

Development Management Committee

Date: Wednesday, 13th February, 2019

Time: 2.00 pm

Venue: Brunswick Room - Guildhall, Bath

Agenda

To: All Members of the Development Management Committee

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

Permanent Substitutes:- Councillors: Patrick Anketell-Jones, Neil Butters, Ian Gilchrist, Liz Hardman, Will Sandry, Liz Richardson, Brian Simmons, Martin Veal and Karen Warrington

Chief Executive and other appropriate officers
Press and Public

The agenda is set out overleaf.



Marie Todd

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NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

Paper copies are available for inspection at the **Public Access points:-** Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. Recording at Meetings:-

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control. Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds live via the internet www.bathnes.gov.uk/webcast. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. Public Speaking at Meetings

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. They may also ask a question to which a written answer will be given. **Advance notice is required not less than two working days before the meeting. This means that for Development Management meetings held on Wednesdays, notice must be received in Democratic Services by 5.00pm the previous Monday.** Further details of the scheme:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. Emergency Evacuation Procedure

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

6. Supplementary information for meetings

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

Development Management Committee- Wednesday, 13th February, 2019

at 2.00 pm in the Brunswick Room - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chairman will ask the Committee Administrator to draw attention to the emergency evacuation procedure.

2. ELECTION OF VICE CHAIRMAN (IF DESIRED)

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number and site in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

6. ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

(1) At the time of publication, no items had been submitted.

(2) To note that, regarding planning applications to be considered, members of the public who have given the requisite notice to the Committee Administrator will be able to make a statement to the Committee immediately before their respective applications are considered. There will be a time limit of 3 minutes for each proposal, i.e. 3 minutes for the Parish and Town Councils, 3 minutes for the objectors to the proposal and 3 minutes for the applicant, agent and supporters. This allows a maximum of 9 minutes per proposal.

7. ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

To deal with any petitions or questions from Councillors and where appropriate Co-opted Members

8. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 24)

To confirm the minutes of the meeting held on 16 January 2019.

9. MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE (Pages 25 - 50)

10. QUARTERLY PERFORMANCE REPORT - OCTOBER TO DECEMBER 2018 (Pages 51 - 60)

The Committee is asked to note the report.

11. NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES (Pages 61 - 68)

The Committee is asked to note the report.

The Committee Administrator for this meeting is Marie Todd who can be contacted on 01225 394414.

Delegated List Web Link: <http://www.bathnes.gov.uk/services/planning-and-building-control/view-and-comment-planning-applications/delegated-report>

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 16th January, 2019, 2.00 pm

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

87 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

88 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

89 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from:

Cllr Jasper Becker – substitute Cllr Martin Veal
Cllr Caroline Roberts – substitute Cllr Neil Butters

90 DECLARATIONS OF INTEREST

There were no declarations of interest.

91 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

The Chair noted that the funeral of Mrs Sue East, the former Headteacher of St Andrew's Church School, was being held today at Bath Abbey. She acknowledged that a number of members would have wished to attend but, instead, had to attend this meeting.

The Committee also sent their best wishes to Cllr Caroline Roberts who has recently been unwell.

92 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.

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

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

94 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 19 December 2018 were confirmed and signed as a correct record.

95 **CONCURRENT CREATION AND EXTINGUISHMENT ORDERS AFFECTING PUBLIC FOOTPATHS BA5/35, BA5/37, BA5/43, BA5/45 AND BA5/46 AT BATH RACECOURSE**

The Committee considered an application to divert sections of Public Footpaths (FP)BA5/35, BA5/37, BA5/43 and BA5/45 at Bath Racecourse in the Parishes of Charlcombe and North Stoke. The intention was to divert the footpaths away from the racetrack and provide routes which do not cross the racetrack surface.

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

The Cotswold Voluntary Warden for Charlcombe Parish and a representative from the applicant, Bath Racecourse, spoke in favour of the application.

Cllr Geoff Ward, local ward member, spoke in favour of the application. He understood the concerns that had been raised in relation to dogs in the area and felt that they should be kept on leads. However, there were already many footpaths in the area which were currently used by dog walkers.

Cllr Martin Veal, local ward member on the Committee, stated that he had spoken against the application at the last meeting. In order to fully support the proposal he would like the racecourse to implement a permanent fence to fully separate livestock from dogs. He requested legal advice on this issue.

The Case Officer and Principal Officer: Public Rights of Way then responded to questions as follows:

- If the application was approved then the Local Authority could erect some stand-alone posts and signs requesting that dogs be kept under control.
- The provision of a new fence was a possibility that could be discussed between the farm manager and the Racecourse; however, the proposal before the Committee was the outcome of a negotiated settlement.
- The electric fence shown on the Case Officer's presentation slides was a temporary structure in use when sheep were in the field.

Cllr Kew stated that the application represented a "common-sense" approach and he did not feel that the construction of a fence was essential. However, if a contribution could be made by the racecourse for this purpose then this would be a positive step. He then moved the officer recommendation to grant authorisation. This was seconded by Cllr Organ.

Cllr Appleyard noted that people walked in this area already and that the proposal simply regulated this activity providing a sensible compromise. It was important to educate dog owners about keeping dogs under control around livestock.

Cllr Crossley supported the proposal and welcomed the offer of the racecourse to make a financial contribution towards improved fencing in the area. He noted that the proposal would enable the Council to erect signage in the area and that almost 1km of additional recorded public footpath would be provided.

The motion was put to the vote and it was RESOLVED, unanimously, to grant authorisation for a concurrent Public Path Creation Order and Public Path Extinguishment Order to be made to create new sections of public footpath around the perimeter of the Racetrack at Bath Racecourse and to extinguish current public footpaths from the centre of the Racetrack as detailed on the plan attached at Appendix 1 and Appendix 2 ("the Decision Plan").

96 **SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered:

- A report by the Head of Planning on various planning applications.
- An update report by the Head of Planning on item no 2 attached as *Appendix 1* to these minutes.

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

Item No.1

Application No. 18/03359/FUL

Site Location: 6 Richmond Road, Beacon Hill, Bath, BA1 5TU – Erection of replacement split level four bedroom dwelling and attached garage following demolition of existing two bedroom bungalow and garage

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

Cllr Kew stated that the site visit had been very useful. There was a mixture of housing types in this road and the proposal was a sensible one which would fit in well with the local street scene. He moved the officer recommendation to permit. This was seconded by Cllr Organ.

Cllr Appleyard noted that a number of properties in the road were being redeveloped and he felt that, on balance, the effect on number 5 Richmond Road would be minimal.

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

Item No. 2

Application No. 18/04168/FUL

Site Location: Long Byre, Barn Lane, Chelwood – Erection of detached double garage

The Case Officer reported on the application and his recommendation to refuse. He reported that, following comments made by members at the previous meeting, he had held discussions with the agents and the materials now proposed were natural stone and render.

Cllr Jackson did not feel that the proposal would cause harm to the Green Belt. She pointed out that on the other side of the wall adjoining the site was an industrial unit. She supported the change of materials to include natural stone. She moved that the Committee delegate to permit the application subject to conditions. This was seconded by Cllr Appleyard.

Cllr Organ supported the motion and felt that there would be no harm to the openness of the Green Belt.

The Deputy Head of Planning, Development Management, explained that the view of officers was that the application represented inappropriate development in the Green Belt. However, if members were minded to approve the application then this would have to be advertised as a departure from the development plan.

The motion was put to the vote and it was RESOLVED, unanimously, to DELEGATE TO PERMIT the application subject to conditions and subject to being advertised as a departure from the development plan.

97 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered:

- A report by the Head of Planning on various planning applications.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

RESOLVED that in accordance with the delegated powers, the applications be determined as set out in the decisions list attached as *Appendix 4* to these minutes.

Item No. 1

Application No. 16/04870/FUL

Site Location: Bidwell Metals Ltd, Chapel Road, Clandown, Radstock – Erection of 28 dwellings, public open space, a community building and ancillary works following the demolition of two buildings (REVISED DESCRIPTION)

The Case Officer reported on the application and her recommendation to refuse. She then responded to questions as follows:

- If the application were refused then the applicant could resubmit a further planning application for any future development on the site. A further application would be free of charge if submitted within 12 months of the decision. The reasons for refusal would form a material consideration in relation to a future application.
- CIL would apply to a future application in the same way as to the existing permission.
- Officers were aware of some issues with the ownership of the site.
- If the Committee refused the application then the applicant would have the right of appeal.

Cllr Jackson pointed out that Radstock Town Council supported the officer recommendation to refuse. She then moved the officer recommendation.

Cllr Crossley seconded the motion stating that he felt the scheme was a good one but that given the current circumstances refusal was the correct decision at this time.

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

Item No. 2

Application No. 18/02900/FUL

**Site Location: Land at Rear of 106 High Street, Dovers Lane, Bathford, Bath –
Erection of two storey, 3 bed dwelling**

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

A local resident spoke against the application.

The agent spoke in favour of the application.

Cllr Geoff Ward, local ward member, spoke against the application. He pointed out that Bathford Parish Council objected to the proposal along with a number of local residents. The area was already congested and there were concerns about the safety of local school children who walked along the lane. The increase from a 2 bedroom dwelling to a 3 bedroom dwelling was too great on this restricted site.

Cllr Martin Veal, local ward member on the Committee, spoke against the application. He pointed out the potential road safety hazards in this very narrow lane. He felt that the application represented overdevelopment of the site in this historic conservation area. The increase in volume was inappropriate and would create increased traffic. He pointed out that the local Headteacher had expressed concern regarding the safety of pupils walking to and from school.

The Deputy Head of Planning, Development Management, informed the Committee that there was an extant planning permission for a dwelling on this site which was a material planning consideration. The Highways Officer had raised no objection to the new application and there was no highway reason for refusal previously for a dwelling on the site. A refusal on highway related grounds would be difficult to defend at appeal and may well lead to a cost award. She also advised that any other developments in this location would be considered on their own merits and that

members should focus on the application in question and specifically the changes between the extant permission and the proposed dwelling.

The Case Officer responded to questions as follows:

- The other properties in Chapel Row were relatively small.
- The new proposal represented a 4.5% increase in volume.
- The number of parking spaces required for a 3 bedroom dwelling was 2 and this proposal contained 3 spaces.
- The footprint of the dwelling could be extended under permitted development rights.

Cllr Appleyard understood the concerns of local residents but noted that permission had already been granted for a dwelling in this location. He did not feel that a 4.5% volume increase was unreasonable. He also noted that the Highways Officer had raised no objection. There had been no change to the access or egress since the previous application. He then moved the officer recommendation to permit.

Cllr Kew felt that, if approved, the conditions imposed would be important. He suggested that the construction management plan should include a requirement that construction vehicles should not park in Dovers Lane at times when children would be travelling to and from school and hours should also be restricted. He seconded the motion on that basis and Cllr Appleyard agreed to incorporate this into his motion and to delegate authority for officers to implement this requirement.

In response to a question from Cllr Martin Veal the Deputy Head of Planning, Development Management, advised that it would not be reasonable to remove permitted development rights in this case.

The motion was put to the vote and it was RESOLVED by 7 votes for, 2 votes against and 1 abstention to DELEGATE TO PERMIT the application subject to conditions as set out in the report and subject to the construction management plan (referred to under Condition 8) preventing the use of Dovers Lane by construction vehicles at times when children are travelling to and from school.

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

The Committee considered the appeals report.

The Deputy Head of Planning, Development Management, explained that the Planning Inspectorate had agreed to accept the appeal for 2 Manor Cottages, Combe Hay (Application No. 17/01709/LBA), which had been lodged after the 6 month deadline date, due to an administrative error.

RESOLVED to NOTE the report.

The meeting ended at 3.30 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 16th January 2019

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

ITEM

ITEMS FOR PLANNING PERMISSION

Item No. 2 (Site Visit) **Application No.** 18/04168/FUL
Address Long Byre

Following the previous Development Management Committee 19th December 2018, and Committee site visit 7th January 2019 revised plans have been submitted. Conservation advice suggested that the proposed detached garage present external materials that are timber. Members determined that as the existing, surrounding buildings present external materials which are stone the application should be determined with similar materials.

The revised plans detail natural stone to the east and north elevations (replacing the waney edge timber boarding), render to the west elevation (with stone quoins), and render above the wall to the south elevation.

This is the applicants preferred solution as although it includes render the rendered wall is at the rear and has the stone wall behind it. If however the committee consider it more acceptable that the garage is entirely stone the applicant is open to accept such a recommendation.

As a result the plans list for the application should read as follows:

This decision relates to the following plans received 18th September 2018:

Drawing Number: 2 - Proposed Site Plan

Plans received 14th January 2019:

Drawing Number: 1/1/A - Proposed Plan and Elevations

Highways comments made 20th September 2018 have also been updated. The initial comments made stated the following:

'It is therefore recommended that the application be approved subject to the following condition.'

These comments have been amended to read as follows:

'As a consequence there is no highway objection to the proposal subject to the following condition.'

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 16 JANUARY 2019**

PUBLIC FOOTPATHS LIST			
1	Bath Racecourse, Lansdown, Bath	Keith Weller (Cotswold Voluntary Warden for Charlcombe Parish)	For (To share 3 minutes)
		Katie Stephens (Bath Racecourse/Applicant)	
		Cllr Geoff Ward (Local Ward Member)	For

MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
2	Land at Rear of 106 High Street, Dovers Lane, Bathford, Bath	Matt Back (on behalf of local residents)	Against
		Tony Phillips (Agent)	For
		Cllr Geoff Ward (Local Ward Member)	Against

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BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

16th January 2019

SITE VISIT DECISIONS

Item No:	001	
Application No:	18/03359/FUL	
Site Location:	6 Richmond Road, Beacon Hill, Bath, Bath And North East Somerset	
Ward: Lansdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of replacement split level four bedroom dwelling and attached garage following demolition of existing two bedroom bungalow and garage.	
Constraints:	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, Policy NE2A Landscapes and the green set, SSSI - Impact Risk Zones,	
Applicant:	Mr Robert McLuhan	
Expiry Date:	21st December 2018	
Case Officer:	Rae Mephram	

DECISION PERMIT

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission

2 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, 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 No Terrace/Balcony Use (Compliance)

The roof area of the development hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area, other than the lined areas on the rear elevation as shown on drawing 004 A.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

4 Details of Means of Enclosure (Compliance)

No construction of the external walls of the development shall commence until details of the privacy screens have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of privacy and/or visual amenity in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

5 Erection of Means of Enclosure (Compliance)

The dwelling shall not be occupied until its associated screen walls/fences or other means of enclosure have been erected in accordance with the approved plans and thereafter retained.

Reason: In the interests of privacy and/or visual amenity in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

6 Green Roof Details (Bespoke Trigger)

Prior to the construction of the roof of the approved development a detailed specification of the proposed green roof shall be submitted to and approved in writing by the Local Planning Authority. These details shall include section drawings of the roof, a planting schedule, a timetable for implementation and a maintenance schedule. The green roof shall be implemented in accordance with the approved details prior to the occupation of the development or in accordance with the approved timetable for implementation.

Reason: To ensure the successful implementation of the green roof in the interests of preserving the character and appearance of the 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.

7 Implementation of Wildlife Scheme (Pre-occupation)

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs where appropriate, implementation of the recommendations of the Bat Emergence/Activity Survey has been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

8 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until rainwater harvesting or other methods of capturing rainwater for use by the residents (e.g. Water butts) has been provided.

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

9 Water Efficiency (Compliance)

The approved dwellings shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Bath and North East Somerset Placemaking Plan.

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:

27 Jul 2018 006 STREET SCENES
27 Jul 2018 001 LOCATION PLAN
03 Oct 2018 004A PROPOSED PLANS
08 Oct 2018 005 REV A PROPOSED ELEVATIONS
16 Nov 2018 007 B REAR ELEVATIONS

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

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before development commences, failure to comply with the regulations can result in surcharges and additional payments. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

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 an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Item No:	002		
Application No:	18/04168/FUL		
Site Location:	Long Byre, Barn Lane, Chelwood, Bristol		
Ward: Clutton	Parish: Chelwood	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of detached double garage		
Constraints:	Bristol Airport Safeguarding, Clutton Airfield, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, Policy M1 Minerals Safeguarding Area, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Mr P Harrison		
Expiry Date:	20th December 2018		
Case Officer:	Hayden Foster		

DECISION Delegate to permit subject to advertising as a Departure.

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

16th January 2019

DECISIONS

Item No:	01	
Application No:	16/04870/FUL	
Site Location:	Bidwell Metals Ltd, Chapel Road, Clandown, Radstock	
Ward: Radstock	Parish: Radstock	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 28 dwellings, public open space, a community building and ancillary works following the demolition of 2 buildings (REVISED DESCRIPTION)	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Forest of Avon, Housing Development Boundary, Public Right of Way, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	Bidwell Metals Ltd	
Expiry Date:	21st January 2019	
Case Officer:	Tessa Hampden	

DECISION REFUSE

1 The absence of a completed Section 106 Agreement to secure on site affordable housing; targeted training and recruitment method statement and financial contributions; Chapel Road pedestrian works; financial contributions for the installation of fire hydrants; provision of parks and open spaces/amenity area and management mechanisms, and the provision of a community building results in the scheme being unacceptable and contrary to Policy CP13, ST7, LCR1, NE1 of the Bath and North East Somerset Placemaking Plan, Policy CP9 of the Core Strategy and the adopted Planning Obligations - Supplementary Planning Document 2015

PLANS LIST:

04 Aug 2017 13074/HTA_3 REV B HOUSE TYPE A PLANS
04 Aug 2017 13074/HTS_1 HOUSE TYPE S ELEVATIONS
04 Aug 2017 13074/HTS_2 HOUSE TYPE S PLANS
04 Aug 2017 13074/002 REV H SITE LAYOUT
04 Aug 2017 13074/AFF REV B AFFORDABLE HOUSING LOCATIONS
04 Aug 2017 13074/HTC_2 REV B HOUSE TYPE C ELEVATIONS
04 Aug 2017 13074/HTC_3 REV B HOUSE TYPE C PLANS
04 Aug 2017 13074/MAT REV B MATERIALS LAYOUT
04 Aug 2017 13074/SCH04 REV B SCHOOL BUILDING PROPOSED PLANS
05 Jul 2017 13074/002 REV F RETAINING WALL OFFSET

04 Jul 2017 13074/001 SITE LOCATION PLAN
 03 Jul 2017 13074/COM_1 REV A COMMUNITY BUILDING PLANS & ELEVATION
 03 Jul 2017 13074/SCH03 REV A SCHOOL BUILDING, PROPOSED ELEVATIONS
 03 Jul 2017 13074/WHO03 REV B WAREHOUSE BUILDING, PROPOSED PLANS
 03 Jul 2017 13074/WHO04 REV B WAREHOUSE BUILDING, PROPOSED ELEVATIONS
 03 Jul 2017 13074/001 REV B SITE LOCATION PLAN
 05 May 2017 13047_HTA_01 HOUSE TYPE A ELEVATIONS
 05 May 2017 13047_HTA_02 HOUSE TYPE A ALTERNATE ELEVATIONS
 05 May 2017 13047_HTA_03 REV A HOUSE TYPE A FLOOR PLANS
 05 May 2017 13047_HTC_1 REV A HOUSE TYPE C ELEVATIONS
 05 May 2017 13047_HTC_2 REV A HOUSE TYPE C ALTERNATE ELEVATIONS
 05 May 2017 13047_HTC_3 REV A HOUSE TYPE C FLOOR PLANS
 05 May 2017 13047_HTE_1 HOUSE TYPE E ELEVATIONS
 05 May 2017 13047_HTE_2 REV A HOUSE TYPE E FLOOR PLANS
 05 May 2017 13047_HTF_1 HOUSE TYPE F ELEVATIONS
 05 May 2017 13047_HTF_2 HOUSE TYPE F FLOOR PLANS
 05 May 2017 13047_SCH01 SCHOOL BUILDING EXISTING ELEVATIONS
 05 May 2017 13047_SCH02 SCHOOL BUILDING EXISTING PLANS
 05 May 2017 13047_SE01 REV A STREET ELEVATIONS
 05 May 2017 13047_WH01 REV A WAREHOUSE EXISTING PLANS & ELEVATION
 05 May 2017 13074_FOG_01 FOG ELEVATIONS
 05 May 2017 13074_FOG_02 FOG FLOOR PLANS
 03 Oct 2016 13074_SUB SUBSTATION PLANS AND ELEVATIONS

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 39-43 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

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

Item No:	02	
Application No:	18/02900/FUL	
Site Location:	Land At Rear Of 106 High Street, Dovers Lane, Bathford, Bath	
Ward: Bathavon North	Parish: Bathford	LB Grade: II
Application Type:	Full Application	
Proposal:	Erection of two storey, 3 bed dwelling	
Constraints:	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mr Tim Draper	
Expiry Date:	18th January 2019	
Case Officer:	Rae Mephum	

DECISION Delegate to permit subject to Construction Management Plan condition requiring contractors parking and restrictions within school hours.

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Bath & North East Somerset Council	
MEETING:	Development Management Committee
MEETING DATE:	13th February 2019
RESPONSIBLE OFFICER:	Simon de Beer – Head of Planning
TITLE:	APPLICATIONS FOR PLANNING PERMISSION
WARDS:	ALL
BACKGROUND PAPERS:	
AN OPEN PUBLIC ITEM	

BACKGROUND PAPERS

List of background papers relating to this report of the Head of Planning about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
 - (i) Sections and officers of the Council, including:
 - Building Control
 - Environmental Services
 - Transport Development
 - Planning Policy, Environment and Projects, Urban Design (Sustainability)
 - (ii) The Environment Agency
 - (iii) Wessex Water
 - (iv) Bristol Water
 - (v) Health and Safety Executive
 - (vi) British Gas
 - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
 - (viii) The Garden History Society
 - (ix) Royal Fine Arts Commission
 - (x) Department of Environment, Food and Rural Affairs
 - (xi) Nature Conservancy Council
 - (xii) Natural England
 - (xiii) National and local amenity societies
 - (xiv) Other interested organisations
 - (xv) Neighbours, residents and other interested persons
 - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

The following notes are for information only:-

- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers relevant to an application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

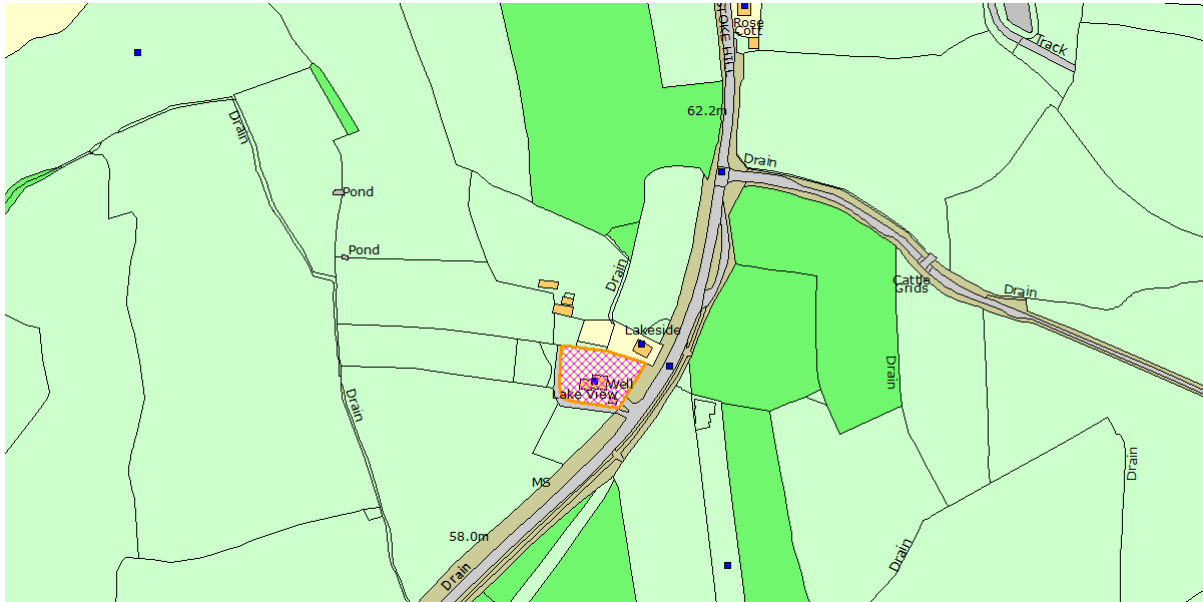
- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

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ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
01	18/03674/FUL 28 February 2019	KP Lake View, Stoke Hill, Chew Stoke, Bristol, Bath And North East Somerset Change of use from existing garage with office above into holiday let accommodation.	Chew Valley North	Christine Moorfield	REFUSE
02	18/03120/FUL 2 November 2018	Mr & Mrs Claire & Nick Selwood Selwood Farm , Norman Road, Saltford, BS31 3BQ, House transformation comprising an extension, changes of materials with additional internal and external works.	Saltford	Dominic Battrick	PERMIT
03	18/05203/VAR 17 January 2019	Matthew Davies Richmond Lodge, Weston Lane, Lower Weston, Bath, BA1 4AB Variation of condition 3 of application 16/02046/FUL granted on 30.06.2018	Weston	Martin Almond	PERMIT

REPORT OF THE HEAD OF PLANNING ON APPLICATIONS FOR DEVELOPMENT

Item No: 01
Application No: 18/03674/FUL
Site Location: Lake View Stoke Hill Chew Stoke Bristol Bath And North East Somerset



Ward: Chew Valley North **Parish:** Chew Stoke **LB Grade:** N/A
Ward Members: Councillor Liz Richardson
Application Type: Full Application
Proposal: Change of use from existing garage with office above into holiday let accommodation.
Constraints: Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Greenbelt, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,
Applicant: KP
Expiry Date: 28th February 2019
Case Officer: Christine Moorfield
To view the case click on the link [here](#).

REPORT

This application is presented to Committee as the Chew Stoke Parish Council is keen to support the development of small scale tourist accommodation in the Parish. The Chair of Committee has stated that whilst the Parish Council support the application the Officer has assessed the application against relevant planning policies and it is evident that while it doesn't contravene some policies neither does it adhere to them. Therefore the application is to be determined by the DMC so the issues can be debated fully.

This application is for the conversion of an existing garage with office above, into holiday let accommodation. The holiday lets will consist of two 1 bedroom dwellings over two floors. A small open shelter is proposed to the east of the garage to store bicycles.

The application site is located within the Green Belt and Area of Outstanding Natural Beauty to the south of Chew Stoke and relates to a two storey detached stone constructed dwelling and detached garage that sits perpendicular to the roadside. Between the house and road is an existing large graveled drive and parking area.

This application was to be considered by the Development Management Committee on the 19th December 2018. However, it was withdrawn from the agenda by officers so that it could be assessed against Policy RE6 which initially had been considered not relevant. The assessment against this policy is addressed in the officer report below.

Relevant Planning History

DC - 04/03685/FUL - RF - 21 January 2005 - First floor rear extension and single storey rear extension to provide covered swimming pool

DC - 05/03635/FUL - PERMIT - 23 December 2005 - First-floor rear extension (as amended by plan date stamped 21 December 2005)

DC - 07/01730/FUL - RF - 13 July 2007 - Erection of a swimming pool enclosure

DC - 07/02335/FUL - PERMIT - 11 September 2007 - Erection of a swimming pool enclosure (Resubmission)

DC - 12/03005/FUL - PERMIT - 12 September 2012 - Erection of new garage adjacent to the house with work from home office above the unit following demolition of existing garage

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

PARISH COUNCIL

The Parish Council is keen to support the development of small scale tourist accommodation in the Parish. It was commented by councillors that cars continue to park on the verge in front of house and the Parish Council has made a request to the applicant that this practice ceases given that the land is within highway ownership and that it causes detrimental roadside clutter in an AONB location and at the entrance way to the village.

NEIGHBOURS

No third party comments have been received.

ECOLOGY

The proposal involves conversion of an existing building comprising a garage with office above, which was constructed relatively recently. The change of use proposal will presumably not require alterations to the roof; the roof space is already used for office accommodation and it would seem unlikely that this space will be used by wildlife in any case but if any wildlife is present (e.g. nesting birds or bats) then it is more likely they would use spaces or crevices on the exterior of the building and therefore be unaffected by the proposal.

It is also unlikely that wildlife share use of the ground floor garage space especially if the garage doors are usually kept shut. If however there is a risk of wildlife such as bats or

birds using this space further consideration should be given to avoid harm to them. In this case, provided no new information comes to light to indicate a higher likelihood of use of the building by wildlife, I would recommend precautionary working methods are used in any case, as the risk of wildlife presence can never be completely removed. This should be secured by condition. Subject to this there is no ecological objection.

DRAINAGE

No objection. Proposal will have minimal impact on drainage and flood risk.

HIGHWAYS

As submitted the Highway Engineer raised objections to the scheme. In the light of Highway comments amended plans were submitted.

Initial highway observations were made on 20th September 2018 which recommended that the application be refused on the grounds of insufficient off-street parking, unless the applicant could demonstrate that sufficient off-street parking and turning to accommodate vehicles associated with the main dwelling and proposed holiday lets could be provided.

Secure and convenient storage for 4 bicycles was also recommended

Revised plan reference H5856/100 Revision C indicates the provision of 6 No off-street car parking spaces, which is acceptable to the highway authority, allocated as follows:

- 3 for the existing dwelling;

- 2 (one each) for the holiday lets; and

- 1 visitor space

The revised plan also indicates secure and convenient stage for 4 No bicycles, which is acceptable.

In summary, the highway authority raises no objection to the planning application, subject to Conditions being attached to any planning permission granted.

POLICIES/LEGISLATION

On 13th July the Council adopted the B&NES Placemaking Plan. It now becomes part of the statutory Development Plan for the district, against which planning applications are determined.

The statutory Development Plan for B&NES now comprises:

- o Core Strategy (July 2014)

- o Placemaking Plan (July 2017)

- o B&NES Local Plan (2007) - only saved Policy GDS.1 relating to 4 part implemented sites

- o Joint Waste Core Strategy

- o Made Neighbourhood Plans

The following B&NES Core Strategy policies should be considered:

CP6 Environmental Quality

CP2 Sustainable construction

CP8 Green Belt

The relevant Placemaking Plan policies should be considered:

DW1 District Wide Spatial Strategy

D2 Local character and distinctiveness

D4 Streets and Spaces

D6 Amenity
ST1 Promoting sustainable travel
ST7 Transport Access and Development Management
GB1 Visual Amenities of the Green Belt
GB3 Extensions and Alterations to buildings in the Green Belt
SCR5 Water Efficiency
GB3 Extensions and Alterations to buildings in the Green Belt
RE4 Essential Dwellings for Rural Workers
RE6 Re-use of Rural Buildings
RE7 Visitor Accommodation
NE2 Conserving and Enhancing the Landscape and Landscape Character
NE3 Sites, Species and Habitats
NE5 Ecological Network

Relevant policies from the Chew Valley Neighbourhood Plan (2016);
HDE1 - Rural Landscape Character
HDE2 - Settlement Build Character
BF1 - Diversification for Tourism and Policy
BF2 - Retention of Small Businesses

LEGAL FRAMEWORK

-Town and Country Planning Act, 1990

NATIONAL PLANNING POLICY FRAMEWORK, 2018

NATIONAL PLANNING PRACTICE GUIDANCE

Due consideration has been given to the NPPF and NPPG

Supplementary Planning Documents: Existing Dwellings in the Green Belt SPD (October 2008)

OFFICER ASSESSMENT

Principle of the proposal in the Green Belt.

The proposal is in relation to the conversion of an existing garage/office which is within the residential curtilage and in close proximity of the dwelling, Lake View. Limited external alterations to the existing building are proposed although a cycle store is proposed to the east of the existing garage.

The proposed conversion of the garage into two self-contained flats would be capable of being occupied independently of the existing dwelling, and they are not therefore, ancillary. The proposal therefore, is considered to amount to the creation of two residential units within the countryside.

Policy RE6 of the Placemaking Plan relates to the re-use of rural buildings and specifically refers to the conversion of a building in the countryside to a new use and, in this instance applies to this planning application. However, this proposal is seen to be contrary to part 5 of this policy as the building is isolated from public services and community facilities and unrelated to an established group of buildings and there are no benefits associated with

the proposed development as it does not relate to the use of a redundant or disused building.

Part 5 of the policy states: where the building is isolated from public services and community facilities and unrelated to an established group of buildings the benefits of re-using a redundant or disused building and any enhancement to its immediate setting outweighs the harm arising from the isolated location.

Placemaking Plan Policies DW1 and RE4 allow the provision of new dwellings outside settlements only where these are essential to support existing well established agricultural or forestry enterprises. In this case there is no suggestion that the proposed flats would be essential for workers in agriculture or forestry. The proposal therefore fails to comply with both these Placemaking Plan Policies.

Furthermore the development is considered to conflict with the Nation Planning Policy Framework (NPPF). The NPPF allows the provision of new dwellings outside settlements only where these are essential to support agricultural or forestry enterprises. Therefore, in this respect the proposal fails to comply with the NPPF and the principle of new residential properties is not accepted.

Para 79 of the NPPF 2018 states: Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential dwelling; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

In this instance none of the above circumstances apply to the proposal.

The proposed conversion of the garage with office above includes minimal external alterations, the only alterations being the replacement of the garage doors with windows. There is no proposed new built form and the massing and height remains the same. In this respect the proposal would not result in disproportionate extensions or additions to the garage and the building is permanent and of substantial construction. In this respect the proposal is seen to preserve the openness of the Green Belt and does not conflict with the purposes of including land within it.

Holiday lets.

Policy RE7 of the Placemaking Plan relates to visitor accommodation. However, it is not considered relevant in this situation as this development does not involve a new build or the change of use of the house to visitor accommodation. If for example part of the house

were to be used for bread and breakfast accommodation then it would be relevant to the consideration of the proposal.

Character and appearance

The proposal is to convert the detached garage/office building which is in a prominent location adjacent to the road and in close proximity of Chew Valley Lake. The visual impact of the garage building with the proposed cycle store is acceptable and this proposal is not considered to have a greater impact on the character and appearance of the locality.

The site lies within the Mendip Hills Area of Outstanding Natural Beauty (AONB) and the Green Belt. The submitted site plan indicates that car parking spaces will be located at the front of the garage between the house and the road. It has also been shown that a turning head can be provided which allows vehicles to exit the site in forward gear.

The proposal is not seen to have a detrimental impact on the natural character and appearance of this rural location.

Residential amenity and highways impacts

There are not considered to be any significant negative implications regarding residential amenity for the current occupiers of Lake View or for neighbours as the site is situated in a relatively secluded position.

Car parking and highway safety.

No changes are proposed to the existing access and the additional plans submitted indicated the provision for car parking spaces and turning. No concerns in respect of car parking or highway safety have been raised subject to any permission being conditioned. The proposed development therefore, complies with Placemaking Plan T.27 and the aims of the NPPF.

Ecology

Subject to a condition requiring precautionary working methods are used no objection to the proposal is raised.

Conclusion

The proposal is considered contrary to Council policy as it would result in the creation of two dwellings in an isolated location and which are not for occupation for essential rural workers.

RECOMMENDATION

REFUSE

REASON(S) FOR REFUSAL

1 The proposed development is outside the nearest housing development boundary in a location that is isolated from public services and community facilities and unrelated to a group of buildings. Furthermore the proposed dwellings are not essential for a rural worker. The proposal is therefore contrary to Policy DW1, RE4 and RE6 of the Bath & North East Somerset Placemaking Plan 2017 and para. 79 of the NPPF 2018.

PLANS LIST:

Site location plan and plans numbered 100C, 101 and 001.

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.

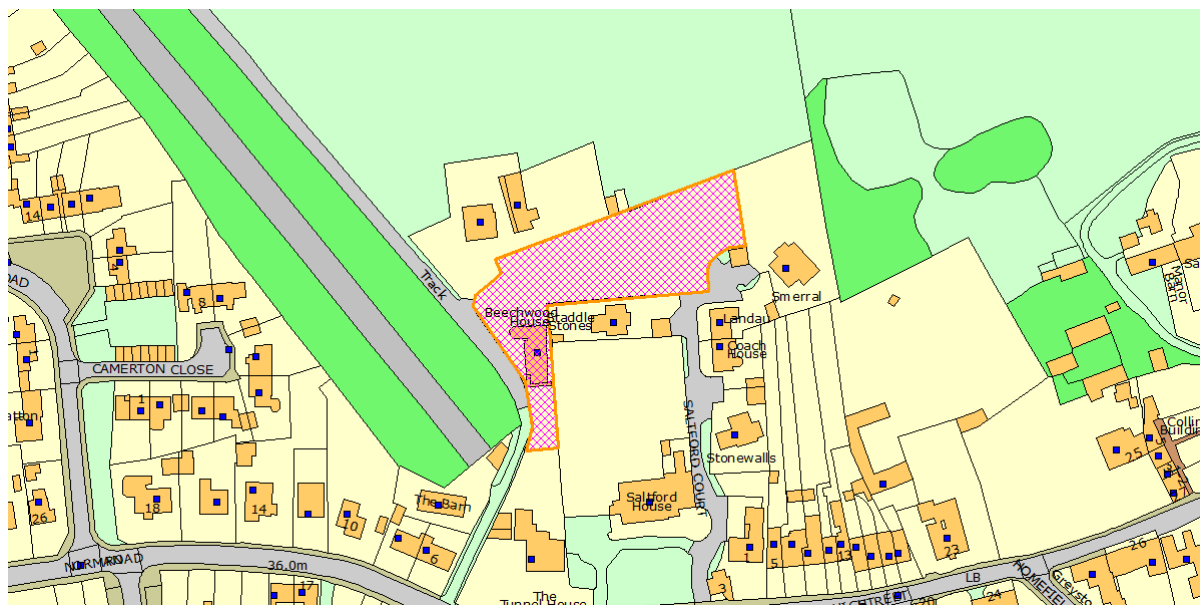
Where approval of further information is required you will need to submit an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before development commences, failure to comply with the regulations can result in surcharges and additional payments. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

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

Item No: 02
Application No: 18/03120/FUL
Site Location: Selwood Farm Norman Road Saltford BS31 3BQ



Ward: Saltford **Parish:** Saltford **LB Grade:** N/A
Ward Members: Councillor F Haeberling Councillor Emma Dixon
Application Type: Full Application
Proposal: House transformation comprising an extension, changes of materials with additional internal and external works.
Constraints: Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Conservation Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Housing Development Boundary, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Railway, SSSI - Impact Risk Zones,
Applicant: Mr & Mrs Claire & Nick Selwood
Expiry Date: 2nd November 2018
Case Officer: Dominic Battrick
To view the case click on the link [here](#).

REPORT

REASON FOR REPORTING APPLICATION TO COMMITTEE:

The application was referred to the Committee Chair in accordance with the Council's Scheme of Delegation. Cllr Haeberling, ward councillor for Saltford, requested that should officers be minded to recommend approval, consideration be given to determination of the application by Development Management Committee. Planning policy reasons were given by both the ward councillor and Saltford Parish Council in objection to the application, contrary to officer recommendation. The Chair has considered the application and decided that the application will be determined by the Development Management Committee.

DESCRIPTION OF SITE AND APPLICATION:

Selwood Farm is a detached dormer bungalow located at the northern edge of the village of Saltford, immediately east of the railway line. The Housing Development Boundary of Saltford dissects the property, with the dwelling predominantly located within the boundary. The curtilage to the west and north of the dwelling and the west-projecting conservatory are located outside the boundary and within the Bristol and Bath Green Belt. The south and east boundaries of the site curtilage adjoins the curtilages of the Grade II listed Tunnel House and Saltford House respectively. The two boundaries also form the boundary of Saltford Conservation Area.

The application is for extensions and alterations to the dwelling, consisting of a 1.5 storey wing extension on the north and west elevations of the dwelling, replacement dormers and alterations the façade of the building.

RELEVANT PLANNING HISTORY:

97/02142/FUL - PERMIT - 8 April 1997 - Kitchen extension

04/03086/FUL - REFUSE - 3 May 2005 - Enlargement of curtilage incorporating garden pond, ancillary garden structures and associated landscaping and engineering operations

05/02884/FUL - PERMIT - 25 September 2006 - Enlargement of curtilage to incorporate garden pond

SUMMARY OF CONSULTATIONS/REPRESENTATIONS CONSULTATIONS AND REPRESENTATIONS:

Saltford Parish Council:

The Parish Council's comments (8th August 2018) on the initial scheme are as follows:

"Saltford Parish Council OBJECTS as the increase in the size and scale of the building will impact adversely on the adjacent dwelling, No. 5 Saltford Court, closing it in and reducing natural light from its westerly aspect. The proposed change of building materials for the walls and slate roof tiles is out of character with the neighbouring dwellings in the Conservation Area including the two listed Georgian buildings Tunnel House and Saltford House, and those in Saltford Court whereas the existing design blends in with its Conservation Area setting. The impact on the Conservation Area and its setting for the transformed dwelling as proposed when viewed from the north and west is thus a matter of concern. If the development is permitted, after the concerns raised have been addressed, a condition for the building works should be that public right of way access in the narrow lane leading to and beyond the property should be kept open at all times and any damage to the lane caused during construction be remedied promptly by the applicant/contractor."

The PC was re-consulted following revised plans, and commented as follows:

"OBJECT: Saltford Parish Council remains concerned that the increase in the size and scale of the building at this sensitive location will impact adversely on the adjacent dwelling, No. 5 Saltford Court, that is located immediately behind (to the east) and in close proximity. This would have the unwelcome effect of further closing it in and reducing the natural light amenity from its westerly aspect. It would also provide an increased amount of full shade to No. 5 Saltford Court during spring, summer and autumn in the afternoons and evenings (the shadow study only shows the sun's shadow until 3pm). Although the

choice of building materials in the revised plans now appears to be in keeping with the existing building, the high proportion of glazing with balconies on the north elevation would give the building an incongruous appearance when viewed with the Georgian buildings in the Conservation Area that are located south of the property. If the case officer is minded to permit this planning application based on this revised design SPC requests that it be referred to the Development Management Committee for determination. If the development is permitted, after the concerns raised in this response have been addressed, the permission should include a condition concerning access in the construction management plan. The public right of way access provided by the narrow lane leading to and beyond the property and access to properties adjacent to the lane where it meets Norman Road should be kept open at all times and any damage to the lane caused during construction be remedied promptly by the applicant/contractor."

OTHER REPRESENTATIONS / THIRD PARTIES:

5 third party representations were received following public consultation on the initial scheme, all objecting to the application. The material planning comments raised are summarised as follows:

- Green Belt:

It is queried whether the development will encroach into the Green Belt, as the curtilage of the property has been extended.

- Character and appearance:

The site boundary adjoins the Conservation Area. The site is adjacent to a public right of way into open Green Belt countryside. Proposed external materials and windows are out of keeping with the surrounding area. The raising of the roof height mean the alterations will be very visible and out of place from Saltford Court and the Grade II listed Saltford House and Tunnel House. The development would expand an already substantial house which is large for the site, resulting in over-cramped developed and the loss of garden. The existing dwelling fits well with the surrounding dwellings at Saltford Court, and the proposed design conflicts with this.

- Residential amenity:

The large extension and raising of the roof height with an east-facing gable end will cause loss of light and overshadowing to 5 Saltford Court, due to its close proximity to the rear boundary of this property. The development is directly opposite the rear elevation. The extension will project beyond the rear by an estimated additional 2.2 metres and raise the ridge from 7.2 metres to 8.8 metres.

- Other matters:

Disturbance to wildlife. Conflict of construction traffic with the public footpath and access onto dangerous bend at Norman Road and noise disturbance during construction.

5 third party representations received following re-consultation on the revised scheme, now under assessment for decision:

- Green Belt:

It is queried whether the development will encroach into the Green Belt, as the curtilage of the property has been extended.

- Character and appearance:

The proposed roof materials have been changed to double roman tiles but the roof is still larger and taller than the existing. Proposal is still too big for the site. Still out of keeping with the adjacent conservation area. The revisions retain the use of some contemporary materials that are out of keeping with the area.

- Residential amenity:

The eastern elevation of the extension is reduced in size and its roof pitches away from the boundary but will still result in overshadowing and loss of light to 5 Saltford Court, by virtue of its roof height, size and scale. The extension will have an overbearing impact on the rear of the adjoining property. The shadow study does not take into account loss of direct sunlight. The shadow study does not include times later in the afternoon when the greatest shading would occur, and excludes time periods between June and December.

- Other matters:

Disturbance to wildlife. Conflict of construction traffic with the public footpath and access onto dangerous bend at Norman Road and noise disturbance during construction.

Cllr. Francine Haerberling's comments:

"Please can you make sure that planning application 18/03120/FUL goes before the Committee should the officers be minded to approve the application. There many objections as it would constitute a further incursion into the Green Belt."

POLICIES/LEGISLATION

POLICY CONTEXT:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Development Plan for Bath and North East Somerset comprises:

- o Bath & North East Somerset Core Strategy (July 2014)
- o Bath & North East Somerset Placemaking Plan (July 2017)
- o West of England Joint Waste Core Strategy (2011)
- o Bath & North East Somerset saved Local Plan policies (2007) not replaced by the Core Strategy or the Placemaking Plan:
 - Policy GDS.1 Site allocations and development requirements (policy framework)
 - Policy GDS.1/K2: South West Keynsham (site)
 - Policy GDS.1/NR2: Radstock Railway Land (site)
 - Policy GDS.1/V3: Paulton Printing Factory (site)
 - Policy GDS.1/V8: Former Radford Retail System's Site, Chew Stoke (site)
- o Made Neighbourhood Plans

Core Strategy:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

CP6: Environmental Quality

CP8: Green Belt

Placemaking Plan:

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

D1: General Urban Design Principles
D2: Local Character and Distinctiveness
D3: Urban Fabric
D5: Building Design
D6: Amenity
GB1: Visual Amenities of the Green Belt
GB3: Extensions and alterations to buildings in the Green Belt.
HE1: Historic Environment
ST7: Transport requirements for managing development

NPPF:

The adopted National Planning Policy Framework (NPPF) was revised in July 2018 and is a material consideration due significant weight. The following sections of the NPPF are of particular relevance:

Section 9: Promoting Sustainable Transport

Section 12: Achieving well-designed places

Section 13: Protecting Green Belt land

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

Due consideration has also been given to the provisions of the National Planning Practice Guidance (NPPG).

Conservation Areas

In addition, there is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding Conservation Area.

Listed Buildings

In addition, there is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 'In considering whether to grant planning permission for development which affects a listed building or its setting' to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

SPDs

The following supplementary planning documents are also relevant in the determination of this application:

Existing Dwellings in the Green Belt Supplementary Planning Document (October 2008)

OFFICER ASSESSMENT

PLANNING ISSUES:

The main issues to consider are:

- Principle of Development
- Impact on the Green Belt
- Character and appearance

- Residential amenity
- Parking and highway safety
- Other matters

OFFICER'S ASSESSMENT:

Impact on the Green Belt:

Selwood Farm is located at the edge of the Housing Development Boundary for Saltford, which is excluded from the adjoining Bristol and Bath Green Belt. However, the boundary line for the HDB cuts through the property. The house is predominantly within the HDB; however, the west-projecting conservatory and garden to the west fronting the railway line are outside the boundary and within the Green Belt. The land immediately north of the dwelling and north of 5 Saltford Court is also within the Green Belt, but was regularised as domestic curtilage of Selwood Farm, then Beechwood House, under application 05/02884/FUL.

The proposed development consists of a two storey extension predominantly replacing the footprint of the existing conservatory and extending slightly northwards. The highest ridge height of the dwelling would also increase slightly beyond the existing dwelling.

Due to the Green Belt boundary dissecting the site, it was concluded that, whilst the test for a disproportionate increase in volume applies the Green Belt calculations should factor the increased volume located within the Green Belt only, and weighed against the volume of the original dwelling.

This was calculated at a 27% increase in volume over the original dwelling house. On this basis, the proposed development is considered to not represent a disproportionate increase and is not inappropriate development in the Green Belt, in principle. The proposals therefore comply with policy GB3 of the Placemaking Plan and Section 13 of the NPPF.

Whilst increasingly the bulk and massing of the northern end of the dwelling, extending westwards above what is currently a single storey conservatory, it is considered that the proposals will not harm the openness of the Green Belt. The extension is contained within the original curtilage of the dwelling and, while the housing development boundary cuts through the property, the extension is visually contained within the established residential area at the edge of the village. The proposals will not harm the openness or visual amenities of the Green Belt, in accordance with policy GB1 of the Placemaking Plan.

Character and appearance:

Selwood Farm is located at the edge of Saltford's Housing Development Boundary. The east and south boundaries of the site adjoin the curtilage of two Grade II listed buildings - Tunnel House and Saltford House; also, these boundaries form the boundary of Saltford Conservation Area. The properties of Saltford Court, which surround Saltford House to the north and east, are also located within the Conservation Area.

Selwood Farm, whilst outside of Saltford Conservation Area, was built to a similar vernacular to the dwellings within Saltford Court, which collectively surrounding the

curtilage of the Grade II listed Saltford House. The dwelling is a dormer bungalow with a half-hipped roof and pitched roof dormers, constructed with natural rubble stone walls and a tiled roof.

The concerns of the proposed extensions and alterations to the building focus on the increased height and bulk and the use of contemporary materials and detailing not consistent with the existing dwelling and other properties in its immediate surroundings.

The original scheme was considered unacceptable and several amendments were made to overcome the Officer's concerns. The roof material has changed from slate to tiles to match the existing dwelling. The ridge height of the west-east projecting wing extension at the northern end of the dwelling has been reduced from 8.6 metres to 7.9 metres above the external level, and the east elevation gable end has been altered to a hip to reduce its bulk. The large rooflight glazing panels on the roof have been omitted from the scheme and the external walling materials have been scaled back, with the removal of timber cladding.

While various contemporary elements remain with the proposals, including the glazed first floor on the north elevation (where the elevation will be recessed behind to provide balconies) and the west elevation gable end, these are limited to elevations that will mostly not affect views from the listed buildings and conservation area. Having assessed the site from the access track adjacent to the railway line, it is concluded that the works - predominantly affecting the north and west elevations - will not harm the views towards the heritage assets beyond, due to limited visibility of the listed buildings and conservation area in the background from this vantage point.

The comments concerning the scale of the development are noted, where it has been suggested that the resulting development would be excessive for the size of the plot. Firstly, it should be recognised that the land immediately north and to the east of the dwelling has been regularised as domestic curtilage tied to Selwood Farm, as indicated under application 05/02884/FUL. Secondly, the proposed extension will not significantly increase the footprint of the dwelling, as the west projecting wing will predominantly replace the existing dwelling. The expansion of the footprint mostly consists mostly of an extension to the north elevation. However, this will not significantly encroach on the main garden of the property, either visually or as an amenity space.

Overall, the revisions to the scheme, which significantly scale down the alterations at roof level, will not harm the character and appearance of the site or the setting of its surrounding heritage assets. The proposals are therefore in accordance with policies D1, D2, D3, D5 and HE1 Placemaking Plan, policy CP6 of the Core Strategy and sections 12 and 16 of the National Planning Policy Framework.

Residential amenity:

The concerns of residential amenity primarily relate to 5 Saltford Court, which is the closest dwelling to the site and directly backs onto the northern end of Selwood Farm in a westerly direction. The two storey extension will align with the rear elevation of 5 Saltford Court, located approximately 16 metres away.

The impact on 5 Saltford Court was assessed with a site visit, which included viewing the site from this neighbouring property. Due to a slight variation in ground levels, Selwood Farm appears taller from the perspective of 5 Saltford Court. As a result, the gable end originally proposed on the east elevation of the extension would have appeared to be a full 2 storey in height, to what is a 1.5 storey addition to a dormer bungalow. The stark solid wall of the gable end directly fronting the rear of 5 Saltford Court was considered to result in a visually overbearing impact to the rear of this property.

Several amendments have been made to reduce this impact. The gable end has been reconfigured to a hipped roof at the eastern end, to pitch away from the boundary with 5 Saltford Court. In addition, the ridge height of the extension has been reduced by increasing the eaves overhang on the north elevation. The proposed ridge height of the north wing extension, whilst still exceeding the main ridge height of the main building (at 7.3 metres), has been reduced from 8.6 metres to 7.9 metres above the ground level of the site.

Whilst it is recognised that the development will still be prominent from the rear of 5 Saltford Court, these revisions are considered to adequately mitigate the overbearing impact. The red outline on the proposed east elevation drawing indicates the increased projection beyond the north elevation and of the enlarged roof, and this increased bulk will not unacceptably harm the amenities of the adjacent property over and above the existing dwelling. The distance of approximately 16 metres between the extension and opposing rear elevation is considered reasonable and this will not have a significant impact on light levels to the windows of 6 Saltford Court.

While there will inevitably be some overshadowing impact to the garden of 5 Saltford Court, the submitted shadow study illustrates that the increased impacts will be minimal. The comments that modelling for a time slot later in the day and in autumn should have been included are fair; however, the submitted details indicate that the extension will not have a substantial impact on overshadowing when assessed against the study of the existing dwelling. Furthermore, an additional reduction in the height was made with revised plans since the study was conducted, to address the concerns of overbearing impact.

Overall, it is considered that harmful impacts to 5 Saltford Court are adequately mitigated by the revised proposals. Other neighbouring properties are a sufficient distance away from the site to not be harmed by the development. The proposal is therefore considered to be in accordance with policy D6 of the Placemaking Plan.

Parking and highway safety:

The proposed development will not materially impact the parking provision at the property. Despite the proposed extension and restructuring of the internal layout, the dwelling will retain 4 bedrooms. The parking provision of 2 to 3 parking spaces with manoeuvrability at the southern end of the site will be maintained.

The proposed development overall is in accordance with policy ST7 of the Placemaking Plan.

Other matters:

A construction management plan is suggested. It is considered that the access lane connecting Selwood Farm to Norman Road can be utilised and kept clear of obstruction without special arrangements. The proposed development does not raise concerns of construction over and above the risk of highway disturbance normally resulting from development of this scale.

It is considered that the proposed development will not result in disturbance to local wildlife in the area.

CONCLUSION:

It is concluded that the proposals, as revised, overcome the significant design issues in relation to the impacts on the amenities of 5 Saltford Court and the impact on character and appearance of the host building and its surroundings, including the setting of Saltford Conservation Area and the Grade II listed buildings. As the harm has been adequately mitigated and the design is considered acceptable, the proposals are considered to comply with relevant policies and the application is recommended for approval.

RECOMMENDATION

PERMIT

CONDITIONS

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:

This decision relates to the following plans:

501, 502, 503, 504 and 505, received 13/07/2018; 516 and 517, received 04/09/2018; 510B, 511B, 512C, 514C and 515D, received 26/10/2018; 518A, received 08/11/2018.

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 an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Community Infrastructure Levy

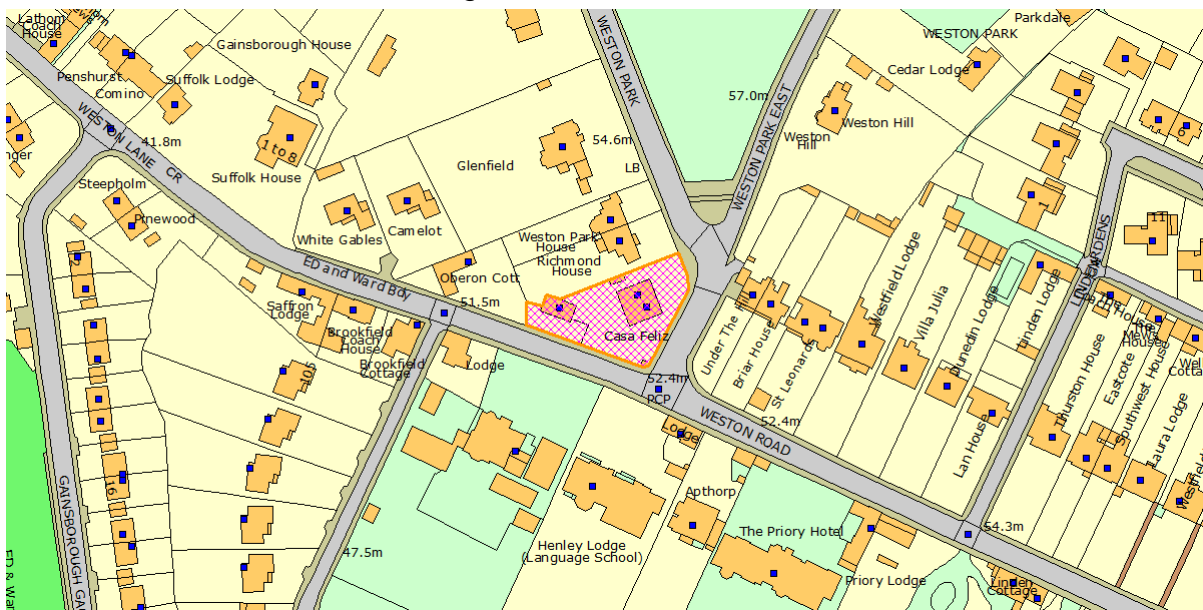
You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL 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

Protected Species

Bats are protected species under EU and national law. If bats are found during the construction phase, works must cease the Bat Helpline (Tel 0345 1300 228) or a licenced bat worker must be contacted for advice before proceeding.

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

Item No: 03
Application No: 18/05203/VAR
Site Location: Richmond Lodge Weston Lane Lower Weston Bath BA1 4AB



Ward: Weston **Parish:** N/A **LB Grade:** N/A
Ward Members: Councillor Colin Barrett Councillor Matthew Davies
Application Type: Application for Variation of Condition
Proposal: Variation of condition 3 of application 16/02046/FUL granted on 30.06.2018
Constraints: Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant: Matthew Davies
Expiry Date: 17th January 2019
Case Officer: Martin Almond
To view the case click on the link [here](#).

REPORT

The application is being referred to the committee as the application has been submitted by Councillor Matthew Davies.

Planning permission 16/02046/FUL was approved in 2016 for the erection of 1no cottage and 2no town houses following demolition of existing dwelling and 2no garages. The planning permission has been implemented but is not yet completed and this application is made under Section 73 Town and Country Planning Act 1990 to vary the approved plans list. Changes are proposed to the approved scheme, these changes are:

- Relocation of a greenhouse from the boundary with Mews House to the boundary with Weston Park House,
 - Erection of a car port and relocated store to the rear of the boundary wall which bounds the site and Weston Lane,
 - Replacement of fence panels along the internal boundary between Richmond House and plot 2 with a natural Bath stone wall,
 - Re-location of a window at first floor level plot 2,
 - The replacement of brick paving parking areas with gravel and the use of granite setts to the driveway entrances.
- A proposal to amend the boundary wall to the front of Plot 2 has been removed from the application.

The application site is located on the western side of Bath. The now demolished Richmond Lodge occupied a corner plot between Weston Lane and Weston Park. The application site comprised Richmond Lodge, accessed from Weston Lane and part of the rear garden of Richmond House. The site is located within the Conservation Area and World Heritage Site. Richmond House is a Grade II listed building.

The proposed town houses will be located adjacent to Richmond House and would front onto Weston Park. They would include vehicle parking to the rear accessed from Weston Lane.

Planning History:

DC - 16/02046/FUL - PERMIT - 30 June 2016 - Erection of 1no cottage and 2no town houses following demolition of existing dwelling and 2no garages

DC - 18/00724/COND - DISCHG - 4 April 2018 - Discharge of condition 2 of application 16/02046/FUL (Erection of 1no cottage and 2no town houses following demolition of existing dwelling and 2no garages).

DC - 18/04130/NMA - APP - 13 November 2018 - Non-material amendment to application 16/02046/FUL (Erection of 1no cottage and 2no town houses following demolition of existing dwelling and 2no garages).

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Highways: No objection - revised plans indicate that the applicant proposes to construct parking and turning area(s) from granite setts for a minimum distance of 6-metres from the back edge of the highway, which is acceptable. Highway Development Control (HDC) raises no highway objection to the proposed variation of Condition 3 of application 16/02046/FUL granted on 30.06.2018.

Third party comments:

2 objections received covering issues such as:

- size of greenhouse,
- impact of new builds on existing property,
- arrangement of railings to front of the house,
- concern that a vehicle access may be proposed in future,
- area of garden covered by greenhouse and other surfacing,
- greenhouse will be used for commercial purposes,
- greenhouse will impact upon light levels and outlook,
- further proposed development will
- the proposals taken together represent over development,
- impact of developments on site drainage,
- the proposal may not have been approved initially with the additional development.

POLICIES/LEGISLATION

The Development Plan for Bath and North East Somerset comprises:

- Bath & North East Somerset Core Strategy (July 2014)
- Bath & North East Somerset Placemaking Plan (July 2017)
- West of England Joint Waste Core Strategy (2011)
- Neighbourhood Plans

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

CP6 - Environmental Quality

B1 - Bath Spatial Strategy

B4 - The World Heritage Site and its Setting

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

D.2 - Local character and distinctiveness

D.3 - Urban Fabric

D.5 - Building design

D.6 - Amenity

HE.1 - Safeguarding heritage assets

ST.7 - Transport, access and development management

There is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 'In considering whether to grant planning permission for development which affects a listed building or its setting' to 'have special regard to the

desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

National Planning Policy Framework (2018) and the National Planning Practice Guidance can be awarded significant weight

OFFICER ASSESSMENT

PRINCIPLE OF DEVELOPMENT

The principle of development at the site has already been established by planning permission 16/02046/FUL for the erection of 1no cottage and 2no town houses following demolition of existing dwelling and 2no garages. Work has commenced on site.

The application site is located within the city of Bath. Policy B1 of the Bath Spatial Strategy allows for housing development within the built up area of Bath. The application site is located within the built up area and therefore the principle of residential development is accepted subject to compliance with all other policies within the local plan.

CHARACTER, APPEARANCE AND DESIGN

The proposed greenhouse has a ridge height of 3.8 metres and is 6 metres long and 3 metres wide. The greenhouse will be constructed with a Bath stone dwarf wall, timber cladding and has a roof of glass and natural slate. The building is considered to be a high-quality design with a traditional appearance. The position of the greenhouse within the wider site is acceptable and will not result in a significant reduction of amenity space being available to the property. Due to the position of the greenhouse within the site it is not readily visible from public vantage points.

The proposed car port has a ridge height of 2.9 metres and is 5 metres long and 3 metres wide. The incorporated store is a maximum of 2 metres long and 3 metres wide. The building is positioned behind the boundary wall of the site parallel to Weston Lane which has a mixed character and no consistent building line. A section of the boundary wall will be raised in height using matching stone to provide one wall of the car port, and a shallow hipped roof is proposed to enable the overall height of the carport to be kept low. Timber columns will provide the remainder of the structure and the walls will remain open. The car port will be visible from Weston Lane however due to the method of construction, with the boundary wall being used as part of the structure the car port will appear subservient in size to the existing buildings. The size and design of the building is acceptable within the streetscene and the incorporation of the storage unit within the car port is acceptable.

Whilst the changes proposed will reduce the levels of undeveloped land within the site this is not considered to be significant. Sufficient ground area remains to be able to mitigate any impacts of surface water run-off.

The proposed amendments to the boundary wall to the front of Plot 2 were considered to be unacceptable due to the loss of a significant amount of the historic boundary wall in a prominent location within the conservation area. Amended plans have been received which have removed this element from the scheme. The scheme previously permitted allowed for a single pedestrian access to be inserted into the wall and this element of the scheme remains unaffected.

The replacement of a boundary fence with a stone wall in materials to match the existing wall is acceptable and will result in a high quality appearance of the overall development.

Drawings have been submitted to re-locate a first floor window which currently serves a home office in Plot 2 from the side elevation to the rear. This is considered acceptable and will not result in unacceptable levels of overlooking to neighbouring properties.

Non-material amendment 18/04130/NMA has been previously approved to install windows on the ground floor of the south elevation, to include a blind window feature on the first floor of the south elevation, to remove a window from the first floor on the north elevation and to install glazed windows and timber barn-style doors on the previously approved garage to be used as a home office of Mews House. Some of these changes have been replicated on the submitted site plan for this application and these changes are acceptable.

The dwellings will be located within the setting of Richmond House which is a Grade II listed building. The proposed townhouses have been designed to complement the design of the neighbouring building and use materials to match the character of the surrounding area. The cottage is set partially within the rear garden of Richmond House. Appropriate materials are being proposed for the greenhouse and the carport and the proposed changes are of limited scale. It is therefore is not considered to result in a harmful impact upon the setting of Richmond House. There is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider whether the development will affect a nearby listed building or its setting. Here it is considered that the proposed changes will not harm the setting of the nearby Grade II listed building.

There is a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. Here it is considered that the proposed development will preserve the character of the surrounding Conservation Area.

The proposal is not considered to result in harm to the World Heritage Site.

RESIDENTIAL AMENITY

Concern has been raised that due to the position of the greenhouse on the boundary will have a detrimental impact upon levels of daylight and outlook from Weston Park House. The steeply pitched roof of the greenhouse will result in the main height of the roof being set away from the boundary with Weston Park House. The majority of the roof of the greenhouse will be glazed which will reduce the limited impact that the building is considered to have on the adjacent property further especially in relation to levels of daylight. In addition to this, the ground level where the greenhouse will be sited has been lowered which further limits the impact of the height of the greenhouse on adjoining properties. The use of the greenhouse is in association with the residential use of the site. Any use of the building for a business would require planning permission.

Due to the position of the proposed carport this will have no impact upon levels of residential amenity to surrounding properties.

HIGHWAYS

The areas of the site allocated for vehicle parking remain unaffected by the current proposal. The granite setts are proposed to be used for at least the first six metres of the vehicle accesses to Mews House and Townhouses. This distance is considered to be acceptable to prevent the gravel used for the parking areas being prevented from being brought out onto the highway and surface water will be controlled through the use of an Aco drain.

OTHER MATTERS

It has been raised through a neighbour objection that changes to the surfacing of the driveway and garden areas of the proposed properties along with the erection of the greenhouse could impact upon how surface water is dealt with at the site. The change of driveway surfacing from block paving to gravel is not considered to impact upon surface water drainage and will provide increased opportunity for rainwater to soakway. It is considered that the proposals will not cause an increase in surface water run-off to adjacent properties.

CONCLUSION

The proposed amendments to the scheme are considered acceptable for the reasons set out in the above report. The application is recommended for permission.

RECOMMENDATION

PERMIT

CONDITIONS

1 Material (Compliance)

The development hereby approved shall be carried out in accordance with the materials schedule dated as received 30th January 2019.

Reason: The proposed dwellings will be constructed adjacent to a Grade II listed building within the Conservation Area. Details of materials are required to ensure that the development will preserve the character of the Conservation Area and setting of the nearby listed building in accordance with policy D2 and HE1 of the 2017 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:

This decision relates to drawings H5910/100A, H5910/101b and RICH5-F dated as received 24th January 2019, RICH01-B, RICH0-G, approved floor plans and RICH 3/B dated as received 29th January 2019

Condition Categories

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

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

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

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

Bath & North East Somerset Council		
MEETING:	Development Management Committee	
MEETING DATE:	13 February 2019	AGENDA ITEM NUMBER
TITLE:	Quarterly Performance Report Oct - Dec 2018	
WARD:	ALL	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Analysis of Chair referral cases		

1 THE ISSUE

At the request of Members and as part of our on-going commitment to making service improvements, this report provides Members with performance information across a range of activities within the Development Management function.

This report covers the period from 1 Oct – 31 Dec 2018.

Keep up to date with the latest Planning news on our Latest News web page here:
<http://www.bathnes.gov.uk/services/planning-and-building-control/latest-news>

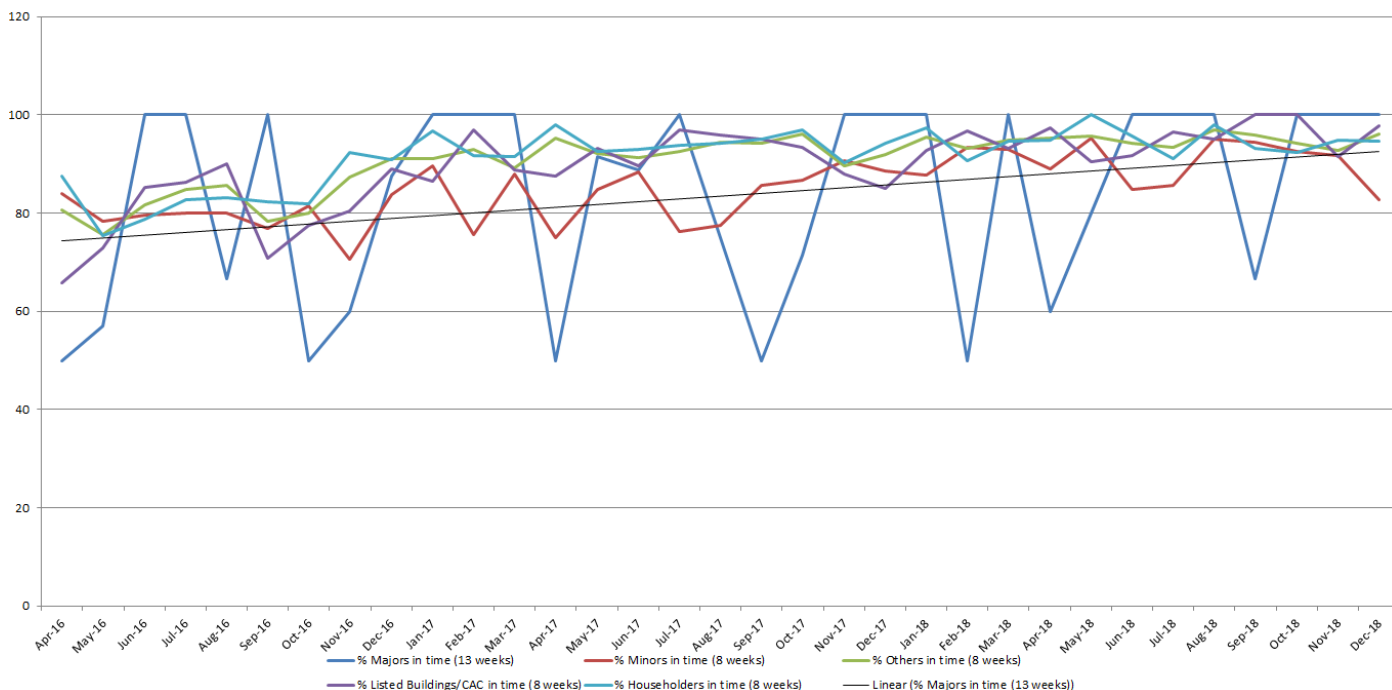
2 RECOMMENDATION

Members are asked to note the contents of the performance report.

3 THE REPORT

Tables, charts and commentary

1 - Comparison of Applications Determined Within Target Times



% of planning applications in time	2017/18				2018/19			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
% Majors in time	87%	73%	88%	80%	77%	89%	100%	
% Minors in time	83%	80%	89%	91%	89%	92%	89%	
% Others in time	93%	94%	93%	95%	95%	96%	94%	

Highlights:

- All three categories have been above target consistently every quarter for 3 years.

Note: Major (10+ dwellings/0.5 hectares and over, 1000+ sqm/1 hectare and over); Minor (1-10 dwellings/less than 0.5 hectares, Up to 999 sqm/under 1 hectare); Other (changes of use, householder development, adverts, listed building consents, lawful development certificates, notifications, etc).

2 - Recent Planning Application Performance

Application nos.	2017/18				2018/19			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Received	719	719	672	716	684	673	610	
Withdrawn	56	66	93	63	51	52	65	
Delegated no. and %	603 (95%)	597 (96%)	577 (96%)	553 (96%)	647 (97%)	579 (97%)	530 (98%)	
Refused no. and %	52 (8%)	52 (8%)	68 (11%)	47 (8%)	54 (8%)	45 (8%)	48 (9%)	

Highlights:

- A 5% fall in planning application numbers compared to the previous 12 months – more or less in line with the national trend (4% decrease year ending Sep 2018).
- The current delegation rate is a little above the last published England average of 94% (Year to Sep 2018).
- Percentage of refusals on planning applications remains very low compared to the last published England average of 12% (Year ending Sep 2018).

3 – Dwelling Numbers

Dwelling numbers	2017/18				2018/19			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Major residential (<i>10 or more dwellings</i>) decisions	12	4	10	0	7	6	3	
Major residential decisions granted	9	4	7	0	6	6	1	
Number of dwellings applied for on Major schemes	438	197	143	477	297	255	64	
Number of dwelling units permitted on schemes	579	349	591	66	123	631	179	

Highlights:

- There were 3 major residential planning decisions last quarter, one was permitted

4 - Planning Appeals

	Jan – Mar 2018	Apr – Jun 2018	Jul – Sep 2018	Oct – Dec 2018
Appeals lodged	21	25	32	23
Appeals decided	35	21	22	22
Appeals allowed	7 (20%)	7 (35%)	4 (18%)	9 (41%)
Appeals dismissed	28 (80%)	13 (65%)	18 (82%)	13 (59%)

Highlights:

- Over the last 12 months performance on Appeals Allowed (27%) is good and within the national average of approx. 32%
- Appeal costs awarded against council in last quarter:
 - **£1,512.40** (Barn Opposite Moor Lodge Moorledge Lane Chew Magna)

5 - Enforcement Investigations

	Jan – Mar 2018	Apr – Jun 2018	Jul – Sep 2018	Oct – Dec 2018
Investigations launched	139	145	109	132
Investigations in hand	240	228	198	197
Investigations closed	166	176	165	121
Enforcement Notices issued	1	5	1	4
Planning Contravention Notices served	18	2	1	1
Breach of Condition Notices served	0	0	0	0

6 – Other Work (applications handled but not included in national returns)

The service also processes other statutory applications (discharging conditions, prior approvals, prior notifications, non-material amendments etc) and discretionary services like pre-application advice & Permitted Development Questionnaires. The table below shows the number of these applications received

	Jan – Mar 2018	Apr – Jun 2018	Jul – Sep 2018	Oct – Dec 2018
Other types of work	487	541	520	459

7 – Works to Trees

	Jan – Mar 2018	Apr – Jun 2018	Jul – Sep 2018	Oct – Dec 2018
Number of applications for works to trees subject to a Tree Preservation Order (TPO)	18	13	22	27
Percentage of applications for works to trees subject to a TPO determined within 8 weeks	94%	92%	100%	96%
Number of notifications for works to trees within a Conservation Area (CA)	158	143	176	236
Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks	99%	90%	100%	99%

Highlights:

- Performance on determining applications for works to trees subject to Tree Preservation Orders and on dealing with notifications for works to trees within a Conservation Area is very good

8 – Corporate Customer Feedback

The latest quarterly report available of complaints and customer feedback is published on the website here:

<http://www.bathnes.gov.uk/services/your-council-and-democracy/complaints-and-customer-feedback/complaints-reports>

9 - Ombudsman Complaints

When a customer remains dissatisfied with the outcome of the Corporate Complaints investigation they can take their complaint to the **Local Government Ombudsman** for an independent view.

Ombudsman Complaints	Jan – Mar 18	Apr – Jun 18	Jul – Sep 18	Oct – Dec 18
Complaints received	3 (2 closed after initial inquiries (rejected by LGO with no action or out of their jurisdiction))	3 (3 closed after initial inquiries (rejected by LGO with no action or out of their jurisdiction))	0	1
Complaints upheld	0	0	0	0
Complaints Not upheld	1	0	0	1

Highlights:

- There have been no upheld complaints over the last year

10 – Working With Our Customers

For all the latest stories and updates from Development Management, Building Control and Policy teams

<http://www.bathnes.gov.uk/services/planning-and-building-control/latest-news>

11 – Section 106 Agreements and Community Infrastructure Levy (CIL)

Members will be aware of the Planning Obligations SPD first published in 2009. Planning Services have spent the last few years compiling a database of Section 106 Agreements. This is still in progress, but does enable the S106/CIL Monitoring Officer to actively monitor the delivery of agreed obligations. S106 and CIL financial overview sums below will be refreshed for every quarterly report. A CIL annual report is also published on our website: <http://www.bathnes.gov.uk/services/planning-and-building-control/planning/planning-advice-and-guidance/community>

(Note: figures are for guidance only and could be subject to change due to further updates with regards to monitoring S106 funds)

S106 Funds agreed (2018/19)	£37,194.40
S106 Funds received (2018/19)	£3,724,582.54
CIL sums overview - Potential (April 2015 to date)	£9,722,184.34
CIL sums overview - Collected (April 2015 to date)	£10,659,669.73

12 – Chair Referrals

Table 12 below shows the numbers of planning applications where Chair decision has been sought to either decide the application under delegated authority or refer to Development

Management Committee. ***A further analysis of Chair referral cases is attached as an Appendix item to this report.***

	Jan – Mar 2018	Apr – Jun 2018	Jul – Sep 2018	Oct – Dec 2018
Chair referral delegated	27	19	19	13
Chair referral to DM Committee	13	12	16	10

13 – 5 Year Housing Land Supply

A	Total planned housing 2011-2029		13000
B	Completions 2011-2018	2011-2018	5,117
C	Plan requirement	2011-2023	8664
D	5 year supply requirement (100%)	2018-2023	3547
E	5 year supply requirement (with 5% buffer)	2018-2023	3724
F	5 year supply requirement (with 20% Buffer)	2018-2023	4256
G	Deliverable supply (#)	2018-2023	5,499
H	Deliverable supply buffer (%)	2018-2023	55%
I	Deliverable supply (#) over 100% requirement	2018-2023	1952
J	Deliverable supply (#) over 105% requirement	2018-2023	1775
K	Deliverable supply (#) over 120% requirement	2018-2023	1243

A	Alternative Calculation Method			
B	5 year supply requirement (722x5)		3610	
C	Surplus/deficit		63	
D	Deliverable supply		5,499	
E	5 year requirement + backlog		3547	Supply as a % of requirement
F	5 year requirement + backlog +5% buffer		3724	148%
G	5 year requirement +backlog + 20% buffer		4256	129%
				Supply in years
				7.38
				6.46

The Council has identified a supply of deliverable housing land for **5,490** homes between 1 April 2018 and 31st March 2023. This compares to a five year housing land supply requirement (including 5% buffer) of 3,547 (Core Strategy requirement, calculated using the 'Sedgefield Method'). **This amounts to a housing land supply of 7.38 years.**

Contact person	John Theobald, Project/Technical and Management Support Officer, Development 01225 477519
Background papers	CLG General Development Management statistical returns PS1 and PS2 + Planning applications statistics on the DCLG website: https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics
Please contact the report author if you need to access this report in an alternative format	

Application no	ADDRESS	PROPOSAL	Decision Level	Decision Date	Status	Notes
18/03065/FUL	Parcel 0006Maynard TerraceCluttonBristolBath And North East Somerset	Erection of temporary sales cabin	CHAIR	03-Oct-18	PERMIT	Chair referral delegated decision
18/03066/AR	Parcel 0006Maynard TerraceCluttonBristolBath And North East Somerset	Display of 3no. Flagpoles	CHAIR	03-Oct-18	CON	Chair referral delegated decision
18/02727/FUL	Woodbine CottageNorth WickChew MagnaBristolBath And North East SomersetBS41 8NN	Erection of detached garage with loft space and new access.	CHAIR	03-Oct-18	RF	Chair referral delegated decision
18/01594/FUL	22 High BannerdownBatheastonBathBath And North East SomersetBA1 7JZ	Erection of front porch and garage	CHAIR	05-Oct-18	PERMIT	Chair referral delegated decision
18/04039/FUL	47 WellswayKeynshamBristolBath And North East SomersetBS31 1HU	Erection of single storey rear extension and rebuild of garage to side of house	CHAIR	31-Oct-18	PERMIT	Chair referral delegated decision
18/03970/FUL	21 Bloomfield AvenueTimsburyBathBath And North East SomersetBA2 0LW	Erection of two storey side extension and single storey front extension with electric car charging point following removal of existing garage and flat roofed extensions	CHAIR	02-Nov-18	PERMIT	Chair referral delegated decision
18/03945/FUL	Cromwell Farm Combe Hay LaneCombe HayBathBA2 8RF	Additional use of the existing agricultural storage building for livestock housing	CHAIR	06-Nov-18	PERMIT	Chair referral delegated decision
18/01741/FUL	River House Friary Wood LaneHinton CharterhouseBathBA2 7UE	Erection of replacement workshop for mixed use as agricultural (sui generis) and rural skills (D1) (Retrospective).	CHAIR	21-Nov-18	PERMIT	Chair referral delegated decision
18/03307/FUL	Stitchings Shord FarmStitchings Shord LaneBishop SuttonBristolBath And North East SomersetBS39 5UD	Erection of an agricultural workers' dwellinghouse.	CHAIR	23-Nov-18	PERMIT	Chair referral delegated decision
18/04446/FUL	2 Mendip CottagesChew LaneChew StokeBristolBath And North East SomersetBS40 8UE	Erection of a two storey side extension.	CHAIR	10-Dec-18	PERMIT	Chair referral delegated decision
18/04720/FUL	8 Beckhampton RoadOldfield ParkBathBath And North East SomersetBA2 3LL	Provision of loft conversion with rear dormer.	CHAIR	13-Dec-18	PERMIT	Chair referral delegated decision
18/03233/FUL	Flower And Hayes LtdNorth RoadTimsburyBath	Erection of 26 dwellings and office space along with new vehicular and pedestrian access and associated works.	CHAIR	18-Dec-18	RF	Chair referral delegated decision

18/04948/FUL	23 Brookside ClosePaultonBristolBath And North East SomersetBS39 7NN	Extension to boundary walls, raising height to 1.8m.	CHAIR	24-Dec-18	PERMIT	Chair referral delegated decision
18/01431/FUL	DearholmColliers LaneCharlcombeBathBath And North East SomersetBA1 8DP	Erection of ground floor extension and alteration of the roof to create additional residential accommodation.	COMMDC	26-Oct-18	RF	Chair referral to committee. I have looked at this application & am aware of the history of the site as the previous application was also referred to me. Charlcombe PC are consistent & have raised objections again linked to the impact on the area & this is reflected in Ward Cllrs & third party comments. Landscape have objected to both the original submission & modifications made with this application as it has progressed which the Officer has explained in the report, I note the previous application Landscape agreed with when changes had been made. The principle of development is agreed but I feel the application should be determined by the DMC this time as objections regarding the impact of the proposals remain controversial & should be debated in the public arena.
17/04338/FUL	Bath Cricket ClubNorth Parade RoadBathwickBathBath And North East SomersetBA2 4EX	Erection of 136 no. bed spaces of purpose built student accommodation (sui generis) and associated communal and ancillary facilities, re-provision of car parking, demolition and replacement of indoor cricket training facility, formation of new access, and	COMMDC	11-Oct-18	PERMIT	Chair referral to committee. I have read through this application very carefully, it is in a prominent position in the city and comments are varied. The Officer has assessed the application in line with relevant planning policy and has explained issues which do not adhere to policy as well as noting the public benefits. As it is a large application which impacts on the city whatever the outcome I recommend it is determined by the DMC.
18/02911/FUL	1 Ivy Court CottageTennis Court RoadPaultonBristolBS39 7LU	Erection of 2 no. 3 bed dwellings with associated garages.	COMMDC	20-Dec-18	PERMIT	Chair referral to committee. I have looked at all the information linked to this application which has been going through the process for a period of time with amendments made as it has progressed however comments from the PC, other statutory consultees & third parties highlight the controversial aspect of the application. I am aware the Officer is awaiting Highways comments on the final changes but I recommend the application be determined by the DMC so the controversial issues relevant to planning policies can be debated fully.
18/04158/LBA	The PrioryOld School HillSouth StokeBathBath And North East SomersetBA2 7DW	Exterior alterations to include rebuild & partly relocate & extend dry & mortared rubble bath stone wall. Erection of low rubble stone retaining wall in south east corner. Installation of gates, erection of a wooden fence. Installation of limestone path &	COMMDC	20-Dec-18	RF	Chair referral to committee. I have looked carefully at this application & all related information including photographs of the site with the fencing in position. The change of use & most of the work is acceptable when assessed against relevant planning policy however as the report explains there is a recommendation in the Conservation Area appraisal regarding boundary walls in the area which the fence boundary does not adhere to, however I note SSPC support. I therefore recommend the application be determined by the DMC so this particular issue can be debated in the public arena.

18/04157/FUL	The PrioryOld School HillSouth StokeBathBath And North East SomersetBA2 7DW	Change of use from pub garden to private garden including the addition of a fence and wall and erection of a shed. (Retrospective)	COMMD C	20-Dec-18	RF	Chair referral to committee. I have looked carefully at this application & all related information including photographs of the site with the fencing in position. The change of use & most of the work is acceptable when assessed against relevant planning policy however as the report explains there is a recommendation in the Conservation Area appraisal regarding boundary walls in the area which the fence boundary does not adhere to, however I note SSPC support. I therefore recommend the application be determined by the DMC so this particular issue can be debated in the public arena.
18/02898/FUL	HorseworldStaunton LaneWhitchurchBristolBath And North East SomersetBS14 0QJ	Erection of 5no. residential units (including affordable housing) together with associated parking, highways and landscaping works.	COMMD C	23-Nov-18	RF	Chair referral to committee. I have read the application carefully noting the PC & Ward Cllr comments. The Officer has assessed the application in line with relevant planning policy however, as a result of the comments raised linked to whether this is too early to seek a change from the original plans or could be used for a different community use, I recommend should be debated & therefore I recommend the application is determined by the DMC.
18/03742/FUL	City Of Bath CollegeMilk StreetCity CentreBathBath And North East SomersetBA1 1AG	Demolition of existing building and erection of new hotel and associated works (Resubmission).	COMMD C	22-Nov-18	PDE	Chair referral to committee. I have studied the application & note the detailed comments from both statutory & third party consultees as well as the Ward Cllr DMC request. Many of the points raised have been addressed in the report presented to me but I recommend this application should be determined by the DMC as it is controversial & is in a prominent position in Bath.
18/04233/FUL	14 The BeechesOdd DownBathBath And North East SomersetBA2 2UX	Installation of rear and side dormer windows with two front roof lights. (Resubmission)	COMMD C	22-Nov-18	PERMIT	Chair referral to committee. I have studied the application carefully and note the Ward Cllr DMC request. The application has been assessed in line with relevant planning policies and the impact on the area has been addressed and it is this aspect that is controversial therefore I recommend the application be determined by the DMC.

18/02637/FUL	St Michael's Cottage TownsendEast HarptreeBristolBS40 6BH	Change of use of section of paddock to allow vehicular access to dwelling	COMMDC	08-Nov-18	PERMIT	Chair referral to committee. I have studied the application, note EHPC support, I have read the consultee comments carefully which differ between Highways & Landscape. The report has assessed the application in line with relevant planning policies but clearly the controversial aspect is the 'weight given to conserving and enhancing the scenic and landscape beauty' of AONBs, I therefore recommend the application be determined by the DMC allowing this aspect to be discussed fully.
18/02591/FUL	Pond HouseRosemary LaneFreshfordBathBath And North East SomersetBA2 7UD	Erection of two storey and single storey side extension and associated landscaping.	COMMDC	25-Oct-18	RF	Chair referral to committee. I have studied this application carefully, it has been revised as it's been through the planning process & the actual percentage increase depends on what is being removed & counted as part of the calculations used by Officers when assessing the volume increase. I'm aware both Parish Councils & third party consultees support the application. The report explains this application is not straight forward when assessing the proposals against relevant planning policies, evidence of this is in paragraphs 7 & 8 of the design & landscape assessment. The report states the proposals contribute & respond well to the local context & character then says it would adversely effect the beauty & landscape of the ANOB. Due to the contradictions in the opinions on some aspects of the application I recommend the application be determined by the DMC so the issues can be debated fully.

Bath & North East Somerset Council		
MEETING:	Development Control Committee	<div>AGENDA ITEM NUMBER</div> <div></div>
MEETING DATE:	13th February 2019	
RESPONSIBLE OFFICER:	Simon de Beer – Head of Planning	
TITLE:	NEW PLANNING APPEALS, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES	
WARD:	ALL	
BACKGROUND PAPERS:	None	
AN OPEN PUBLIC ITEM		

APPEALS LODGED

App. Ref: 18/02094/FUL
Location: 41 Wedgwood Road Whiteway Bath Bath And North East Somerset BA2 1NT
Proposal: Creation of an additional apartment to the rear of the existing shop (Resubmission).
Decision: REFUSE
Decision Date: 13 July 2018
Decision Level: Delegated
Appeal Lodged: 2 January 2019

App. Ref: 18/04113/FUL
Location: 10 Riverside Walk Midsomer Norton Radstock Bath And North East Somerset BA3 2PE
Proposal: Erection of two storey side extension
Decision: REFUSE
Decision Date: 20 November 2018
Decision Level: Delegated
Appeal Lodged: 3 January 2019

App. Ref: 18/01711/OUT
Location: Four Winds Monger Lane Welton Midsomer Norton Radstock
Proposal: Outline application for the erection of up to 2no dwellings and

access with all other matters reserved (Resubmission)

Decision: REFUSE

Decision Date: 29 June 2018

Decision Level: Delegated

Appeal Lodged: 15 January 2019

APPEALS DECIDED

App. Ref: 17/06210/FUL
Location: 14 Bathford Hill Bathford Bath Bath And North East Somerset BA1 7SL
Proposal: Erection of side extension following demolition of existing lean-to extension and associated alterations to existing dwelling.
Decision: REFUSE
Decision Date: 15 March 2018
Decision Level: Planning Committee
Appeal Lodged: 6 September 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 4 January 2019

App. Ref: 17/06211/LBA
Location: 14 Bathford Hill Bathford Bath Bath And North East Somerset BA1 7SL
Proposal: Erection of side extension following demolition of existing lean-to extension and associated alterations to include demolition of existing porch and replacement porch to front
Decision: REFUSE
Decision Date: 15 March 2018
Decision Level: Planning Committee
Appeal Lodged: 6 September 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 4 January 2019

App. Ref: 16/03167/LBA
Location: 144 Walcot Street Bath BA1 5BL
Proposal: Internal and external alterations to include replacement of windows, reinstatement of blocked light wells, and installation of internal partitions (Regularisation).
Decision: REFUSE
Decision Date: 20 December 2017
Decision Level: Delegated
Appeal Lodged: 6 September 2018
Appeal Decision: Appeal Allowed/Dismissed in Part
Appeal Decided Date: 9 January 2019

App. Ref: 17/04220/FUL
Location: The Beaufort 1 Beaufort West Lambridge Bath BA1 6QB
Proposal: Conversion of existing restaurant and residential space into 7no flats involving removal and replacement of some internal walls, new first floor bathroom

extension and partial replacement and extension of existing single-storey flat-roofed building to rear courtyard

Decision: REFUSE
Decision Date: 8 March 2018
Decision Level: Delegated
Appeal Lodged: 6 September 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 9 January 2019

App. Ref: 17/04221/LBA
Location: The Beaufort 1 Beaufort West Lambridge Bath BA1 6QB
Proposal: Conversion of existing restaurant and residential space into 7no flats involving removal and replacement of some internal walls, new first floor bathroom extension and partial replacement and extension of existing single-storey flat-roofed building to rear courtyard.
Decision: REFUSE
Decision Date: 8 March 2018
Decision Level: Delegated
Appeal Lodged: 6 September 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 9 January 2019

App. Ref: 18/00536/FUL
Location: Snapdragons Nursery Henley Lodge Weston Road Lower Weston Bath Bath And North East Somerset
Proposal: External alterations for the erection of a first floor, flat roofed, rear extension to provide additional classroom accommodation and external play area.
Decision: REFUSE
Decision Date: 6 April 2018
Decision Level: Delegated
Appeal Lodged: 6 September 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 11 January 2019

App. Ref: 18/00537/LBA
Location: Snapdragons Nursery Henley Lodge Weston Road Lower Weston Bath Bath And North East Somerset
Proposal: Erection of a first floor, flat roofed, rear extension to provide additional classroom accommodation and to extend an existing fire stair corridor, formation of new corridor within existing classroom and removal of modern lean-to staircase addition
Decision: REFUSE
Decision Date: 6 April 2018

Decision Level: Delegated
Appeal Lodged: 6 September 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 11 January 2019

App. Ref: 18/02732/FUL
Location: 37 Combe Road Combe Down Bath Bath And North East Somerset BA2 5HZ
Proposal: Erection of new detached 2No bedroom dwelling, replacing an old Garage Block
Decision: REFUSE
Decision Date: 23 August 2018
Decision Level: Delegated
Appeal Lodged: 29 October 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 15 January 2019

App. Ref: 18/01706/ODCOU
Location: 1B Trafalgar Road Upper Weston Bath BA1 4EW
Proposal: Prior approval request for change of use from offices (Use Class B1(a)) to residential use (Use Class C3)
Decision: REFUSE
Decision Date: 8 June 2018
Decision Level: Delegated
Appeal Lodged: 12 October 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 16 January 2019

Case Ref: 17/00040/UNDEV
Location: Fairwater Farm Battle Lane Chew Magna Bristol BS40 8QT
Breach: Without planning permission, the erection of a building.
Notice Date: 08 January 2018
Appeal Lodged: 29 August 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 16 January 2019

App. Ref: 18/01379/FUL
Location: 19 Rockliffe Road Bathwick Bath Bath And North East Somerset BA2 6QN
Proposal: Erection of single storey extension to rear and side of property.

Insertion of conservation rooflights in plane of roof to rear and side of property. (Revised proposal).

Decision: REFUSE
Decision Date: 9 July 2018
Decision Level: Planning Committee
Appeal Lodged: 3 December 2018
Appeal Decision: Appeal Allowed
Appeal Decided Date: 22 January 2019

App. Ref: 18/01669/FUL
Location: 42 Gainsborough Road Keynsham Bristol Bath And North East Somerset BS31 1LS
Proposal: Erection of 1no self-contained house adjacent to existing property
Decision: REFUSE
Decision Date: 23 July 2018
Decision Level: Delegated
Appeal Lodged: 10 October 2018
Appeal Decision: Appeal Allowed
Appeal Decided Date: 22 January 2019

App. Ref: 18/00650/FUL
Location: Highfields White Cross Hallatrow Bristol Bath And North East Somerset
Proposal: Erection of a dwellinghouse following demolition of conservatory.
Decision: REFUSE
Decision Date: 7 June 2018
Decision Level: Planning Committee
Appeal Lodged: 5 November 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 25 January 2019

Case Ref: 16/00205/UNAUTH
Location: Lime Kiln Farm Charlton Road Queen Charlton Bristol Bath And North East Somerset BS31 2TW
Breach: Without planning permission the change of use of land from agriculture (Sui Generis) to open storage (Use Class B8).
Notice Date: 22 November 2017
Appeal Lodged: 03 May 2018
Appeal Decision: Appeal Dismissed
Appeal Decided Date: 28 January 2019

Forthcoming hearings and enquiries

App. Ref: 18/00505/FUL

Location: Land To South Of Widcombe Lodge South Widcombe Hinton Blewett Bristol

Proposal: Erection of a dwelling (Resubmission)

Decision: REFUSE

Decision Date: 10th May 2018

Decision Level: Delegated

Appeal Lodged: 19 October 2018

Hearing to be held on 12th February 2019 at The Guildhall, Bath.

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