

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 12th February, 2020, 2.00 pm

Councillors: Matt McCabe (Chair), Sally Davis (Vice-Chair), Vic Clarke, Sue Craig, Lucy Hodge, Duncan Hounsell, Eleanor Jackson, Hal MacFie, Manda Rigby and Brian Simmons

86 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

87 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

88 DECLARATIONS OF INTEREST

Cllr Sue Craig declared a non-pecuniary interest in application no. 19/04486/FUL, 9 Partis Way, Lower Weston, Bath as she was a friend of one of the people speaking against this application. She had not discussed the planning application with the speaker.

Cllr Brian Simmons declared a non-pecuniary interest in application no. 19/04598/FUL, Amenity Green, Glebe Walk, Keynsham. Cllr Simmons had spoken to residents both for and against this application and stated that he would abstain from speaking or voting.

89 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

90 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.

91 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 15 January 2020 were confirmed and signed as a correct record subject to the following amendment:

Item No. 1, Application No. 19/04462/FUL – at the end of the first bullet point add the following words:

“and therefore would not be the sole reason for refusal”

92 **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 1* to these minutes.

RESOLVED that in accordance with the delegated powers, the applications be determined as set out in the decisions list attached as *Appendix 2* to these minutes.

Item No. 1

Application No. 20/00111/TCA

Site Location: 67 Englishcombe Lane, Southdown, Bath, BA2 2EE – Leyland Cypress 13m (T1) – Fell

The Case Officer reported on the application and her recommendation to raise no objection.

Cllr Jackson moved the officer recommendation to raise no objection. This was seconded by Cllr Rigby who pointed out that the application was only being considered by the Committee because the applicant is a member of B&NES Council.

The motion was put to the vote and it was **RESOLVED** unanimously to raise **NO OBJECTION** to the application.

Item No. 2

Application No. 19/04914/FUL

Site Location: Rosemere, Homefield Road, Saltford – Erection of a new dwelling and gate house following the demolition of existing dwelling

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

Two local residents spoke against the application.

The agent spoke in favour of the application.

Cllr Alastair Singleton, the Local Ward Member spoke against the application. He stated that the dwelling was in an elevated position in a sensitive location. The application was contrary to policy NE2 which required that any adverse impact on the landscape should be avoided or mitigated. It also did not adhere to policy D6 which stated that a development must not cause significant harm. He pointed out that properties in The Shallows would be overlooked. He raised issues of light pollution and the adverse impact on the Conservation Area below. He felt that the gatehouse would be out of keeping with the area and would be a self-contained residence rather than an annexe. He felt that the application represented overdevelopment by reason of mass and scale and would also cause harm to a neighbouring heritage asset. He also stated that there were local concerns that this

property would be used as an Airbnb party house.

The Case Officer then responded to questions as follows:

- The applicant has reduced the height of the proposed dwelling to address concerns raised regarding overlooking.
- The gate house is considered to be an acceptable ancillary building in this plot and location. The Principal Planning Officer explained that Case Law relating to annexes focussed on the manner in which the dwelling is occupied. This should be considered on a case by case basis.
- The Committee is not bound by previous decisions on this site, but the decisions should be given some weight.
- Concerns regarding the removal of a cherry tree had now been resolved by the inclusion of an arboricultural report with this application.

Cllr Jackson noted that the agent felt that the reasons for refusal of the previous applications on this site have now been addressed. She also noted that the gate house was a new building. She felt that there was not enough information submitted regarding the environmental impact of the development and no information about bats. She expressed concerns about the proposal for an outdoor pool which was located close to the boundary of the property and queried whether this would result in noise to the neighbouring dwelling. The Case Officer stated that there were no specified requirements regarding the distance between a pool and a neighbouring property.

The Principal Planning Officer explained that an ancillary dwelling would require the building to be occupied by a member of the same household as the main dwelling. He pointed out that applications on this site had previously been refused on landscape grounds, the encroachment on the canopy spread and the impact of the gate house on the street scene. The Case Officer now concluded that these issues have been overcome.

Cllr Rigby stated that the Committee was not bound by the previous decisions but acknowledged that they are a material consideration. The applicant had stated that the gate house was required for security reasons and she queried how much personal reasons for a development could be disregarded. The Principal Planning Officer informed the Committee that not much weight could be given to the personal reasons for a planning application.

Cllr Craig highlighted the large increase in the use of glass at the rear of the building and felt that this could have an impact on wildlife.

Cllr Hodge felt that there would be an adverse effect on the neighbouring Conservation Area.

Cllr Clarke expressed concerns about the gate house as this could be permanently occupied. It would be difficult to enforce the occupancy requirement to ensure that this was occupied by a member of the same household as the main dwelling. He noted that it was a new build property which would be situated quite a distance from the main building.

Cllr MacFie felt that there would be an adverse effect on properties in The Shallows particularly in the winter months when there was less foliage to screen the new property.

Cllr Jackson queried whether a condition could be imposed as to the type and quality of materials to be used and also to require the gate house to remain in the same ownership as the main property.

The Legal Advisor stated that any ownership requirement was outside of the planning focus and that it would be preferable to consider the actual use of the ancillary dwelling.

Cllr Hounsell moved that the application be refused for the following reasons:

- Harm and adverse impact on the landscape (Policy NE2).
- Significant harm to the amenity of The Shallows due to overlooking (Policy D6).
- Design and visibility – the dwelling is too large and would not enhance the neighbouring Conservation Area.
- The gate house is out of character with the area (Policy D2).
- The increase in width of the main dwelling would lead to overdevelopment of the site.
- The development would cause harm to neighbouring heritage assets (Policies D8 and HE1).
- There has been inadequate assessment of the environmental impact of the development and no bat survey has been submitted.

Cllr Jackson seconded the motion.

Cllr Davis stated that she felt the gate house was the primary concern with this proposal.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 abstentions to REFUSE the application for the reasons set out above.

(Note: At this point Cllr Simmons moved to the public gallery and did not speak or vote on the following application having declared a non-pecuniary interest).

Item No. 3

Application No. 19/04598/FUL

Site Location: Amenity Green, Glebe Walk, Keynsham – Erection of two semi-detached dwellings

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

A local resident spoke against the application.

The agent spoke in favour of the application.

Cllr Alan Hale, local ward member, spoke against the application. He pointed out that the area is currently used as a green amenity area by local residents. The

application would represent overdevelopment and would have an adverse effect on the street scene resulting in a more closed outlook. There is strong local feeling against the application. He raised concerns regarding the proposed parking arrangements and pointed out that the area is already densely developed. He stated that there is currently no overlooking in the area. He also referred to policy CP7 relating to green infrastructure.

The Case Officer then responded to questions as follows:

- The proposal met the requirements in terms of size.
- There would be some degree of overlooking but it was felt that this was not significant enough to warrant refusal of the application.
- The Committee cannot include a condition regarding land ownership issues. The applicant is required to certify ownership on the application form.
- The loss of light to an existing dwelling has been considered by the Case Officer and not found to be significant.
- Historic use as amenity land is not something that can carry weight. However, the land has a value to the character of the area and any loss of open space is a material consideration.

Cllr Hounsell felt that the fact that this is already a tightly knit residential area was significant and just because there was some degree of overlooking did not mean that more should be imposed on the neighbourhood. He also noted that looking out on green areas is good for mental health and wellbeing.

Cllr Clarke noted that, for many years this area has been used by the local community and that its removal would have an adverse impact.

Cllr Jackson moved that the application be refused for the following reasons:

- Overdevelopment of the site.
- Loss of amenity to the neighbours due to overlooking and loss of light.
- Adverse impact on the traditional urban design of the area.
- Loss of green infrastructure which contributes to the public realm.

Cllr Hodge seconded the motion.

The motion was then put to the vote and it was RESOLVED by 7 votes in favour, 1 vote against and 1 abstention to REFUSE the application for the reasons set out above.

(Note: At this point Cllr Simmons returned to the Committee).

Item No. 4

Application No. 19/05107/FUL

Site Location: 4 Audley Avenue, Lower Weston, Bath, BA1 3BL – Erection of two-storey side and rear and single-storey rear extension following removal of existing rear extension and garage together with removal of part of front garden wall and increase in width of driveway

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

then responded to questions as follows:

- There will still be a green strip of land in front of the property. The property is at the end of a cul-de-sac and the removal of the wall and part of the garden area would not be particularly detrimental in this location. Other walls have been removed in this street to create parking spaces and so there is a precedent.
- The Principal Planning Officer stated that a condition requiring greencrete to be used would only be possible if there were planning reasons to do so. In this instance he did not believe that there are planning reasons.

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

Cllr Hodge queried whether a condition could be included to require roof tiles to be consistent with the adjoining property. The Case Officer stated that grey tiles were proposed but he did not feel that this would be harmful.

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

Item No. 5

Application No. 19/04452/FUL

Site Location: Poole Farm, Sunnymead Lane, Bishop Sutton, - Erection of a triple garage for domestic use

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

A member of Bishop Sutton Parish Council spoke against the application.

A local resident spoke against the application.

Cllr Vic Pritchard, local ward member, spoke against the application. He stated that a large number of residents had objected to this application. He felt that the proposed garage development was particularly extravagant in design, for example, the inclusion of a Juliette balcony, and far exceeded the requirements for a garage. He also made reference to the B&NES Emergency Green Infrastructure Policy which he felt was relevant to this application and should be adhered to.

The Case Officer responded to questions as follows:

- The development would be visible from the nearby footpath. However, no public footpath runs through the site.
- The Principal Planning Officer confirmed that no trees on the site are subject to statutory protection.

Cllr Davis moved that the application be refused for the following reasons:

- Given the design, scale, massing and siting of the proposed development the proposal will cause significant harm to the amenity of occupiers or adjacent occupiers.

- The negative impact on the AONB.
- The design is not in keeping with the local area.
- Adverse impact on wildlife and ecology.

Cllr Jackson seconded the motion adding that the proposal was also contrary to the adopted Stowey Sutton local planning policies. Cllr Davis agreed to include this as a further reason for refusal.

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

Item No. 6

Application No. 19/04486/FUL

Site Location: 9 Partis Way, Lower Weston, Bath, BA1 3QG – Erection of new 4-bedroom detached dwelling, garage and associated hard and soft landscape works on land adjacent to 9 Partis Way. Proposed variations to consented scheme Ref: 17/03603/FUL

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.

A statement from Cllr Mark Roper, local ward member, was also read out at the meeting. Cllr Roper raised concerns regarding the doubling in size of the garage, the overbearing nature of the proposal and the detrimental effect on the amenity of neighbouring properties. He drew attention to the number of local residents who had raised objections and also highlighted their concerns that the application represents a way to revert to the original plans by a back-door route.

The Case Officer responded to questions as follows:

- The application intends to create a more sustainable building and the plant room would be used for equipment to reduce carbon emissions such as solar panels and rainwater harvesting equipment. The dwelling was always intended to be a 2-storey property and no additional storey has been requested.
- The sun-path analysis is available to view on the Council website.

Cllr Jackson was concerned at the significant increase in volume of 28% for the dwelling and 50% for the garage.

Cllr Hodge pointed out that the amount of space required for solar panels is very small and would not require this level of volume increase.

Cllr Rigby felt that the application represented a significant change to the original scheme.

The Principal Planning Officer explained that there is an extant permission to build a dwelling on the site. He advised members to assess the scheme before them and to

place significant weight on the extant permission considering the differences between the two applications.

Cllr Davis moved the officer recommendation to permit stating that the new proposal is more sustainable than the existing. This was seconded by Cllr Simmons.

The motion was put to the vote and it was RESOLVED by 5 votes in favour, 4 votes against and 1 abstention to PERMIT the application subject to the conditions set out in the report.

93 QUARTERLY PERFORMANCE REPORT - OCTOBER TO DECEMBER 2019

The Committee considered the quarterly performance report from October to December 2019.

Cllr Hounsell requested that, in future, the performance report should include the reason why enforcement investigations had been closed.

RESOLVED: To NOTE the report.

94 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 4.30 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES WISHING TO MAKE A STATEMENT AT THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 12 FEBRUARY 2020

MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
2	Rosemere, Homefield Road, Saltford	Roger Morris	Against (To share 4 minutes)
		Andrew Jones	
		Marc Willis (Agent)	For (4 minutes)
		Cllr Alastair Singleton (Local Ward Member)	Against
3	Amenity Green, Glebe Walk, Keynsham	Victoria Gray	Against
		John White (Agent)	For
		Cllr Alan Hale (Local Ward Member)	Against
5	Poole Farm, Sunnymead Lane, Bishop Sutton	Cllr Heather Clewitt (Bishop Sutton Parish Council)	Against
		Sally Monkhouse	Against
		Cllr Vic Pritchard (Local Ward Member)	Against
6	9 Partis Way, Lower Weston, Bath, BA1 3QG	Susan Hamer	Against

		Kevin Murphy (Agent)	For

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
12th February 2020
DECISIONS

Item No:	01		
Application No:	20/00111/TCA		
Site Location:	67 Englishcombe Lane, Southdown, Bath, Bath And North East Somerset		
Ward:	Moorlands	Parish:	N/A
		LB Grade:	N/A
Application Type:	Tree Works Notification in Con Area		
Proposal:	Leyland Cypress 13m (T1) - Fell		
Constraints:	Conservation Area,		
Applicant:	GT Tree Services		
Expiry Date:	21st February 2020		
Case Officer:	Jane Brewer		

DECISION NO OBJECTION

PLANS LIST:

Leyland Cypress 13m (T1) - Fell

While this letter refers to planning controls, your attention is drawn to the Wildlife and Countryside Act 1981 as amended and the Countryside and Rights of Way Act 2000. Under these Acts all species of wild birds, their eggs, nests and chicks, are legally protected until the young have fledged. Tree work is best carried out outside the bird nesting season, which typically extends from March until September, although it may begin earlier than this. If work must be carried out within the bird nesting season, a qualified ecological consultant should carry out a detailed inspection to ensure that birds are not nesting in the trees that you are proposing to work on. If nesting birds are present the work must not proceed.

All bats in England are protected under the Wildlife and Countryside Act 1981 as amended and the Conservation of Habitats and Species Regulations 2010. It is an offence to kill, injure or take a bat, and damage, destroy or obstruct access to any place that a bat uses for shelter or protection (including trees). This includes bat roosts whether bats are present or not. It is also illegal to disturb a bat whilst it is occupying a structure or place that it uses for shelter or protection.

Trees provide numerous benefits towards our health and wellbeing so replacement planting when trees are removed is vitally important, particularly in our urban environments. Please contact the tree officer if you would like some advice regarding

replacement planting. A comprehensive list of tree species for green infrastructure is available on line from the Trees and Design Action Group at <http://www.tdag.org.uk/>

Item No:	02	
Application No:	19/04914/FUL	
Site Location:	Rosemere, Homefield Road, Saltford, Bristol	
Ward: Saltford	Parish: Saltford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a new dwelling and gate house following the demolition of existing dwelling.	
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, British Waterways Major and EIA, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Public Right of Way, Railway, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	Mrs Helen Franklin	
Expiry Date:	14th February 2020	
Case Officer:	Rae Mephram	

DECISION REFUSE

1 The proposed development due to its design, scale, and massing will cause harm to the setting the Saltford conservation area and will have an unacceptable detrimental impact on the landscape. There are no clear and convincing justifications nor will any public benefits accrue in relation to the proposed development. The proposal is therefore contrary to policy CP6 of the council's Core Strategy adopted 2014, policies HE1, NE2 and NE2A of its Placemaking Plan adopted 2017, Section 12, 15 and 16 of the National Planning Policy Framework 2019.

2 The proposed gatehouse is considered to result in an incongruous addition to an established street scene in which there are no similar forms of development. The proposed replacement dwelling due to its design, scale, and massing will result in the overdevelopment of the site with a consequent adverse effect on the character and appearance of the area and an adverse effect on the amenity of residents due to overlooking. The proposal is therefore contrary to policies D1, D2, D3, D5, D6 and D7 of the Bath and North East Somerset Placemaking Plan and section 12 of the National Planning Policy Framework 2019.

3 The proposed development fails to provide sufficient details regarding impacts to protected species and habitats. In particular the submitted application fails to provide sufficient details to demonstrate that bat mitigation has been incorporated into the scheme and how it will be achieved and as such there is considered to be potential harm to bats

and their roosts. The proposal is therefore contrary to policy NE3, NE5, D8 and section 15 of the National Planning Policy Framework.

PLANS LIST:

This decision relates to:

12 Nov 2019	700-004	PROPOSED ELEVATIONS
12 Nov 2019	700-1-000	LOCATION PLAN
12 Nov 2019	700-1-001	PROPOSED SITE PLAN
12 Nov 2019	700-1-002-	PROPOSED GROUND FLOOR PLAN
12 Nov 2019	700-1-003-	PROPOSED FIRST FLOOR PLAN
12 Nov 2019	700-1-006	PROPOSED SECTION AA
12 Nov 2019	700-1-007	PROPOSED NORTH ELEVATION
12 Nov 2019	700-1-008	PROPOSED SOUTH ELEVATION
12 Nov 2019	700-1-009	PROPOSED WEST ELEVATION
12 Nov 2019	700-1-010	PROPOSED EAST ELEVATION
12 Nov 2019	700-1-011	PROPOSED EAST ELEVATION FROM FOOTPATH
12 Nov 2019	700-1-012	PROPOSED NORTH ELEVATION FROM FOOTPATH
12 Nov 2019	700-1-013	PROPOSED SOUTH ELEVATION FROM THE ROAD
12 Nov 2019	700-1-014	PROPOSED SITE ELEVATION WEST
12 Nov 2019	700-A-90-1	TREE CONSERVATION METHODOLOGY SECTIONS AA AND BB
12 Nov 2019	700-A-90-2	TREE CONSERVATION METHODOLOGY SECTIONS CC AND DD
18 Nov 2019	700-01-016	ANNEX ELEVATIONS
18 Nov 2019	700-01-017	ANNEX PLANS
18 Nov 2019	700-01-018	WASTE MANAGEMENT PLAN

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

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Whilst the application was recommended for permission by Officers the Development Management Committee considered the proposal to be unacceptable for the stated reasons.

Item No:	03		
Application No:	19/04598/FUL		
Site Location:	Amenity Green, Glebe Walk, Keynsham,		
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A	

Application Type:	Full Application
Proposal:	Erection of two semi-detached dwellings.
Constraints:	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing Zones, Housing Development Boundary, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr M Davies
Expiry Date:	14th February 2020
Case Officer:	Samantha Mason

DECISION REFUSE

1 The proposal by reason of its design, siting, scale, massing and layout results in overdevelopment of the site. The proposal is therefore considered contrary to policy CP6 of the adopted Core Strategy (2014) and policies D1, D2, D4 and D5 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

2 Given the design, scale, massing and siting of the proposed development the proposal would cause harm to the amenities of any occupiers and adjacent occupiers through loss of light, overshadowing, overbearing impact, and overlooking. The proposal is therefore contrary to policy D6 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

3 The proposal will result in the loss of an open green space within the densely developed estate that is characterised by pockets of green space. As such the proposal will result in harm to the urban design and character of the estate contrary to Policy D1, D2 and D4 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

4 The site contributes to the Green Infrastructure Network in this area, its loss with undermine the GI network. As such the proposal is considered to be contrary to policy CP7 of the adopted Core Strategy (2014) and the NPPF.

PLANS LIST:

This decision relates to:

22 Oct 2019	250/PA/02 C	PROPOSED SITE PLAN
22 Oct 2019	250/PA/03 A	PROPOSED FLOOR AND ROOF PLANS
22 Oct 2019	250/PA/04 B	PROPOSED ELEVATIONS
22 Oct 2019	250/PA/06	PROPOSED PARKING
22 Oct 2019	250/PA/01	SITE LOCATION PLAN

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Whilst the application was recommended for permission by Officers the Development Management Committee considered the proposal to be unacceptable for the stated reasons.

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:	04		
Application No:	19/05107/FUL		
Site Location:	4 Audley Avenue, Lower Weston, Bath, Bath And North East Somerset		
Ward: Kingsmead	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of two-storey side and rear and single-storey rear extension following removal of existing rear extension and garage together with removal of part of front garden wall and increase in width of driveway		
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,		
Applicant:	Mr Richard Hardy		
Expiry Date:	14th February 2020		
Case Officer:	Christopher Masters		

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Parking (Compliance)

The area allocated for parking, as indicated on submitted plan reference 1870-CMS-XX-ZZ-DR-A-0002, shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

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

3 Bound/Compacted Vehicle Access (Compliance)

The vehicular access shall be 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.

4 Drainage (Compliance)

Provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse, so as to prevent its discharge onto the public highway.

Reason: To ensure that an appropriate method of surface water drainage is provided and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy and Policy SU1 of the Bath and North East Somerset Placemaking Plan.

5 Materials - Render (Compliance)

The external walls of the development hereby approved shall be rendered in accordance with the details provided by email on the 27th January 2020 unless otherwise approved in writing by the Local Planning Authority.

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

6 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:

Received 22nd November 2019.

1870-CMS-XX-ZZ-DR-A-0001	EXISTING PLANS
1870-CMS-XX-ZZ-DR-A-0002	PROPOSED PLANS
1870-CMS-00 -XX-DR-A-LOC01	SITE LOCATION PLAN

Received 27th January 2020

CONFIRMATION OF MATERIAL DETAILS

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

Permit/Consent Decision Making Statement

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:	05		
Application No:	19/04452/FUL		
Site Location:	Poole Farm, Sunnymead Lane, Bishop Sutton, Bristol		
Ward: Chew Valley	Parish: Stowey Sutton	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of a triple garage for domestic use.		
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Mr Campbell Gregg		
Expiry Date:	30th January 2020		
Case Officer:	Hayden Foster		

DECISION REFUSE

1 The proposed garage by virtue of its design, scale, massing and use of external materials would adversely affect the natural beauty of the landscape of the designated Mendip Hills Area of Outstanding Natural Beauty as well as the character and appearance of its immediate surroundings. The proposal is therefore contrary to policy CP6 of the council's Core Strategy adopted 2014, policies D1, D2, D3, D5, NE2 and NE2A of the Bath Placemaking Plan and policy SSHP03 of the Stowey Sutton Neighbourhood Plan Section 12 and 15 of the National Planning Policy Framework 2019.

2 The proposed development fails to provide sufficient details regarding impacts to protected species and habitats. The proposal is therefore contrary to policy NE3, NE5, D8 of the Bath and North East Somerset Placemaking Plan, policy SSHP06 of the Stowey Sutton Neighbourhood Plan and section 15 of the National Planning Policy Framework.

PLANS LIST:

This decision relates to the following plans received 4th December 2019:

Drawing Number: PF-004-3 - Proposed Block Plan

Plans received 5th December 2019:

Drawing Number: PF-001-2 - Proposed Elevations

Drawing Number: PF-005-1 - Proposed Floor Plans

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

application was recommended for permission by Officers the Development Management Committee considered the proposal to be unacceptable for the stated reasons.

Item No:	06	
Application No:	19/04486/FUL	
Site Location:	9 Partis Way, Lower Weston, Bath, Bath And North East Somerset	
Ward: Newbridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of new 4 bedroom detached dwelling, garage and associated hard and soft landscape works on land adjacent to No. 9 Partis Way.	
Proposed variations to consented scheme Ref: 17/03603/FUL		
Constraints:	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, SSSI - Impact Risk Zones,	
Applicant:	Karina Klein & Robert Causon	
Expiry Date:	14th February 2020	
Case Officer:	Samantha Mason	

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Surface Water Management (pre-commencement)

No development shall commence, except ground investigations and remediation, until plans have been submitted to the Local Planning Authority and given written approval demonstrating that that surface water will be managed within the site so as to prevent its discharge onto the highway. The development shall proceed in accordance with the details so approved.

Reason: In the interests of highway safety and flood risk management.

3 Compliance with Arb Method Statement (Pre-occupation)

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan provided by Hillside Trees Ltd dated May 2019. No occupation of the approved development shall commence until a signed certificate of compliance by the appointed Arboriculturalist has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

4 Hard and Soft Landscaping (Pre-occupation)

No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

5 Hard and Soft Landscaping (Compliance)

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. 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 Materials - Sample of Render (Bespoke Trigger)

No external walls of the development shall be rendered until a sample of the colour and texture of the render to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved materials.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies 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 Garages (Compliance)

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

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

8 Bound/Compacted Vehicle Access (Pre-occupation)

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

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

15 Oct 2019 1376 001 A Site Location Plan
19 Dec 2019 1376 022 E First Floor Plan - As Proposed
19 Dec 2019 1376 023 E Roof Plan - As Proposed
19 Dec 2019 1376 025 D Elevations - As Proposed - Sheet 1 Of 2
19 Dec 2019 1376 026 D Elevations - As Proposed - Sheet 2 Of 2
15 Oct 2019 1376 029 A Landscape Plan - Overall Site

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

Permit/Consent Decision Making Statement

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

Responding to Climate Change (Informative):

The council is committed to responding to climate change. You are advised to consider sustainable construction when undertaking the approved development and consider using measures aimed at minimising carbon emissions and impacts on climate change.