuating circumstances to permit development in this location and was concerned that it could set a precedent leading to further development in the area.

Councillor Sandry did not consider that Whitecross was a settlement in its own right and stated that development was not appropriate in this area.

The Group Manager, Development Management, explained that Whitecross was not a settlement but a group of dwellings. There were no real facilities in the area and he would caution against permitting this application. The site was some distance from the housing development boundary and the development would be contrary to policy. It was not a rural workers' dwelling and could set a precedent for building in open countryside.

Councillor Richardson noted that the Parish Council was supportive of the application.

Councillor Jackson noted that although the site was outside of the housing development boundary there was a pattern of settlement and this would be infill development on a large plot.

Councillor Kew stated that there was good access to this single plot and that it was not in open countryside. Schools could be accessed by local footpaths and facilities were closeby.

The motion was put to the vote and there were 4 votes in favour and 6 against. The motion was therefore LOST.

Councillor Crossley then moved the officer recommendation to refuse permission. This was seconded by Councillor Sandry.

The motion was put to the vote and there were 5 votes in favour and 5 votes against. The Chair used her casting vote in favour of the motion. It was therefore RESOLVED to REFUSE the application for the reasons set out in the report.

**Item No. 5****Application No. 18/01057/VAR****Site Location: Grey House, Staunton Lane, Whitchurch – Variation of condition 11 (Plans List) of application 17/03785/FUL (Erection of a new 3 bedroom dwelling with double garage)**

The Case Officer reported on the application and her recommendation to permit. Revised elevations were now available and it was noted that the number of dormer windows had been reduced from three to two and have been reduced in size.

Councillor Bob Goodman spoke on behalf of the local ward member, Councillor Paul May, against the application. He pointed out that plans for a 4 bedroom property had been rejected and a 3 bedroom property had been approved. This application was now for a 5 bedroom property. He expressed concerns regarding road safety and setting a precedent. He felt that enforcement action should be taken.

Councillors asked questions relating to the dormer windows, the use of the garage area and the solar panels to which the Case Officer responded.

Councillor Richardson asked a question regarding parking requirements. The Case Officer explained that there was currently parking provision for 2 cars, however, 3 parking spaces would be required for a 5 bedroom property.

Councillor Crossley moved the officer recommendation to permit. This was seconded by Councillor Jackson.

The motion was put to the vote and it was RESOLVED by 5 votes in favour, 3 against and 2 abstentions to PERMIT the application subject to the conditions set out in the report.

**Item No. 6****Application No. 18/01184/FUL****Site Location: Garri House, Tynning Road, Combe Down, Bath – Erection of two-storey rear extension following demolition of single-storey rear extensions and minor internal works**

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

The registered speakers, who were neighbours, spoke against the application.

The applicant spoke in favour of the application.

Cllr Bob Goodman, local ward member, spoke in favour of the application. He stated that the proposal would improve and tidy up the area around the property. He did not feel that there would be a negative impact on neighbouring properties or harm to the Conservation Area.

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

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

1 abstention. The motion was therefore LOST.

Councillor Appleyard stated that a site visit would have been helpful given that the 2 ward councillors held different views and that there had been objections from neighbours.

Councillor Kew moved the officer recommendation to permit stating that this was a good application. This was seconded by Councillor Matthew Davies.

Councillor Crossley felt that the proposal was large and overbearing and that the application should be refused. It would adversely affect the amenity of the area and the impact on Gladstone Court was unacceptable.

Councillor Sandry noted that this area of Combe Down was of high density.

Councillor Jackson was not keen on the timber cladding and noted that a Victorian sash window would be lost.

The motion was put to the vote and it was RESOLVED by 5 votes in favour, 3 against and 2 abstentions to PERMIT the application subject to the conditions set out in the report.

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

##### **Application No. 18/01224/FUL**

**Site Location: 4 Lytton Grove, Keynsham, BS31 1NE – Change of use from dwelling house (Use Class C3) to 9 bed HMO (House in Multiple Occupation) (Use class sui generis) and the erection of a single storey rear extension**

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

A representative of Keynsham Town Council and a local resident spoke against the application.

In response to a question the Case Officer confirmed that the utility sheds are not habitable as they are open sided.

Councillor Jackson moved the officer recommendation to permit. This was not seconded.

Councillor Kew stated that he was minded to refuse the application.

The Group Manager, Development Management, stated that there were no policy reasons to refuse this application. Members could take into consideration any impact on amenity or transport. If loss of amenity were considered to be a reason for refusal then clear details would have to be provided.

Councillor Sandry queried whether this would be an overdevelopment of the site. Officers stated that the area was not currently densely developed.

Councillor Crossley moved that the application be refused on the grounds of overdevelopment and loss of amenity to neighbouring properties. He noted that any increase in vehicles would be problematic in this location. This was seconded by

Councillor Richardson.

The Case Officer confirmed that the property would have 4 allocated parking spaces.

Councillor Kew stated that it was difficult to refuse an application for an HMO in this location because the Council policy was not to allow too many in one particular area. This area did not have a high concentration of HMO properties.

Councillor Appleyard advised against an inclination to be resistant to HMOs as they make up a valid part of the local housing stock. He felt that the proposed layout was good.

The motion was put to the vote and there were 3 votes in favour, 6 votes against and 1 abstention. The motion was therefore LOST.

Councillor Appleyard then moved the officer recommendation to permit the application. This was seconded by Councillor Jackson.

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 3 votes against and 1 abstention to PERMIT the application subject to the conditions set out in the report.

#### **Item No. 8**

##### **Application No. 18/01435/FUL**

**Site Location: 27 Westfield Park, Newbridge, Bath, BA1 3HS – Change of use from residential (Class C3) to HMO (House in Multiple Occupation) (Class C4)**

The Case Officer reported on the application and her recommendation to permit. She explained that there was only one other HMO within 100m of the property. The property was shown to provide 4 rooms for occupation and, as such, any condition granted must be restricted to such a level of use.

One registered speaker, who was a neighbour, spoke against the application.

The applicant spoke in favour of the application.

Councillor Jackson advised against making negative assumptions regarding HMO residents. She moved the officer recommendation to permit the application.

Councillor Sandry seconded the motion stating that although HMOs can be controversial there is a clear policy setting out a 10% saturation area.

Councillor Appleyard understood both the aims of the applicant and the concerns of the local residents. He hoped that the applicant and residents could communicate to find a suitable solution.

Councillor Crossley was opposed to the application as he felt that towns and cities should be populated by families and that Universities should take responsibility for housing their students. He was concerned of the detrimental effect on the local amenity as it would upset the balance of the community.

The motion was put to the vote and it was RESOLVED by 8 votes in favour, 1 vote

against and 1 abstention to PERMIT the application subject to the conditions set out in the report.

**Item No. 9**

**Application No. 18/01367/FUL**

**Site Location: 17 Queenwood Avenue, Fairfield Park, Bath, BA1 6EU – Erection of rear pitched roof dormer (Revised proposal)**

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

The applicant spoke in favour of the application.

Cllr Patrick Anketell-Jones, on behalf of the local ward member, spoke in favour of the application. He stated that although the house was the highest in the street it was not prominent in terms of the city as a whole as it was screened by trees. Eleven out of the seventeen houses in the street already have dormer windows so this was not unusual in the area. It was important to retain families living in this location.

Councillor Appleyard noted that dormer windows can be contentious and moved that consideration of the application be deferred pending a site visit. This was seconded by Councillor Jackson.

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

Councillor Kew noted that there were a number of dormer windows in this area already and that he felt the proposal was acceptable. He moved that the Committee delegate to permit the application as he did not consider the dormer window to be overly large or dominant and felt that the proposal was in keeping with other dormer windows in this location. This was seconded by Councillor Appleyard.

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

**Item No. 10**

**Application No. 18/01253/LBA**

**Site Location: 6 Johnstone Street, Bathwick, Bath, BA2 4DH – Internal alterations for the installation of a corner shower unit, 12 recessed ceiling lights and for the retention of ground floor shutters (Regularisation)**

The Case Officer reported on the application and her recommendation to refuse. She reported that the applicant had now agreed to paint the shutters. Exposed pine was not considered to be an aesthetically appropriate treatment in the context of a 19<sup>th</sup> century Georgian townhouse.

The registered speaker, who was a neighbour, spoke against the application.

The agent spoke in favour of the application.

Cllr Peter Turner, local ward member, spoke in support of the application. He pointed out that the applicant had converted a former HMO into a family home and

had greatly improved the building. He also stated that there would be inconsistency if the application were to be refused because spotlights were used in other listed buildings.

In response to a question the Case Officer confirmed that the installation of a shower in its current location was unlikely to cause damage to the property as the room was large and there was ventilation.

Councillor Jackson queried whether a false ceiling would compromise the listed building status. She felt that the spotlighting was incongruous in a listed building such as this.

The Group Manager, Development Management, stated that as a Grade I listed building the property had national significance. He advised the Committee to consider the application in its own right without regard to the situation in other listed properties.

Councillor Kew welcomed the proposal to paint the shutters. He noted that modern ceilings could be removed in the future and stated that a shower was a simple piece of apparatus which could also be removed if necessary.

The Case Officer confirmed that listed building consent had been given for the work that had taken place but that there was no evidence that the applicants had discussed their plans with the Council.

Councillor Sandry moved the officer recommendation to refuse the application as he felt that neither the location of the shower nor the spotlighting were appropriate in this type of building. This was seconded by Councillor Jackson.

Councillor Crossley spoke against the motion stating that a house has to adapt over time and that it was important for listed buildings to become modern homes. The house had been in a poor condition and the applicants had upgraded and improved it. He agreed that the shutters should be painted at the front and rear of the property. However, he disputed whether harm had been caused by the installation of the shower and spotlighting.

Councillor Appleyard had concerns that if too many changes were allowed then these may not be reversed in the future. It was very important to look after listed buildings.

The motion was put to the vote and there were 5 votes in favour and 5 votes against. The Chair then used her casting vote against the motion. The motion was therefore LOST.

Councillor Crossley then moved that the Committee delegate to permit the application subject to conditions including the requirement to paint all shutters. This was seconded by Councillor Matthew Davies.

The motion was put to the vote and there were 5 votes in favour and 5 votes against. The Chairman then used her casting vote in favour of the motion. It was therefore **RESOLVED** to **DELEGATE TO PERMIT** the application subject to conditions to include the requirement to paint all shutters (at both the front and rear of the

property).

**10 QUARTERLY PERFORMANCE REPORT - JANUARY TO MARCH 2018**

The Committee considered the quarterly performance report from January to March 2018.

RESOLVED: To NOTE the report.

**11 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 7.30 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Management Committee**

**6<sup>th</sup> June 2018**

**UPDATE REPORT AND OBSERVATIONS RECEIVED SINCE THE  
PREPARATION OF THE MAIN AGENDA**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
1.	17/02588/EFUL	Parcel 4234 Combe Hay Lane Combe Hay Bath

**Update:**

South Stoke Parish Council have sought a Legal Opinion given their concerns that a piecemeal grant of planning permission in advance of the agreement of a comprehensive masterplan for the wider allocation may prejudice the deliverability of that wider allocation in accordance with the Placemaking Principles.

A full copy of the Legal Opinion is available to Members of the Committee.

The Legal Opinion concludes that it would be dangerous for the Committee to rely on and adopt the recommendation to approve. The Opinion states that the Application does not meet the minimum requirements laid down in Policy B3a. It is not in compliance with the development plan which gives rise to a presumption that the Application be refused. Without the support of that site specific policy, it is hard to see how the Application can meet the “major development” test in paragraph 116 of the NPPF or that there are any other material considerations capable of outweighing the “great weight” which must be given to the conservation of the AONB and the heritage setting of the Bath WHS. If permission were granted on the basis of the officer’s recommendation, it is likely that an interested party would have good prospects of succeeding in a judicial review challenge to that decision.

In response to each of the issues raised in the Legal Opinion:

**1. Failure to reach clear conclusion on whether development is in accordance with the development plan.**

The application is in breach of Policy B3a in a number of ways, giving rise to a presumption that permission will be refused. The most critical breaches are:  
(i) the application is not accompanied by a comprehensive masterplan capable of being agreed and of providing detailed guidance for subsequent planning applications.

(ii) contrary to Placemaking Principle 5 and the policy concept diagram the Application does not propose sufficient additional tree planting along the southern

boundary to ensure screening of the Site from views to the south; nor does it avoid or minimise detrimental impacts on the Cotswolds AONB.

(iii) contrary to Placemaking Principle 6, the Application does not establish an acceptable southerly extent of development so as to conserve the significance of the Bath WHS. The proposal is also contrary to other policies in the Core Strategy including Policy CP6 (Environmental Quality)

### **Officer Response**

Core Strategy Policy B3a sets out the requirements that need to be met to enable development of the Odd Down strategic site allocation. Being site specific these Placemaking Principles take priority over the Core Policies. In assessing the application consideration has been given to the representations received from statutory consultees as well as other respondents including those from Officers of the Council.

In terms of the 'breaches' set out in the Legal Opinion and summarised above:

(i) When considering whether development proposals accord with the development plan it is necessary to make this judgement with regard to the development plan as a whole. In other words, a proposal does not have to accord with every policy in the development plan or every element of every policy however the recommendation to approve or refuse an application must be based on a balanced and reasoned assessment of the proposals against the development plan as a whole.

Placemaking Principle 2 requires the preparation of a comprehensive Masterplan to be agreed by the Council. A masterplan for the strategic allocation has been submitted and it is considered that it provides an appropriate framework against which to assess the current application. In the light of issues raised by the Council and consultees the masterplan has been the subject of further assessment and amendment by the applicant.

The Committee report identifies areas where the masterplan complies with the Placemaking Principles as well as those where it does not fully comply. Whilst not all elements of the masterplan are capable of agreement at this stage it is considered that approval of the current application would not prejudice the form or extent of buildings on the remainder of the allocation nor would it prejudice the development of the wider site. Further iterations of the masterplan, to be submitted with future application(s) for future phases of the development, will need to address the identified issues and shortcomings.

The masterplan as it relates to the current application site does not include additional green infrastructure to the north of the southern tree belt as specified in the Placemaking Principles and shown on the Concept Diagram. It is evident from the information submitted with the application however that the existing southern tree belt partially screens the development and that it is generally the buildings towards the northern edge of the site (on the higher ground) that will be visible. Growth of the existing southern tree belt will in time provide further screening of the development and the application has been amended to further reduce its visibility in views from the south and its overall impact. The amendments include removing two buildings from the scheme, reducing ridge heights on some buildings, re-orientating and creating larger gaps between others. In addition large specimen trees are proposed

for the tree planting to the south of northern row of buildings. In the light of these changes the masterplan as it relates to the current application site is considered to be acceptable. At a net density of 33dph against 35-40dph in Policy B3a, 171 homes is not considered to be an excessive quantum of development for the site.

In reaching a conclusion on the current application an appropriate assessment has been undertaken and a balanced and reasoned conclusion has been reached on whether the application should be approved or not. It is considered that the lack of a masterplan that can be agreed at this stage does not amount to a departure from the development plan as a whole and is not of such significance that the current application cannot be determined or approved. Approval of the current application will not prejudice the comprehensive development of the wider strategic allocation and not having an agreed masterplan is not a sufficient reason to refuse planning permission.

(ii) In assessing whether detrimental impacts on the Cotswolds AONB have been avoided or minimised consideration has been given to the retention of existing trees on the site and additional tree planting within the development, the layout and design of the development, the nature and scale of the impacts as well as the specific characteristics of the site.

Whilst the application does not propose additional tree planting along the southern boundary it is evident from the submitted information that the existing southern tree belt partially screens the development. More particularly those buildings on the site that are visible are generally towards the northern edge of the site on the higher ground. Based on the submitted evidence it is considered that despite additional tree planting not being proposed along the southern boundary of the site, impacts on the Cotswolds AONB have been reduced to an acceptable level. Management and growth of the existing southern tree belt will, in time, further screen the buildings.

(iii) A similar assessment has been undertaken in respect of the southerly extent of development, with particular attention to the strong presumption against development that would result in harm to the Outstanding Universal Value of the WHS, its authenticity or integrity. The southerly extent of the development has been informed by a Landscape and Visual Assessment and as noted above amendments have been made to the layout of the development to seek to address issues of visibility and reduce the impact of the development.

Based on this assessment and the details of the application it is considered that the southerly extent of the development is acceptable and that the significance of the Bath WHS will be conserved.

## **2. Erroneous Approach to NPPF 116.**

Exceptional circumstances for major development in the AONB need to be demonstrated and the Application assessed against the tests in paragraph 116 of the NPPF. While it is clearly open to the Committee to conclude that a scheme which complied with Policy B3a could show exceptional circumstances, and to rely on the Examination Inspector's assessment, Policy B3a does not itself remove the allocated area from the AONB. The Inspector's conclusion that exceptional circumstances were met was dependent on compliance with the Placemaking Principles. If the

Application is not compliant with Policy B3a, then the Committee must assess whether exceptional circumstances exist for itself.

### **Officer Response**

The Committee report acknowledges that the application site remains in the AONB and an assessment has been undertaken of the impact of the development on the character and special qualities of the AONB.

In concluding that there were exceptional circumstances for major development in the AONB, albeit there would result in a moderate adverse impact on its special qualities, the Core Strategy Inspector took into account the Council's approach to where built development should take place, noting that built development would be pulled back from the more sensitive parts of the plateau where it could have a wider adverse impact.

That assessment related to the allocation as a whole whereas the current application relates to only part of it. The application is also accompanied by a detailed scheme and associated landscape assessment work that was not available at the Core Strategy. Whilst the "additional green infrastructure" indicated on the Concept Diagram does not form part of the proposed development, new tree planting is provided elsewhere within the application site. This is considered to have an equal and potentially more beneficial mitigating effect in terms of limiting visibility of the development and minimising detrimental impacts on the AONB. Accordingly it is considered that the development is in general compliance with Placemaking Principle 5.

The Application has been assessed against the tests set out in para. 116 of the NPPF. Notwithstanding changes to the development parameters from those taken into account by the Core Strategy Inspector the exceptional circumstances for major development still apply. The development will deliver new dwellings at a highly sustainable location of which 40% would be affordable and there are no acceptable alternative sites in Bath which could replace the contribution to housing that this site would make. In addition detrimental impacts on the environment, landscape that will arise have been appropriately mitigated and recreational opportunities enhanced. The need for housing and the benefits of additional housing in this location in Bath are considered to outweigh the localised harm to the AONB.

### **3. Failure to identify material considerations capable of justifying departure from the development plan.**

The report fails to specify material considerations capable of justifying departure from the presumption that decisions should follow the development plan.

Granting permission contrary to Policy B3a would run a substantial risk of distorting the comprehensive delivery of the wider allocation. The Applicant appears to intend a level of development across the allocation which cannot be delivered without an unacceptable ("severe") impact on the envisaged access point. This may lead to parts of the site becoming undeliverable which will have its own knock-on effects for the delivery of necessary and desirable infrastructure. Further, by creating variations in density and design, the grant of permission will reduce the ability of developers to

mitigate the identified dangers to heritage assets, landscape designations and ecology.

### **Officer Response**

In the absence of a detailed scheme and associated assessment of its impact on heritage assets, landscape designations, ecology or the local highway network it is not possible to reach a definitive conclusion on whether future phases of the development can (or cannot) be adequately mitigated. In addition, no conclusion can be reached on the absolute number of dwellings that could be accommodated within the strategic allocation. Masterplan by their nature involve high-level assessments and proposals and further iterations of the masterplan now would not enlighten us on these points which ultimately can only be established once a detailed scheme has been worked up and assessed in the context at that time.

The Committee report has identified where there is compliance or non-compliance with the development plan and it is considered that the national guidance has been appropriately applied in the assessment of the application. The site is allocated for housing development and the proposals accord with the Core Strategy in this respect although development is proposed at a density slightly below that set out in Policy B3a. Extrapolating the 171 homes proposed in the current application to the allocation as a whole would result in a higher total number of homes than envisaged in Policy B3a however the allocation of the site for 300 dwellings was a conservative estimate and the Core Strategy Inspector made clear this was not a cap if all the Placemaking Principles can be met. Ultimately the number of new homes on the allocation as a whole will be determined by the detailed assessment that will accompany future applications and one outcome might be that not all of the allocation is developed if it is demonstrated that such a scale of development would give rise to significant harm that could not be mitigated to an acceptable degree. However that judgement cannot yet be made and the development of 171 homes as proposed in the current application is not considered to prejudice future applications nor pre-judge their form or content.

It is considered that when assessed in the light of development plan policies as a whole the proposed development is in overall compliance with the development plan does not amount to a departure.

### **Conclusion**

When assessed against the development plan as a whole partial non-compliance is not considered to be of such significance as to render the application a departure from the development plan, nor to outweigh the presumption in favour of sustainable development.

The Council has had regard to s.38(6) of the Planning and Compulsory Purchase Act 2004 and it is concluded that the proposals are in general accordance with the development plan and there are no material considerations that would lead to a different conclusion. Accordingly the application is recommended for approval.

### **Consultation Responses**

The main report omitted reference to 2 letters of support for the planning application. Bath Chamber of Commerce are keen to see the delivery of new housing in order to support continued economic development. They note that great care has gone in to the consultation and design process which they believe to have been a model of its kind and that the high proportion of affordable housing will contribute greatly to the positive impact this development will have on the local community. The other letter of support is on the grounds of the chronic housing shortage in the city which pushes up rents and property prices and pushes out young professionals and business investment since employees cannot afford to live here. Proposals that are sensitive to the area such as the current application should be encouraged.

One other respondent noted that the Phase 1 is acceptable within itself however the surrounding main roads and the cut-throughs via other villages and lanes are already at the limit of their capacity and in their present form could not cope with the extra demand particularly from phases beyond Phase 1 on top of that from Mulbery Park/Foxhill.

A further objection has been received from Combe Hay Parish Council on the following grounds that (i) the masterplan is not acceptable (due to impact on the highway) and therefore Placemaking Principle 2 has not been met and the Phase 1 application cannot be accepted; (ii) concerns regarding rat-running have not been properly addressed as although the new site access onto Combe Hay Lane is likely to deter traffic from using Combe Hay Lane it is likely to encourage drivers to find alternative routes through the lanes; (iii) the cumulative impact is not acceptable as the analysis completely ignores the effect of growth and permitted development on the queue length and uses only the incremental contribution from Phase 1 in judging the impact.

An additional objection has been received on the grounds on (i) loss of Green Belt; adverse impact on AONB; (ii) impact on World Heritage Site and South Stoke village; (iv) impact on already congested road system; (v) alternative housing sites being developed in the centre of Bath; (vi) other brownfield sites in Bath available for housing; (vii) Phase 1 is beginning of potentially much bigger development that could involve more roads and severe traffic disruption.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
4.	18/00650/FUL	Highfields, White Cross, Hallatrow

Additional information has been submitted in response to the Highways objection, and the third reason for refusal. As such Highways DC has been consulted once again with the following comments, and assessment made:

*'It appears from drawing AD.02.Rev A that my concerns regarding the parking and bicycle storage have been addressed, but despite the evidence provided in terms of the sustainable location, the development is outside of the Housing Development Boundary. I understand that the proposed property sits on the A37 and is serviced by*

*a fairly regular bus service and the closest shop and primary school is located approximately one mile away in Farrington Gurney. And while this route is accessible via footway and crossing points, the footway is narrow in places and is not street lit, which means that any family travelling along this route is unlikely to use sustainable method of transport, particularly in the winter months when hours of darkness are lengthened.*

*The evidence provided by the applicant regarding the sustainable transport links relating to 16/04881/FUL is not relevant as this development location is within a self-sustained village. The initial application for this proposal (2004) was rejected on road safety grounds, not sustainability grounds.'*

Due to the above comments the third reason for refusal should read as follows:

The proposal is unable to facilitate the use of sustainable modes of transport due to the sites unsustainable location. The proposal is contrary to policy ST1 of the Bath and North East Somerset Placemaking Plan.

The plans list should also be altered to read as follows:

This decision relates to the following plans received 13th February 2018:

Drawing Number: AD/01- Proposed Floor Plans, Elevation and Sections

Plans received 1<sup>st</sup> March 2018

Drawing Number: AD/04- Existing and Proposed Sections and Site Plans

Plans received 29<sup>th</sup> May 2018

Drawing Number: AD/02 Rev A- Proposed Elevations and Site Plan

Drawing Number: AD/03 Rev A- Site Location, Block Plan and Additional Details

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
10.	18/01253/LBA	6 Johnstone Street Bath

For clarification, in requesting the application be determined by committee Cllr Turner made the following comments;

- The work carried out is necessary to enable the building to be beneficially occupied and has not resulted in loss of historic fabric.
- The applicant has made a significant investment in the property and undertaken a high quality refurbishment from its previous HMO use.
- He supports the application.

Since the report was written three representations (two from one address) have been received and are available on the application file. Photographs submitted in support of the comments are also available on the application file. In summary the representations make the following comments;

- Another resident, with experience of owning a number of other grade I listed buildings worked closely with the Bath and North East Somerset Council during the renovation of her property in Johnstone Street which included repainting the stripped pine shutters on the ground, first and second floors as well as timber doors inside the building.
- Residents in Johnstone Street were horrified when the new owners left shutters stripped of paint and the matter was reported to the Councils planning Enforcement Team.
- The white blinds hung at the windows are not a satisfactory substitute for painting the shutters.
- Johnstone Street has a special importance as part of the Great Pulteney Street Masterplan and hundreds of visitors come down the street to admire the view and take photographs.
- It would be wrong, undemocratic and illogical for the owners of No 6 to fail to carry out their legal obligations.
- Why have the owners of No 6 not been forced to comply with the request to paint their shutters.
- There cannot be one rule for them and one for the rest of us.
- Johnstone Street is a heritage street in the heart of Bath and every house is listed to retain the appearance of the city.
- Whilst blinds hide the shutters at the front the ones at the rear are visible.

A letter from the applicants rebutting objections is also available on the file and in summary makes the following comments;

- Comments made are factually incorrect or make irrelevant assumptions.
- No 6 was purchased as their main home and has undergone two years of restoration.
- They have extensive experience of working with period and listed properties.
- All of the shutters have been restored and the ground floor and second floor rear shutters were left unpainted by choice.
- Where available guidance has been followed.
- None of the other residents in Johnstone Street have approached them with comments, guidance or suggestions.
- Submitting the application to leave the shutters unpainted is due process.
- No 4 Johnstone Street along with some other properties in Bath has stripped shutters.
- The blinds are not intended to deceive and were fitted into the reveals to keep the heat in.
- The comments make sweeping assumptions about the applicants and their property which are unnecessary and ill informed. The author has not introduced herself to them.

- Other residents have acknowledged the vast improvements they have made to the property.

This page is intentionally left blank

**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 6 JUNE 2018**

<b>MAIN PLANS LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>SPEAKER</b>	<b>FOR/AGAINST</b>
1.	Parcel 4234, Combe Hay Lane, Combe Hay, Bath	Cllr Christopher Winpenny (South Stoke Parish Council)	Against (3 minutes)
		Cllr Pat Caudle (Wellow Parish Council)	Against (To share 3 minutes)
		Robin Campbell (Clerk to Combe Hay Parish Council)	
		Caroline Kay (Bath Preservation Trust)	Against (To share 3 minutes)
		Steven Gourley	
		Nick Matthews (Agent)	For (To share 3 minutes)
		Mike Kerton (Applicant)	
		Cllr Neil Butters (Local Ward Member)	Against
		Cllr Steve Hedges (Adjacent Local Ward Member)	Against
2.	City of Bath College, Milk Street, Bath	Laurence Beere (Hotel Association and Bath Independent Guesthouse Association)	Against
		Cathy Francis (Agent) Applicant	For (To share 3 minutes)
		Cllr Patrick Anketell-Jones (Acting Local Ward Member)	N/A
3.	Church Farm Derelict Property, Church Hill, High Littleton	Anthony Hurry	Against

5.	Grey House, Staunton Lane, Whitchurch	Cllr Bob Goodman (on behalf of Local Ward Member)	Against
<b> </b>			
6.	Garri House, Tynning Road, Combe Down, Bath	Nigel Hunt	Against (To share 3 minutes)
		Jane Hildreth	
		Hugh Knowles (Applicant)	For
		Cllr Bob Goodman (Local Ward Member)	For
<b> </b>			
7.	4 Lytton Grove, Keynsham	Cllr Clive Fricker (Keynsham Town Council)	Against
		Helen Grist	Against
<b> </b>			
8.	27 Westfield Park, Newbridge, Bath	Esther Derrett	Against
		Andrew Lapham (Applicant)	For
<b> </b>			
9.	17 Queenwood Avenue, Fairfield Park, Bath	Chris Grew (Applicant)	For
		Cllr Patrick Anketell-Jones (on behalf of Local Ward Member)	For
<b> </b>			
10.	6 Johnstone Street, Bathwick, Bath	Lesley Field	Against
		Chris Beaver (Agent)	For
		Cllr Peter Turner (Local Ward Member)	For
<b> </b>			

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

**6th June 2018**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	17/02588/EFUL	
<b>Site Location:</b>	Parcel 4234, Combe Hay Lane, Combe Hay, Bath	
<b>Ward:</b> Bathavon West	<b>Parish:</b> South Stoke	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application with an EIA attached	
<b>Proposal:</b>	Full planning permission for the erection of 171 residential units, open space, green infrastructure, landscaping and associated works including provision of vehicular access from Combe Hay Lane	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Article 4, Contaminated Land, Forest of Avon, Greenbelt, Hotspring Protection, LLFA - Flood Risk Management, MOD Safeguarded Areas, Neighbourhood Plan, Sites used as playing fields, Public Right of Way, Sites of Nature Conservation Interest, Strategic Site Allocations, SSSI - Impact Risk Zones, Tree Preservation Order, World Heritage Site,	
<b>Applicant:</b>	Hignett Family Trust & Bloor Homes	
<b>Expiry Date:</b>	22nd September 2017	
<b>Case Officer:</b>	Gwilym Jones	

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

<b>Item No:</b>	02
<b>Application No:</b>	17/06214/FUL
<b>Site Location:</b>	City Of Bath College, Milk Street, City Centre, Bath
<b>Ward:</b> Kingsmead	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Demolition of existing building and erection of new hotel
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Zone, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre Boundary, Policy CP9 Affordable Housing Zones, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Other Please specify, Public Right of Way, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Dominvs Project Company 8 Ltd
<b>Expiry Date:</b>	20th June 2018
<b>Case Officer:</b>	Chris Gomm

The application was resolved to refuse on the basis that the design, scale, height and massing would neither preserve nor enhance the character and appearance of the conservation area, would be detrimental to the visual amenity of the street scene and would detract from the universal values of the world heritage site.

<b>Item No:</b>	03
<b>Application No:</b>	15/01802/FUL
<b>Site Location:</b>	Church Farm Derelict Property, Church Hill, High Littleton, Bristol
<b>Ward:</b> High Littleton	<b>Parish:</b> High Littleton <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Construction of new pedestrian and vehicular access to Church Farm, High Littleton from A39 High Street following removal of section of boundary wall.
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, Tree Preservation Order,
<b>Applicant:</b>	Mr Martin Pera
<b>Expiry Date:</b>	15th June 2018
<b>Case Officer:</b>	Laura Batham

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

<b>Item No:</b>	04	
<b>Application No:</b>	18/00650/FUL	
<b>Site Location:</b>	Highfields, White Cross, Hallatrow, Bristol	
<b>Ward:</b> High Littleton	<b>Parish:</b> High Littleton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a dwellinghouse following demolition of conservatory.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Hazards & Pipelines, LLFA - Flood Risk Management, Policy M1 Minerals Safeguarding Area, Public Right of Way, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,	
<b>Applicant:</b>	Mr Albert Durici	
<b>Expiry Date:</b>	17th May 2018	
<b>Case Officer:</b>	Hayden Foster	

## **DECISION REFUSE**

1 The proposal is to be located outside of any defined housing development boundary and has not been identified as an essential dwelling for a rural worker. Therefore the principle for development is unacceptable, and the proposal is contrary to policy DW1 and SV1 of the Bath and North East Somerset Core Strategy, and policy RA1, RA2 and RE4 of the Bath and North East Somerset Placemaking Plan.

2 The proposal presents a roof form which does not reflect the character and appearance of the immediate area. Therefore the proposed new dwellings gable end roof and front dormer window due to their location, size/ scale will appear as an incongruous additions to the host dwelling. They will neither preserve nor enhance the character or appearance of this area. The proposal is considered contrary to policy D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan.

3 Due to the proposals inability to facilitate the use of sustainable modes of transport it is considered that the proposal will be contrary to policies ST1 of the Bath and North East Somerset Placemaking Plan.

### **PLANS LIST:**

This decision relates to the following plans received 13th February 2018:

Drawing Number: AD/01- Proposed Floor Plans and Elevations

Drawing Number: AD/02- Proposed Elevations and Site Plan

Drawing Number: AD/03- Site Location, Block Plan and Additional Details

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>	05	
<b>Application No:</b>	18/01057/VAR	
<b>Site Location:</b>	Grey House, Staunton Lane, Whitchurch, Bristol	
<b>Ward:</b> Publow And Whitchurch	<b>Parish:</b> Whitchurch	<b>LB Grade:</b> II
<b>Application Type:</b>	Application for Variation of Condition	
<b>Proposal:</b>	Variation of condition 11 (Plans List) of application 17/03785/FUL (Erection of a new 3 bedroom dwelling with double garage.)	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr A Dark	
<b>Expiry Date:</b>	8th June 2018	
<b>Case Officer:</b>	Alice Barnes	

### **DECISION PERMIT**

#### **1 Soakage test (Compliance)**

The proposed development shall be constructed in accordance with details approved under reference 17/05430/COND

Reason: To prevent an increase in flood risk for the property and surrounding land and properties in line with Core Strategy Policy CP5

#### **2 Arboricultural Method Statement and Tree Protection Plan (Compliance)**

The proposed tree protection measures shall be in accordance with measures approved under reference 17/05430/COND.

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

### **3 Materials (Compliance)**

The proposed materials shall be in accordance with details approved under reference 17/04762/COND

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.

### **4 Soft Landscaping (Pre-occupation)**

No occupation shall commence until a 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; and a programme of implementation.

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

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

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

Reason: To prevent loose material spilling onto the highway in the interests of highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **6 Construction Management Plan (Compliance)**

The development shall be constructed in accordance with details approved under reference 17/05430/COND.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **7 Garages (Compliance)**

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

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

### **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 Vehicle Visibility Splay (Pre-occupation and Compliance)**

No occupation of the development shall commence until the visibility splay shown on drawing number A104 has been provided. There shall be no on-site obstruction exceeding 600mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with Policy ST.7 of the placemaking plan

### **10 Plans List (Compliance)**

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

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

#### **PLANS LIST:**

This decision relates to the Site location and block plan A104 and Proposed plans and elevations A101.

#### **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>	06
<b>Application No:</b>	18/01184/FUL
<b>Site Location:</b>	Garri House, Tynning Road, Combe Down, Bath
<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>	Erection of two-storey rear extension following demolition of single-storey rear extensions and minor internal works.
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 1,2,3a, 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, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr Hugh Knowles
<b>Expiry Date:</b>	8th June 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 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 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 and block plan S1 050

Existing floor plans S1 101  
Existing elevations S1 201  
Proposed floor plans P1 101  
Proposed elevations P1 201

### **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>	18/01224/FUL
<b>Site Location:</b>	4 Lytton Grove, Keynsham, Bristol, Bath And North East Somerset
<b>Ward:</b> Keynsham East	<b>Parish:</b> Keynsham Town Council <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Change of use from dwelling house (Use Class C3) to 9 bed HMO (House in Multiple Occupation) (Use class sui generis) and the erection of a single storey rear extension.
<b>Constraints:</b>	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
<b>Applicant:</b>	Mr Ciprian Rosca
<b>Expiry Date:</b>	8th June 2018
<b>Case Officer:</b>	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 Parking (Compliance)

The area allocated for parking on the submitted plan 17-0907-PSP01 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.

### 3 Bound/Compacted Parking Space (Compliance)

Prior to use hereby permitted, the parking area shown on drawing number 17- 0907-PSP01 shall be constructed with a bound and compacted surface (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### 4 Ancillary Use (Compliance)

The utility sheds hereby approved shall be retained for ancillary domestic use as shown on drawing 17- 0907-PSP01 and for no other purpose.

Reason: The sheds hereby approved are not capable of independent occupation or commercial use without adverse impact on the amenities of existing or future residential occupiers contrary to 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:

17-0907-PE01 D PROPOSED ELEVATIONS  
17-0907-PP01 F PROPOSED GROUND FLOOR PLAN  
17-0907-PP02 D PROPOSED FIRST FLOOR PLAN  
17-0907-PSP01 E PROPOSED SITE PLAN  
17-0907-SLP01 A LOCATION PLAN

all received 16th March 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.

<b>Item No:</b>	08
<b>Application No:</b>	18/01435/FUL
<b>Site Location:</b>	27 Westfield Park, Newbridge, Bath, Bath And North East Somerset
<b>Ward:</b> Newbridge	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Change of use from residential (Class C3) to a HMO (Class C4)
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr Andrew Lapham
<b>Expiry Date:</b>	8th June 2018
<b>Case Officer:</b>	Christine Moorfield

## 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 Number of Occupants (Compliance)

The development hereby permitted shall not be occupied by more than 4 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 and highway safety, in accordance with Policies D.6 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:

SITE LOCATION PLAN and 01 02 03 and 04 all dated 21st 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](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>	09		
<b>Application No:</b>	18/01367/FUL		
<b>Site Location:</b>	17 Queenwood Avenue, Fairfield Park, Bath, Bath And North East Somerset		
<b>Ward:</b>	Walcot	<b>Parish:</b>	N/A
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of rear pitched roof dormer (Revised proposal).		
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr Chris Grew		
<b>Expiry Date:</b>	7th June 2018		
<b>Case Officer:</b>	Chloe Buckingham		

## 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 Materials (Bespoke Trigger)

All external hanging tiles to be used on the dormer window shall match the existing roof in respect of material and colour.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.1, D.2, D.3, D.5 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 Location Plan, Block Plan and Existing and Proposed Elevations (AL0670/D) and Existing and Proposed Flor Plans (AL0670/D) received 26th March 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>	10
<b>Application No:</b>	18/01253/LBA
<b>Site Location:</b>	6 Johnstone Street, Bathwick, Bath, Bath And North East Somerset
<b>Ward:</b> Abbey	<b>Parish:</b> N/A <b>LB Grade:</b> I
<b>Application Type:</b>	Listed Building Consent (Alts/exts)
<b>Proposal:</b>	Internal alterations for the installation of a corner shower unit, 12no recessed ceiling lights and repainting the ground floor shutters (Regularisation)
<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>	Ms Mary Barber Fray
<b>Expiry Date:</b>	15th May 2018
<b>Case Officer:</b>	Caroline Waldron

## DECISION    CONSENT

### 1 Details of decoration for the shutters (Bespoke Trigger)

Within three months of the date of this consent details of the decoration of the shutters, including paint finish and colour, to be submitted to and approved in writing by the Local Planning Authority. The repainting of the shutters shall be completed in accordance with the approved details within three months of the date of the discharge of condition.

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

### 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:

Drawings

0291\_A\_1103 REV D    PROPOSED SECOND FLOOR PLAN

0291\_A\_1105 REV D    PROPOSED SECTION.

0291\_A\_1300    SITE LOCATION PLAN

Date stamped: 20th March 2018

Drawing 0291\_A\_1101 REV C PROPOSED GROUND FLOOR PLAN  
Date stamped: 4th June 2018

Other documents  
Planning Statement  
Design, Access and Heritage Statement  
Personal Statement  
Date stamped: 20th March 2018

Email dated 6th June 2018 confirming painting of the shutters

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)