

## **DEVELOPMENT MANAGEMENT COMMITTEE**

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

Wednesday, 13th March, 2019, 2.00 pm

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

#### **110 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

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

A Vice Chairman was not required on this occasion.

#### **112 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from:

Cllr Caroline Roberts – substitute Cllr Will Sandry  
Cllr David Veale – substitute Cllr Patrick Anketell-Jones

#### **113 DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

There was no urgent business.

#### **115 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.

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

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

#### **117 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 13 February 2019 were confirmed and signed as a correct record.

118 **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.
- An update report by the Head of Planning on items 1 and 3 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

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

**Item No.1**

**Application No.18/03797/FUL**

**Site Location: Chivers House, Windsor Bridge Road, Twerton, Bath, BA2 3DT – Demolition of existing building and redevelopment of the site to provide 95 dwellings across two separate buildings. External works including hard and soft landscaping and site clearance works with land set aside for the future facilitation of a Sustainable Transport Route. Proposed vehicular access to Windsor Bridge Road and provision of 24 vehicular parking spaces and cycle parking**

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

- There are 24 car parking spaces rather than the 26 specified in the report.
- The permission for other uses which is referred to under the relevant planning history section of the report lapsed in January 2019.
- The site is not located in a Conservation Area but is adjacent to one. Therefore the duty to pay special attention to the preservation of enhancement of the character or appearance of the surrounding conservation area referred to on page 33 of the report does not apply in this case.

A representative from the Bath Preservation Trust spoke against the application.

The Agent, Architect and a representative from the Two Tunnels Group spoke in favour of the application.

The Case Officer then responded to questions as follows:

- Although the planning policies state that loss of employment space should be prevented policies also support the use of this type of space for housing. This required a balance to be struck and refusal on the grounds of loss of an industrial site would not be justified in this instance.
- The provision of 24 parking spaces was well below policy requirements as 63 spaces would be needed to meet the specified parking standard. There was no indication as to how the 24 spaces would be allocated.

- The policy specified that parking requirements were:
  - 1 bedroom properties - 1 parking space
  - 2-3 bedroom properties – 2 parking spaces
  - 4 bedroom or more properties - 3 spaces
  - 0.2 of a parking space for visitors.
- The parking space for electric vehicles was included within the overall number of 24.
- There were two cycle parking areas contained within the plans.
- The sustainable transport route would be for pedestrians and cyclists.
- The applicant had now offered to provide 17 affordable dwellings as shared ownership units, however, the policy required 30% of the properties to be affordable housing. The application offered no properties for social rent.
- The height of the development had been reduced by the applicant since the original application. However, officers still felt that the buildings were too high.
- It could be considered that the proposals will contribute towards cumulative incremental change over time which could be harmful to the World Heritage Site. The dominance of large and tall buildings in this part of Bath could be harmful and lead to blocking of views.
- In answer to a question from a member, the Legal Advisor informed members that they should base their decisions on the officer report and the documents relating to the planning application which were available on the Council's website, rather than on information sent to them directly by the developer.

Cllr Crossley noted that this development would provide 100% residential accommodation which was much needed in Bath. It also provided 18% affordable housing, although he would have preferred to see more than this. The site is highly sustainable being close to a bus route and railway station and an electric car charging point would be provided along with cycle storage. He felt that the height of the development was acceptable in the context of the local area which already contained a cluster of large buildings. This was a brownfield site and its development would reduce the need to build on Green Belt land. The scheme was a good one with a variety of accommodation and interesting design including a number of balconies. A Community Infrastructure Levy (CIL) contribution would offer an opportunity to provide a cycle path in the area. He felt that the design was sympathetic to the surroundings and noted that the nature of the location would reduce reliance on the car leading to improved air quality.

Cllr Crossley then moved that the Committee delegate to permit the application, subject to conditions and the completion of a S106 Agreement, for the following reasons:

- The design responds sympathetically to the emerging form and character that is developing around this location and by its improvement to the cycle infrastructure makes a positive contribution to the public realm.
- By turning a derelict part of Bath into a thriving location with good architecture and design it enhances the status of the World Heritage designation of the city. There would be no harm to the Conservation Area or World Heritage Site.
- By nature of its location and sustainability consideration it is reducing the dependence on the car and responds to the increasing numbers of

households that do not want to own a car. This will improve the air quality of the area by generating less vehicular traffic.

Cllr Matthew Davies seconded the motion. He pointed out that more electric car charging points may be required and also stressed the need to retain as many trees as possible and to provide landscaping.

Cllr Jackson stressed the contextual importance of being a World Heritage City on the boundary of a Conservation Area. This development can be seen for miles around and the proposal represented an overdevelopment of the site. The blocks of flats were too large and higher standards of design were required. There was a need for housing within Bath but the requirement was for family accommodation rather than flats.

Cllr Appleyard pointed out that the height of the buildings had already been reduced. He also felt that it was important not to always place such high priority on car use. He felt that the car parking requirements set out in the Council's planning policy should be reviewed. He felt that the loss of industrial space was acceptable in this case, as it would be balanced by the large amount of employment that would be provided through the Bath Quays development. The provision of 18% affordable housing units was acceptable and a positive contribution.

Cllr Sandry felt that the location of the disabled parking space far away from the buildings represented thoughtless design. The cycle parking was positioned in the corner of the site which was also sub-standard. He felt that the application was fundamentally flawed from a design perspective and that the buildings were too large. Employment space was being lost and the urban design was not acceptable.

Cllr Becker stated that this development simply offered another grey building and that the height was overbearing. Flats were being provided merely to maximise profits. The developers should come back with an improved and more attractive design. The high blocks of flats would undermine the character of Bath.

Cllr Anketell-Jones noted that the proposal provided much needed housing and was on a brownfield site. Whilst he recognised that intensification was required the quality must be improved. He had concerns about the lack of landscaping and green provision. The buildings were dominated by hard surfaces and there was no natural surveillance. The pedestrian routes had not been sufficiently thought through. He felt that the development would change the character of Bath and would cause cumulative harm.

Cllr Kew felt that this was a borderline application but was in line with policies B1 and B3 of the Core Strategy by providing residential accommodation. The site was within walking distance of the centre of Bath and was an interesting design. It was disappointing that the required 30% affordable housing was not being provided. However, there would be one bedroom properties which would be suitable for young people.

Cllr Matthew Davies noted that employment opportunities would be available nearby and that the younger generation was more inclined to car share. There were buses, trains and cycle routes on the doorstep.

The motion was put to the vote and it was RESOLVED by 6 votes in favour and 4 votes against to DELEGATE TO PERMIT the application subject to appropriate conditions and the completion of a S106 Agreement.

**Item No. 2**

**Application No. 18/05513/FUL**

**Site Location: 47 Edward Street, Lower Weston, Bath – Erection of one dwelling house**

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

Two local residents spoke against the application.

The architect spoke in favour of the application.

Cllr Sue Craig, local ward member, spoke against the application. She raised concerns regarding the roof height, the gates opening onto the public highway and the design being out of keeping with the location and Conservation Area. She requested that a sunlight assessment be carried out. If the Committee were minded to approve the application she asked that a condition be included to prevent the use of the flat roof as a terrace area. She also asked that the construction management plan be shared with local residents prior to the commencement of work.

The Case Officer then responded to questions as follows:

- The main differences between the extant application on this site and the current application were materials, roof design, openings and less excavation. The building was longer but the footprint was similar to the previous application.
- Condition 10 (as set out in the officer report) would address the concerns raised about the flat roof being used as a terrace, balcony or veranda. If a breach of this condition were reported it would be dealt with by the Planning Enforcement Team.
- The Deputy Head of Planning, Development Management, explained that if the Committee was minded to refuse the application it would have to specify the harm that would be caused by the development and that would have to take into account the approval already granted. She also confirmed that although land stability is a material consideration and there is a policy to cover areas of higher risk, in cases such as this, land stability matters would be dealt with by building control officers rather than the planning team.

Cllr Jackson moved the officer recommendation to permit. This was seconded by Cllr Kew.

Cllr Crossley referred to the debate at the previous meeting which had been complex. The application had to be considered against the background of the previous permission. He noted that the flat roof was the main issue and pointed out that this was now closer to the neighbouring property.

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

report.

**Item No. 3**

**Application No. 18/05706/FUL**

**Site Location: Rookehill Farmhouse, 34 Wellsway, Keynsham – Creation of new vehicular access and erection of a two storey building following demolition of existing garden room and store (Resubmission)**

The Case Officer reported on the application and her recommendation for refusal. She drew the Committee's attention to a small amendment to the wording of the reason for refusal no. 3 to state that the development would "appear materially larger than the existing building" in line with the planning policy test.

The agent spoke in favour of the application.

Cllr Organ spoke as local ward member. He stated that this was a steeply sloping site and that Wellsway was a difficult road. This proposal could remove vehicles from the road. The vegetation on the site had fallen into a poor state and he did not feel that the application would cause harm to the Green Belt.

The Case officer then responded to questions as follows:

- The building was not listed.
- There was an objection from the Case Officer on conservation grounds.
- The building would have a flat roof.

Cllr Organ moved that consideration of this application be deferred pending a site visit. This was seconded by Cllr Kew.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 abstentions to DEFER consideration of the application pending a site visit.

**Item No. 4**

**Application No. 19/00179/FUL**

**Site Location: 132 Old Fosse Road, Odd Down, Bath, BA2 2ST – Erection of a single storey rear extension**

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

Cllr Kew moved the officer recommendation to permit. This was seconded by Cllr Jackson.

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

**Item No. 5**

**Application No. 19/00495/FUL**

**Site Location: 5 Dene Close, Keynsham, BS31 1RL – Erection of single storey rear, first floor side and front porch extensions. Installation of pitched roof over existing garage**

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

Cllr Organ, local ward member, stated that he had not received any comments from local residents regarding the application.

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

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

119 **TREE PRESERVATION ORDER - UNIVERSITY OF BATH, CLAVERTON DOWN, BATH - NO. 317**

The Committee considered a report regarding a Tree Preservation Order (No.317) at the University of Bath, Claverton Down.

The Case Officer reported on the Order and explained that a request had been received to provide an up to date assessment of the current cohort of trees as the original order had been made in 1995. The aim was to rationalise the current area into specific individual trees, groups of trees and woodlands.

One comment had been received from the Bath Cats and Dogs Home seeking clarification as to which trees were on land owned by the Home and which were on land belonging to the University. Officers had now met with representatives from the Cats and Dogs Home and recommended that the plan be modified as detailed in the report.

In response to a question from Cllr Sandry the Case Officer confirmed that there was no reason to believe that the tree in the area to be removed from the Order was under threat.

Cllr Kew moved the officer recommendation set out in the report and this was seconded by Cllr Crossley.

The motion was put to the vote and it was RESOLVED unanimously to CONFIRM the Tree Preservation Order with one minor modification to the Tree Preservation Order relating to map No. 4 of 6 as set out in the report.

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

The Committee considered the appeals report.

RESOLVED: To note the report.

The meeting ended at 4.25 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Management Committee**

**Date 13<sup>th</sup> March 2019**

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

**ITEM**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
1	18/03797/FUL	Chivers House

**Affordable Housing**

Following the publication of the committee report, the applicant has revised their offer in respect of on-site affordable housing provision. Whereas previously they were maintaining that the scheme was not viable with any affordable housing, they have now offered to provide 17 affordable dwellings as shared ownership units. This represents 18% of the total number of dwellings. The detail of this matter could be agreed as part of a s106 agreement.

The proposed offer now aligns with the Council's position in respect of the viability of the scheme and, as such, the proposal is considered to comply with policy CP9 of the Core Strategy.

**The officer recommendation is therefore to be amended to removal reason for refusal 1 relating to affordable housing.**

**Community Infrastructure Levy and New Homes Bonus**

Upon review of the committee report further clarification is proposed in respect of how CIL payments and the New Homes Bonus should be considered as part of any decision.

Both of these items can be classified as 'local finance considerations' and can be considered material considerations in the determination of a planning application. The NPPG advises that:

*Whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body.*

*In deciding an application for planning permission or appeal where a local financial consideration is material, decision takers need to ensure that the reasons supporting the decision clearly state how the consideration has been taken into account and its connection to the development.*

*New Homes Bonus payments recognise the efforts made by authorities to bring residential development forward. Even where anticipated Bonus payments are not a material consideration in making planning decisions, they can be noted for information in committee reports on applications for housing. Where this is done, care will be required not to imply that Bonus payments are relevant to the decision before the committee.*

*Paragraph: 011 Reference ID: 21b-011-20140612*

In respect of the current application, it is considered that the CIL payment of this development is relevant to the decision as the money generated can be spent on local infrastructure (from the CIL 123 list) to mitigate some of the impacts of the development, e.g. strategic transport infrastructure, green infrastructure, early years provision, social infrastructure, etc.

In respect of the New Homes Bonus, the link to making the development acceptable in planning terms is less clear and therefore officers consider that this matter is not material to the decision before committee.

### Overall Balance

The 'overall balance' section of the committee report is therefore altered to reflect the above changes.

In respect of the list of harms:

- Point (2) relating to the lack of affordable housing is removed from this side of the balance.

In respect of the list of material considerations in favour of the application:

- The provision of 17 units of affordable housing (18%) is now construed as a benefit of the scheme and will contribute a small, but welcome amount towards meeting affordable housing targets in Bath;
- The New Homes Bonus is removed from the list of material considerations in favour of the application.

### Conclusion

The provision of affordable housing is now seen to be a benefit of the scheme and adds weight in favour of the application to the planning balance.

However, it is considered that the multiple and significant remaining conflicts with the development plan, including its poor design, lack of parking and

impacts on the local character as well as the World Heritage Site and Conservation area, weigh heavily against the proposal.

In light of the above, the officer's recommendation is that the application should still be **refused**.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
3	18/05706/FUL	Rookehill Farmhouse

#### Clarification

In this case it is concluded that there is harm caused to designated heritage assets – the setting of the listed building and the conservation area. Members are reminded that, in accordance with paragraph 193 of the NPPF, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. It is recommended that the application is refused due to the harm to the heritage assets.

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# **BATH AND NORTH EAST SOMERSET COUNCIL**

## **MEMBERS OF THE PUBLIC AND REPRESENTATIVES WISHING TO MAKE A STATEMENT AT THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE ON WEDNESDAY 13 MARCH 2019**

<b>MAIN PLANS LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>SPEAKER</b>	<b>FOR/AGAINST</b>
1	Chivers House, Windsor Bridge Road, Twerton, Bath, BA2 3DT	Caroline Kay (Bath Preservation Trust)	Against
		Colin Virtue (Agent)  Tom Jarman (Architect)  Frank Thompson (Two Tunnels Group)	For (To share 3 minutes)
2	47 Edward Street, Lower Weston, Bath	Peter Harrell	Against (To share 3 minutes)
		Stephen James	
		Mr Gore (Architect)	For
		Cllr Sue Craig (Local Ward Member)	Against
3	Rookehill Farmhouse, 34 Wellsway, Keynsham	Tom Rocke (Agent)	For

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

**13th March 2019**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	18/03797/FUL	
<b>Site Location:</b>	Chivers House, Windsor Bridge Road, Twerton, Bath	
<b>Ward:</b>	Westmoreland	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Demolition of existing building and redevelopment of the site to provide 95no. dwellings across two separate buildings. External works including hard and soft landscaping and site clearance works with land set aside for the future facilitation of a Sustainable Transport Route. Proposed vehicular access to Windsor Bridge Road and provision of 24no. vehicular parking spaces and cycle parking.	
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Zone, Policy B3 Twerton and Newbridge Riversid, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, Contaminated Land, Policy CP9 Affordable Housing Zones, District Heating Priority Area, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Railway, Railway, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Policy ST2 Sustainable Transport Routes,	
<b>Applicant:</b>	C G WBR (Ltd)	
<b>Expiry Date:</b>	15th March 2019	
<b>Case Officer:</b>	Chris Griggs-Trevarthen	

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

Item No:	02		
Application No:	18/05513/FUL		
Site Location:	47 Edward Street, Lower Weston, Bath,		
Ward: Kingsmead	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		

<b>Proposal:</b>	Erection of 1 no. dwellinghouse.
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Dr Helen Moore
<b>Expiry Date:</b>	15th March 2019
<b>Case Officer:</b>	Chris Griggs-Trevarthen

## **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 Construction Management Plan (Pre-commencement)**

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of the following:

1. Deliveries (including storage arrangements and timings);
2. Contractor parking;
3. Traffic management;
4. Working hours;
5. Site opening times;
6. Wheel wash facilities;
7. Site compound arrangements;

The construction of the development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with policies D6 and ST7 of the Bath and North East Somerset Placemaking Plan. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

### **3 Materials - Sample Panel and Schedule (Bespoke Trigger)**

No construction of the external walls of the development shall commence until a schedule of materials and finishes 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 and a and a sample panel of the natural bath stone has been erected on site and approved in writing by the Local Planning Authority.

The schedule shall include:

1. Detailed specification of the proposed materials (Type, size, colour, brand, quarry location, etc.);
2. Photographs of all of the proposed materials;
3. An annotated drawing showing the parts of the development using each material;

The development shall be carried out only in accordance with the approved details and the approved sample panel of the natural bath stone shall be kept on site for reference until the development is completed.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policies D1, D2, D3, D5 and HE1 of the Bath and North East Somerset Placemaking Plan and policy CP6 of the Bath and North East Somerset Core Strategy.

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

No occupation of the development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority showing details of the following:

1. All trees, hedgerows and other planting to be retained;
2. A planting specification to include numbers, size, species and positions of all new trees and shrubs;
3. Details of existing and proposed walls, fences, other boundary treatment and surface treatments of the open parts of the site;
4. A programme of implementation for the landscaping scheme.

Reason: To ensure the provision of an appropriate landscape setting to the development and to protect the residential amenity of adjoining occupiers in accordance with policies D1, D2, D4, D6 and NE2 of the Bath and North East Somerset Placemaking Plan.

#### **5 Implementation of Landscaping Scheme (Compliance)**

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme of implementation agreed in writing with the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

#### **6 Energy Efficiency (Pre-occupation)**

The development hereby approved shall incorporate sufficient energy efficiency measures or renewables such that carbon emissions from anticipated (regulated) energy use in the development shall be reduced by at least 19% above the baseline emissions (as defined by the details submitted in support of the planning application). Prior to first occupation of the development hereby approved those matters listed below shall be submitted to and approved in writing by the local planning authority:

1. A completed copy of Table 2.4 of the local planning authority's Sustainable Construction Checklist. This shall be completed to reflect the actual measures installed as part of the development hereby approved;

2. Post-completion SAP/SBEM Part L summary documents.

Reason: To ensure that the development's carbon emissions (from anticipated regulated energy use) are reduced by at least 19% by means of sufficient renewable energy generation, in accordance with policy CP2 of the Bath and North East Somerset Core Strategy.

### **7 Water Efficiency (Compliance)**

The approved dwelling 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 Placemaking Plan.

### **8 Rainwater Harvesting (Compliance)**

No occupation of the approved dwelling shall commence until a scheme for rainwater harvesting or other method of capturing rainwater for use by residents (e.g. water butts) has been installed.

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

### **9 Bound/Compacted Vehicle Access (Compliance)**

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

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

### **10 No terrace/balcony (Compliance)**

The area of flat roof in the southern corner of the dwelling hereby approved shall not be used as a terrace, balcony or veranda and shall not be accessed except for maintenance or emergency purposes.

Reason: To prevent the use of the flat roof area as a terrace, balcony or veranda in the interests of preserving the privacy of adjoining occupiers in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan.

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

No new external lighting shall be installed until full details of the proposed lighting design have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Lamp models and manufacturer's specifications, positions, numbers and heights;
2. Predicted lux levels and light spill;
3. Measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land.

The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policies NE.3 and D8 of the Bath and North East Somerset Placemaking Plan.

## **12 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:**

160 P L12 01 A	PROPOSED FLOOR PLANS & SITE PLAN
160 P L12 02 A	PROPOSED ELEVATIONS AND SECTION AA
160 P L12 03 A	PROPOSED SECTION BB & CC
160 P L02 01	SITE LOCATION PLAN AND EXISTING SECTIONS

### **DECISION MAKING STATEMENT**

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

### **Condition Categories**

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

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

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

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

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

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

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

### Community Infrastructure Levy

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### INFORMATIVES

The applicant should be advised to contact the Highway Maintenance Team at [Highways@bathnes.gov.uk](mailto:Highways@bathnes.gov.uk) with regard to securing a licence under Section 184 of the Highways Act 1980 for the amendment of a vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

<b>Item No:</b>	03		
<b>Application No:</b>	18/05706/FUL		
<b>Site Location:</b>	Rookehill Farmhouse, 34 Wellsway, Keynsham, Bristol		
<b>Ward:</b> Keynsham East	<b>Parish:</b> Keynsham Town Council	<b>LB Grade:</b> II	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Creation of new vehicular access and erection of a two storey building following demolition of existing garden room and store (Resubmission).		
<b>Constraints:</b>	Bristol Airport Safeguarding, Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Conservation Area, Contaminated Land, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building,		

	SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,
<b>Applicant:</b>	Mr David Westgate
<b>Expiry Date:</b>	21st February 2019
<b>Case Officer:</b>	Helen Ellison

**DECISION**    Defer for a site visit

<b>Item No:</b>	04		
<b>Application No:</b>	19/00179/FUL		
<b>Site Location:</b>	132 Old Fosse Road, Odd Down, Bath, Bath And North East Somerset		
<b>Ward:</b> Odd Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of a single storey rear extension.		
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr James Gray		
<b>Expiry Date:</b>	15th March 2019		
<b>Case Officer:</b>	Emily Smithers		

**DECISION**    PERMIT

### 1 Standard Time Limit (Compliance)

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

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

### 2 Materials (Compliance)

All external walling and roofing materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

### 3 Plans List (Compliance)

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

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

### **PLANS LIST:**

Drawing no. 2 REV A      EXISTING & PROPOSED PLANS AND ELEVATIONS -  
Received 12/02/2019

Drawing no3 REV A PROPOSED SIDE ELEVATION - Received 12/02/2019

Drawing no.1 LOCATION PLAN AND EXISTING PLAN AND ELEVATIONS - Received  
16/01/2019

### **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.

**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](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

### **Community Infrastructure Levy**

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Notice which you will receive shortly. Further details are available here:  
[www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil)

This permission does not convey or imply any civil or legal consents required to undertake the works.

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

<b>Item No:</b>	05		
<b>Application No:</b>	19/00495/FUL		
<b>Site Location:</b>	5 Dene Close, Keynsham, Bristol, Bath And North East Somerset		
<b>Ward:</b> Keynsham East	<b>Parish:</b> Keynsham Town Council	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of single storey rear, first floor side and front porch extensions. Installation of pitched roof over existing garage.		
<b>Constraints:</b>	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
<b>Applicant:</b>	Mr And Miss Southard And Sheikh		
<b>Expiry Date:</b>	2nd April 2019		
<b>Case Officer:</b>	Rae Mephram		

## **DECISION PERMIT**

### **1 Standard Time Limit (Compliance)**

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

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

### **2 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:

05 Feb 2019      SITE LOCATION PLAN

05 Feb 2019      PROPOSED PLANS  
05 Feb 2019      EXISTING AND PROPOSED SIDE ELEVATION

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

### **Condition Categories**

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

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

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