

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 3rd June, 2020, 2.00 pm

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

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The Democratic Services Officer explained that Councillor Simmons is no longer a member of the Committee. The vacancy will be filled by Councillor Shaun Hughes who will attend the next meeting in July.

The Chair thanked Cllr Simmons for his service on the Planning Committee.

2 DECLARATIONS OF INTEREST

Councillor Manda Rigby declared a non-pecuniary interest in planning application numbers 19/03838/FUL (Site of former Ministry of Defence offices, Warminster Road, Bath) and 19/04772/FUL (Additional Development Area, Holburne Park, Bathwick, Bath). Cllr Rigby stated that she had attended the exhibitions relating to these developments along with the planning Case Officer.

3 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

The Chair had agreed one item of urgent business, which was to elect a Vice-Chair of the Committee. The reason for urgency was that the term of office of the current Vice-Chair had expired and it was necessary to fill this position to enable decisions to be made regarding potential committee items.

Cllr Jackson moved that Cllr Sally Davis be appointed Vice-Chair for the ensuing Council year. This was seconded by Cllr Hounsell.

RESOLVED: To elect Cllr Sally Davis as Vice-Chair of the Planning Committee for the ensuing Council year.

4 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.

5 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 6 May 2020 were confirmed and signed as a correct record.

6 **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 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 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. 19/04797/FUL

Site Location: 3 Scumbrum Lane, High Littleton, BS39 6JN – Erection of a single and two storey rear extension

The Case Officer reported on the application and her recommendation to permit. She explained that the agent had confirmed that the legal right of way in common is not mentioned or specified in the applicant's deeds.

A neighbour spoke against the application.

The applicant spoke in favour of the application.

Cllr Ryan Wills, local ward member, spoke against the application. He expressed concern about the proposed changes to the access path which would cause harm to the amenity of the neighbouring properties. Disabled access was also an issue. The proposed development would lead to a "boxed-in" effect for number 1 Scumbrum Lane which would cause significant harm.

Officers then responded to questions as follows:

- The Case Officer displayed the new line of the path that was proposed, along with the location of the gates and patio area.
- She also confirmed the location of the boundary between the two properties.
- The single storey element of the proposal could be built under permitted development rights.

Cllr Hodge thanked officers for organising the helpful virtual site visit and moved that the application be refused for the following reasons:

- The proposal would have a harmful effect on the amenity of the neighbouring property and was not compliant with Policy D6.
- It would create a tunnel effect adversely affecting the amenity of the neighbouring property and the use of their patio area.

- The neighbours would have to move their fence and change the access to their patio area as a result of the development.

Cllr Jackson seconded the motion stating that the development would be overbearing and cause harm to the outlook from the neighbouring property.

The Deputy Head of Planning stated that the proposed reason for refusal relating to loss of amenity was clear. However, she advised that any actions neighbours may or may not take as the result of the development was not covered under the planning remit. The private right of way is a civil matter outside the scope of planning and this issue could not be put forward as a reason for refusal.

Cllr Davis noted that the route of the path could be changed under permitted development rights in any case and the route is not defined in the deeds. A ground floor extension could be built under existing permitted development rights.

Cllr Jackson was surprised that an application which inflicted so many changes on a neighbouring property was not considered to lead to a lack of amenity. There could also be overlooking into No. 2 Scumbrum Lane caused by the raising of the floor area. She also noted that the feature windows were large.

Cllr Hounsell noted that there is an extension at No.1 Scumbrum Lane. Any development should have to ensure that there is adequate room to manoeuvre for people using the rear path and he felt that the development would lead to an oppressive tunnel view for No. 2.

Taking the officer advice into consideration Cllrs Hodge and Jackson accepted that the reason for refusal should solely be based on lack of amenity as the pathway is a civil matter.

The motion was put to the vote and it was RESOLVED by 6 votes in favour and 3 votes against to REFUSE the application due to the loss of amenity caused to No. 2 Scumbrum Lane. The proposed extension would be overbearing and would cause harm to the outlook due to the boxed in tunnel effect that would be created.

7 **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, 2 and 4 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 4* to these minutes.

Item No. 1

Application No. 19/03838/FUL

Site Location: Site of Former Ministry of Defence Offices, Warminster Road, Bathwick, Bath – Proposed construction of 42 new dwellings and 2 new blocks of apartments to provide a total of 70 new homes on part of the former MOD site at Warminster Road (revision to consented development).

The Case Officer reported on the application and his recommendation to delegate to permit. He informed the Committee that the Community Infrastructure Levy (CIL) contribution had been recalculated and is now £1,147,193.

The agent spoke in favour of the application.

Cllr Manda Rigby, local ward member on the Committee, stated that she was happy with the proposal to remove the overbearing blocks of flats and recognised that this would help the cashflow of the developers. However, she was unhappy with the decrease in the provision of affordable housing. The overall allocation should be 40% under current policies and under this proposal would result in only 15% for the site overall. Building land is an issue in Bath and if the opportunity to build affordable housing on this site is lost then she queried where it would be built. She was keen to see a mixed development on this site. She also had concerns about the impact of the intrusive development on the world heritage site. She also pointed out that the proposed allocation for visitor parking is less than required under the current policy.

Officers then responded to questions as follows:

- This area of the site is closer to the city centre and the road becomes more rural as it leads out of the city. There was a great deal of debate about the style of the buildings when the original consent was granted. The development is now partly built in the proposed style.
- The parking ratio would be 1.87 parking spaces per dwelling with 0.1 visitor spaces per dwelling.
- The Legal Advisor confirmed that the Council's discretion cannot be fettered by a Section 106 Agreement.
- The Case Officer confirmed that the Council would prefer more affordable housing. However, a commuted sum could be spent elsewhere on a site which offered more value for money.
- An offer of 80% of open market value would not be an affordable product in Bath. Phase 1 of the development delivered 61 dwellings, 29 of which were affordable. This is higher than the 33% required and the developer has made contributions.

Councillor Rigby pointed out that if a number of high value properties were approved then this would bring down the percentage of affordable housing that was required.

Councillor Craig welcomed the change to remove the blocks of flats and noted that land availability is an issue in the area. She noted that an overall figure of 15% affordable housing is much less than is required under the current policy.

The Case Officer advised members to consider the proposal in front of them and

pointed out that cashflow is an issue for the developer.

Cllr Rigby then moved that permission be refused for the following reasons:

- The low percentage of affordable housing which is contrary to policy.
- The impact of the development on the world heritage site due to views from the valley and the urban nature of the design.
- The allocation of visitor parking spaces is not policy compliant.

Cllr Craig seconded the motion.

Cllr Davis stated that she supported the officer recommendation for the reasons set out in the report.

Cllr Jackson had concerns about accepting such a reduction in the provision of affordable housing and the fact that this breached planning policies. She also drew attention to the points raised by the Bath Preservation Trust in their submission. She felt that the circumstances were not really exceptional because all developers will be affected by the Covid-19 epidemic.

Cllr Clarke noted that the developers had put forward a number of proposals that improved the development. He pointed out that refusal could lead to an undeveloped site which would be detrimental to those people who had already purchased properties in the development.

The motion was then put to the vote and it was RESOLVED by 6 votes in favour and 3 votes against to REFUSE the application for the following reasons:

- The low percentage of affordable housing which is contrary to policy.
- The impact of the development on the world heritage site due to views from the other side of the valley and the urban nature of the design on the edge of a rural area neither of which enhance the site.
- The allocation of visitor parking spaces is not policy compliant.

Item No. 2

Application No. 19/04772/FUL

Site Location: Additional Development Area, Holburne Park, Bathwick, Bath – Proposed erection of 8 additional dwellings, landscaping, car parking and associated works on land adjacent to Holburne Park, Warminster Road, Bath.

The Case Officer reported on the application and his recommendation to delegate to permit. He informed the Committee that the Community Infrastructure Levy (CIL) contribution had been recalculated and is now £102,752. An additional objection had been received relating to impacts on the residential amenity.

An objector spoke against the application.

The agent spoke in favour of the application.

Cllr Manda Rigby, ward member on the Committee, spoke against the application stating that the proposal was overbearing and did not enhance the area. She also expressed regret that Bathwick St Mary's Primary School could not have been extended to provide additional school places for those children living in the new development.

Cllr Jackson stated that she would like to see more details regarding the gradients of the site and moved that consideration of the application be deferred pending a site visit. This was seconded by Cllr Craig.

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 1 vote against and 1 abstention to DEFER consideration of the application pending a SITE VISIT.

Item No. 3

Application No. 20/00395/RES

Site Location: Land between Homelands and 10 Camerton Hill, Camerton, Bath – Approval of reserved matters with regard to outline application 17/00299/OUT (Erection of 1 single-storey dwelling (Resubmission)).

The Case Officer reported on the application and her recommendation to permit. She pointed out an amendment to the report – the raised plinth referred to would be 1.8m and not 18m.

The Chair read out a statement from the agent (who had registered to speak but been unable to join the virtual meeting) in favour of the application.

In response to a question the Case Officer explained that there is already a mix of different types and design of housing in this area.

Cllr Jackson stated that the proposed development would not be out of place and was suitable for this rural location. She moved the officer recommendation to permit. Cllr Clarke seconded the motion.

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. 4

Application No. 20/01024/FUL

Site Location: 84 Triangle North, Oldfield Park, Bath, BA2 3JB – Erection of a two-storey rear extension following removal of existing extension. Erection of a single-storey side extension to number 84 and single-storey rear extension to number 85.

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

A local resident spoke against the application.

Cllr June Player, local ward member, spoke against the application. She stated that in this street only 3 properties are not HMOs. This has led to an imbalanced community and the cumulative effect of these HMOs has a detrimental impact on the amenity of all residents. Allowing even more occupants in this area will also cause

problems when social distancing is required to avoid the spread of Covid-19. Parking is also a problem in this area, which it is a busy road and bus route. The proposal will not enhance the local environment.

Cllr Colin Blackburn, local ward member, supported both Councillor Player and the local resident's comments.

The Case Officer then responded to comments as follows:

- The properties are existing HMOs and are C4 use.
- The two-storey extension to No.84 would be rebuilt on the existing footprint following the demolition of the existing extension.

Cllr Davis stated that the application was policy compliant and moved the officer recommendation to permit.

Cllr Jackson seconded the motion and stated that the development would improve the appearance of the buildings. She did not feel that there were any policy grounds for refusal.

The Chair expressed his concern at the high level of HMOs in this area.

The Deputy Head of Planning explained that the properties are existing HMOs and that there were no policy grounds on which to refuse.

Cllr Hodge sympathised with the views of the local resident and ward members and hoped that new policies could be agreed to prevent such a high density of HMO properties in the future.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 1 abstention to PERMIT the application subject to the conditions set out in the report.

Item No. 5

Application No. 19/05519/FUL

Site Location: Avon Farm, Avon Lane, Saltford – Change of use of a former office building to a dwelling (Retrospective).

The Case Officer reported on the application and his recommendation to permit. He informed the Committee that a further objection had been received which referred to the enforcement history of the site, impact on the Green Belt, and impact on conservation.

The agent spoke in favour of the application.

Cllr Alastair Singleton, local ward member, spoke against the application. He stated that this was a Green Belt location and that holiday lets on the site were being advertised as available even though they had not been granted planning permission. This could potentially lead to over 40 people being on the site. He believed that the holiday lets would not be granted planning permission. He felt that the application represented over development and did not conform to planning policies. He stated that this was an unsustainable location and that the access was an issue. He asked the committee to refuse this application on the following planning grounds –the

possible contravention of policy RE6 point 7, overdevelopment of the site, and being contrary to policies ST1 and ST7.

The Officers then responded to questions as follows:

- The application had been assessed as though it was an office rather than a storage area. Policy RE6 does not categorise the former use of a building.
- The Committee is being asked to consider an application for this particular unit. The Deputy Head of Planning clarified that building elsewhere on the site provided some context but the fallback position is also relevant. The building could be used as an office and the highways impact could diminish rather than increase.
- The Deputy Head of Planning explained that planning history is a material consideration, however, in this case, it has no bearing on the proposal.
- Salford currently has no Local Plan in place.

Cllr Davis understood the concerns of local residents but felt that the application should be approved. She moved the officer recommendation to permit.

Cllr Clarke seconded the motion noting that, if the building was used as an office this would lessen any highways concerns.

The motion was put to the vote and there were 4 votes in favour and 5 votes against. The motion was therefore LOST.

Councillor Rigby then moved that the application be refused for the reasons set out in the highway officer's objections. This was seconded by Cllr Hodge.

The motion was put to the vote and it was RESOLVED by 5 votes in favour, 2 votes against and 2 abstentions to REFUSE the application for the following reasons:

- The site is in an unsustainable location contrary to Placemaking Plan Policy ST1.
- The proposals do not demonstrate that safe and suitable access to the site can be achieved for all people contrary to Placemaking Plan Policy ST7.

8 ENFORCEMENT REPORT - LAND REAR OF 18-25 QUEENWOOD AVENUE, BATH

The Case Officer presented his report and his recommendation to take enforcement action. The matter which appeared to be a breach of planning control was, without planning permission, the change of use of land from garden land (Sui Generis) to open and covered storage (B8). He informed the Committee that two further comments in support of enforcement action had been received regarding the appearance of the site and the impact of the breach.

Councillor Richard Samuel, Local Ward member spoke in favour of enforcement action. He stated that the breach of planning control was causing damage to the environment and having a detrimental effect on the amenity of local residents. Chemicals have previously been left on the site and the dumping of building

materials has created an eyesore. The owner has consistently ignored the council's requests to clear the land and therefore the only option available is to undertake the clearance works and charge the owner for the costs of doing so.

The Case Officer responded to questions as follows:

- The cost of the enforcement action would be covered by a government grant provided for this purpose.
- The majority of the houses in this area are 2 storey terraces and there are also two modern detached houses to the north of the site.
- The person breaching planning control is the owner of the land.
- Planning applications have been submitted for this land and have been refused in the past.

Councillor Rigby moved the officer recommendation as set out in the report. This was seconded by Councillor Jackson.

The motion was put to the vote and it was RESOLVED unanimously that, in light of the officer report, having considered the relevant enforcement options available, to delegate authority to the Team Manager – Planning Enforcement to:

- (a) Exercise the powers of the authority under s178 of the Town and Country Planning Act 1990 to enter the land and take the steps required by the Notice; and
- (b) Exercise any powers of the authority to recover the expenses of doing so.

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

The Committee considered the appeals report.

RESOLVED to NOTE the report.

The meeting ended at 5.30 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

Date 3 June 2020

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

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
001 & 002	19/03838/FUL 19/04772/FUL	Holborne Park Former Ministry of Defence Offices, Warminster Road, Bathwick, Bath

Additional representations

An additional letter of objection has been received from the Bath Preservation Trust. The main points raised are:

- The insufficient provision of affordable housing within an area of a designated affordable housing target of 40%, as specified within Policy CP9 of the Core Strategy and Placemaking Plan.
- The unwelcome overdevelopment of an already dense residential site.
- The piecemeal, disjointed submission of planning applications which does not suitably account for the overall coherence of the Holburne site and its contextual setting within the WHS and overlooking the Kennet & Avon Canal.
- The poor quality of submitted drawings, elevations, and predicted views.
- In specific relation to application 19/04772/FUL, the loss of the designated 'school site' to private residential development has resulted in the regretful loss of the potential to integrate public community facilities into the development's design.

The letter raises no significant new matters which have not already been considered in the committee report. However, for the benefit of members the following points are highlighted:

- The provision of affordable housing is covered in depth within the main agenda report and has been subject to an independent viability review in line with CP9 of the Core Strategy.

- The density of the currently approved development is approximately 54 dwellings per hectare. The density of the proposed development is 42 dwellings per hectare.
- The Landscape Officer and Conservation Officer have advised that application 19/03838/FUL is an improvement on the current approved scheme in terms of its impact upon landscape character, the World Heritage Site and the Conservation Area.

The comment summary from Historic England is also updated to read:

HISTORIC ENGLAND: Comments

The proposed revisions to that application will in some limited ways improve the overall streetscape of the site. However, they continue to raise concerns regarding the way that this site is developing. While some improvements have been made, as a whole they continue to have concerns regarding the potential impact the scheme will have on the Conservation Area and World Heritage Site.

Conditions

The following update is made to the recommended list of conditions.

ITEM 01 - 19/03838/FUL

6. Construction Management Plan (Bespoke Trigger)

The development hereby approved shall be undertaken in accordance with the Construction Management Plan approved in writing by the local planning authority by letter dated 18 January 2016 (Reference: 15/05486/COND). Within one month of the date of this permission a revised construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The revised plan 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;
8. Measures for the control of dust;
9. Temporary arrangements for householder refuse and recycling collection during construction.

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

Reason: To protect the amenities of the occupants of adjacent residential properties, the adjoining canal and wider environment and to ensure the safe operation of the highway.

ITEM 02- 19/04772/FUL

2. Construction Management Plan (Bespoke Trigger)

The development hereby approved shall be undertaken in accordance with the Construction Management Plan approved in writing by the local planning authority by letter dated 18 January 2016 (Reference: 15/05486/COND). Within one month of the date of this permission a revised construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The revised plan 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;
8. Measures for the control of dust;
9. Temporary arrangements for householder refuse and recycling collection during construction.

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

Reason: To protect the amenities of the occupants of adjacent residential properties, the adjoining canal and wider environment and to ensure the safe operation of the highway.

ITEM 03 19/04797/FUL 3 Scumbrum Lane, High Littleton

This application was deferred by members for a 'virtual' site visit at the 6th May Development Management Committee. A virtual site visit was carried out on the 26th May 2020.

The video prepared by Officers indicated the precise nature of the existing access path across the rear of this terrace of properties. The video showed just how restricted the rear shared access path is. At most the width is 1.07m from property wall to start of garden however is restricted in places to around 60cm because of the stepped rear accesses to the properties. Each property features at least 2 steps into the backdoor with the internal ground floor of the application set 60cm above external ground level. There is a step up from the garden of number 3 to number 2 and then two steps down from number 2 to number 1. Access to number 1 is via a staircase from the garden up onto a patio area. It is evident that the access at the rear of all these properties is not wheelchair friendly and access for the mobility impaired is already significantly

compromised. The new extension would not exacerbate the issue of access to the properties but would mean anyone using the rear path would need to manoeuvre around the extension

Following the site visit meeting members requested the following matters are clarified

Assessment of the Public Sector Equality Duty (“PSED”).

The Equality Act 2010 (“2010 Act”) under section 149 contains what is generally called the Public Sector Equality Duty (“PSED”). The 2010 Act identifies a number of ‘protected characteristics’, namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation. The PSED aims to integrate consideration of equality and good relations into the regular business of public authorities; which will include where engaged decisions of the Council acting as local planning authority. Compliance with the PSED is a legal obligation and is intended to result in better informed decision-making and policy development. In exercising the planning functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the 2010 Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not.

With regard to planning application 19/04797/FUL for the erection of a single and two story rear extension at 3 Scumbrum Lane, the PSED has become relevant because ‘protected characteristics’ are or could be material to the decision being made. Therefore due regard to the PSED is considered necessary in taking any decision. The particular PSED issue for consideration with the planning judgment to be made is that there appears to be users of a protected characteristic who may be effected by the alteration or obstruction of the private access way across the rear of the terraced properties as a result of the proposed rear extension. It is important to bear in mind that the PSED duty does not by itself require the Council to achieve any particular outcome but it is incumbent on the Council to have due regard to the PSED in taking its planning decision. The PSED consequently would be a material planning consideration with the weight that should or must be given depending on the particular factors that it would be sensible for the Council to consider.

Information gathered from the site visit of the rear of these terraced properties shows the existing access is not wheelchair friendly and access for the mobility impaired is already significantly compromised. Officers consider the new extension would not exacerbate the issue of access to the properties but would mean anyone using the rear access would need to manoeuvre around the extension. Officers consider that if the PSED is engaged it should not be considered of sufficient weight in this application to refuse the planning application.

Whilst the PSED may be a material consideration in this application the protection of private rights such as a person’s private rights of access over

land is not a material consideration. Briefly stated the reason for that is the object of planning control is to restrict private development in the public interest and not in the private interest. Therefore it is not the proper function of planning decision making to protect private interests in land in the course of protecting the public interest by deciding whether planning permission is acceptable.

Clarification on the Civil/Property Law aspects surrounding the right of way have been requested by Members and although Officers must stress such aspects are not material to any planning decision Officers comment as follows. A 'Right of Way in Common' as is claimed to be affected by the proposed development is a private interest in property owned or occupied by someone else giving that person(s) with the benefit of the private interest the right to pass and repass over a particular way. The particular legal rights accrued will depend on the nature, extent and scope of the right granted or acquired. In short the law would summarise such a private right as an 'easement'. Interference with an easement where substantial may give rise to an action for private nuisance against the person responsible for such interference. A gate for example does not necessarily amount to an interference with a private right of way. What should be considered by the person affected is whether the gate in fact substantially interferes with the use of the easement granted or acquired. Again as stressed these are not planning considerations for Members.

Permitted Development Fall-Back Position

Committee members are advised that a legitimate 'fall back' positions must be considered in respect of all planning applications. 3 Scumbrum benefits from Permitted development (PD) rights relevant to a terraced residential property

Old maps and plans of the area indicate that the property benefitted from a lean-to extension which was there in 1943. Therefore, for the purposes of the GPDO the former lean-to would have been "original" and denotes the line of the "rear wall of the original dwellinghouse".

In 1998 planning permission was given for a two storey rear extension which brought the line of the rear of the property out, this was consistent with all properties along this terrace who have all made their houses wider by incorporating first floor additions above the line of the original lean-to projections. As stated above prior to 1998 the property featured a single storey lean-to rear extension housing an outside bathroom and kitchen. The 1998 approval did not extend the ground floor beyond the line of the rear of the original dwelling.

The 1998 building regulations application and site inspection notes indicate that the rear wall of the building was built above the existing wall rather than it being demolished and rebuilt. Therefore, this results in the applicant being able to extend by 3m off the current rear elevation under PD. Whilst the property has been extended to add a second floor above the former lean-to

the footprint did not increase. PD rights were not removed by the 1998 planning permission and are therefore, still intact.

The current proposal shows the rear elevation of the proposed dwelling extending 1m from the rear of the existing property (0.8m beyond the position of the original rear wall and projecting 0.2m beyond the line of the rear of number 2). The single storey rear extension then projects 2m from the rear elevation (i.e. the line of the original rear elevation). Therefore, it is considered that the only aspect of this application that actually requires planning permission is the 1m projection to facilitate the works at the first floor and this element of the scheme has a minimal impact on the access as this part of the proposal does not affect the line of the rear access. (It should be noted that if the first floor extension projected less than 82cm it could well be PD under Part 1, Class A.1(h) as, cumulatively with the works carried out in 1998 it would constitute an extension above single storey that does not project more than 3m from the original rear elevation and is not within 7m of a boundary opposite the rear elevation). The additional 18cm i.e. the element that projects beyond the rear line of number 2, is the element that exceeds the PD provisions and results in the whole scheme requiring planning permission. As the works are intended to be carried out concurrently it means the single storey element is captured by the application. The single storey element of the scheme could be PD as the proposed extension is 3.4m to ridge, 2.3m to eaves and does not project more than 3m from the original rear elevation thus complies with the Class A limitations of the 2015 GPDO.

Therefore, it must be noted that under permitted development rights the applicant can still facilitate an extension that obliterates the current line of access. The entire single storey element as proposed does not in its own right require permission and therefore, this fact represents a legitimate fall-back position and is thus a material consideration.

Clarification of orientation relative to shadow and sun.

Members have been advised that given the orientation of these properties (the rear is NNE facing) that in respect of number 2 there may be some overshadowing before 630am in midsummer but the rest of the day the proposed extension will not cast a shadow. On the same date, the rear of the property would be in direct sun from 0630-1000. From around 1000 onward the rear courtyard of number 2 would be overshadowed by the existing two storey rear extension at number 1 and is then in shadow for the rest of the day. The proposed will not contribute to loss of light or overshadowing to this property for the vast majority of the day.

Clarification of the existing fence line between numbers 2 and 3 - Members expressed concern that the position of the extension means that to ensure the access path can loop around the extension the path would need to be moved into the garden of number 2. Members have been advised that this is a civil issue between the relevant landowners. The plans show that whilst the extension will be entirely within the curtilage of number 3. An 800mm path runs on the northside of the extension but there is no space for a path to be

located on the southern side of the extension. There is insufficient width between the fence and side wall so the fence would be removed or else a gate would need to be inserted further down the fence line (i.e. in line with the rear of the extension).

Other Matters

The provision of a new gate would be a civil issue as it relates to means of access.

Bins - Members raised concern in respect of access for bins. The existing access is restricted in its width and levels. This situation will remain as existing albeit that the new path line will need to be followed.

PROW - This access path is not covered by the same powers controlling a PROW.

POLICY D6: Amenity of the Placemaking Plan states:

Development must provide for appropriate levels of amenity and must:

- a Allow existing and proposed development to achieve appropriate levels of privacy, outlook and natural light
- b Not cause significant harm to the amenities of existing or proposed occupiers of, or visitors to, residential or other sensitive premises by reason of loss of light, increased noise, smell, overlooking, traffic or other disturbance.
- c Allow for provision of adequate and usable private or communal amenity space and defensible space.
- d Include adequate storage and functional arrangements for refuse and recycling
- e Ensure communal refuse and recycling provision is appropriately designed, located and sized.

In respect of the wording of the policy the impact that the proposals may have on the access in terms of its line and width is not specifically referenced. The impact that the proposal may have would need to be seen to be unacceptable in terms of loss of light, increased noise, smell, overlooking, traffic or other disturbance. Therefore, in respect of the access paths line and width the proposal may result in limited inconvenience but is not considered to be contrary to Policy D6.

Additional Recommended Condition

5 No windows on side elevations (Compliance)

There shall be no additional windows or openings on the south and north elevations of the extensions hereby permitted.

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.

Further comments have been received from the applicants and structural engineer:

Additional applicant comments summary:

- There appears to be some confusion as to the scale of the proposed works
- The description of the development given by the Council differs from the description given by the agent
- Agent description on application form reads "Demolition of existing rear 2 storey annexe and re-building to the same footprint with an extension to the side of no.84 and rear single storey extension to no.85. The existing stone walling will be carefully removed for re-use, the properties are registered HMO's".
- Either way, the proposals are clearly illustrated on the plans/covering letter
- The "existing annexe" is part of the original house
- This is the rear part of the property which sticks out from the main bodies of the houses, over two floors
- This area has suffered badly from subsidence and needs to be rebuilt due to its condition; this will be on the original footprint
- No.84 is proposed a very small, single storey infill extension (1.2m wide x 5.5m deep = 6.6m²). This is a common extension in Oldfield Park.
- No.85 will remove a poorly built side extension (1.6m x 5.5m = 8.8m²), increasing garden size.
- No.85 are proposing to erect a single storey extension (11.2m²)
- Extensions are not overdevelopment and are modest compared to other extensions in the terrace
- No.78 has had an extension approved in addition to their infill extension totalling 25.8m². No.78 has also had a dormer recently approved.
- No.77 has also had permission for a dormer recently.
- Parking: Triangle North is just outside the permit zone and Rail commuters park here. Not all tenants have cars and generally use public transport (bus stop outside of house and train station to the rear) or lift share.
- Construction parking: The owners of 85 Triangle North own the adjacent industrial unit and this area will be used for construction parking and getting materials into/out of the site.

Statement from structural engineer:

To whom it may concern, the rear of the existing property at 84 and 85 Triangle north have been subject to excessive movement over 100mm in some areas and has placed the back of the properties at risk.

The insurance company have deemed the work too expensive for them to carry out, using underpinning systems, leaving both clients having to demolish the areas affected back to the original main wall, carry out repairs to the main wall and rebuild the two storey rear extension.

This only works if both properties carry out the work at the same time; both properties can improve thermal performance and improve foundations to modern standards; they can also use Bath Stone externally to maintain current appearance.

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BATH AND NORTH EAST SOMERSET COUNCIL**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SUBMITTING A
WRITTEN STATEMENT AT THE VIRTUAL MEETING OF THE PLANNING
COMMITTEE ON WEDNESDAY 3 JUNE 2020**

SITE VISIT LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	3 Scumbrum Lane, High Littleton, BS39 6JN	Sofia Parker	Against
		Simon Hunt (Applicant)	For
		Cllr Ryan Wills (Local Ward Member)	Against

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	Site of Former Ministry of Defence Offices, Warminster Road, Bathwick, Bath	Charlotte Taylor-Drake (Agent)	For
2	Additional Development Area, Holburne Park, Bathwick, Bath	Simon Emery	Against
		Charlotte Taylor-Drake (Agent)	For
3	Land between Homelands and 10 Camerton Hill, Camerton, Bath	David Beresford-Smith (Agent)	For

4	84 Triangle North, Oldfield Park, Bath, BA2 3JB	Pauline Woods	Against
		Cllr June Player (Local Ward Member)	Against
		Cllr Colin Blackburn (Local Ward Member)	Against
5	Avon Farm, Avon Lane, Saltford	Tony Phillips (Agent)	For
		Cllr Alistair Singleton (Local Ward Member)	Against

ENFORCEMENT LIST

ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	Land Rear of 18-25 Queenwood Avenue, Fairfield Park, Bath	Cllr Richard Samuel (Local Ward Member)	For Enforcement Action

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

3rd June 2020

DECISIONS

SITE VISIT DECISIONS

Item No:	001	
Application No:	19/04797/FUL	
Site Location:	3 Scumbrum Lane, High Littleton, Bristol, Bath And North East Somerset	
Ward: High Littleton	Parish: High Littleton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a single and two story rear extension.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy M1 Minerals Safeguarding Area, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mr Simon Hunt	
Expiry Date:	5th June 2020	
Case Officer:	Christine Moorfield	

DECISION REFUSE

1 The proposal will result in development within close proximity to neighbouring properties to the detriment of the residential amenity of occupiers through its overbearing nature and harm to outlook. The proposal is therefore considered contrary to Placemaking Plan Policy D6.

PLANS LIST:

002, 003, 004 all dated 2/11/2019
008A dated 27/01/2020
005, 006A, 007A, 009A, all dated 17/02/2020
011A dated 4/05/2020

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BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
3rd June 2020
DECISIONS

Item No:	01	
Application No:	19/03838/FUL	
Site Location:	Site Of Former Ministry Of Defence Offices, Warminster Road, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Proposed construction of 42no. new dwellings and 2no. new blocks of apartments to provide a total of 70 new homes on part of the former MOD site at Warminster Road (revision to consented development).	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Placemaking Plan Allocated Sites, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Hardrock Developments Ltd	
Expiry Date:	3rd June 2020	
Case Officer:	Chris Griggs-Trevarthen	

DECISION REFUSE

1 The proposed development fails to provide a policy compliant level of affordable housing and this is not justified by the viability appraisal or any other material considerations. The proposed development is therefore contrary to the development plan, in particular policy CP9 of the Bath and North East Somerset Core Strategy.

2 The proposed development, due its layout, height, design and appearance, would appear incongruous, bulky and overdeveloped, particularly when viewed from the across the city. The proposals would therefore adversely impact upon the setting of the World Heritage Site contrary to the development plan, in particular policies B4 and CP6 of the Bath and North East Somerset Core Strategy and policies D2, HE1, NE2 and NE2A of the Bath and North East Somerset Placemaking Plan.

3 The proposed development fails to comply with the adopted parking standards and is therefore considered not to provide an appropriate level of on-site vehicle parking, particularly in respect of visitor parking. The proposal is therefore contrary to the

development plan, in particular policy ST7 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

153300-STL-XX-ZZ-DR-A-01101 EASTERN PARCEL - PHASE 3A-1 - GA PLANS
153300-STL-XX-ZZ-DR-A-01101-PL02 EASTERN PARCEL - PHASE 3A-1 - GA PLANS
153300-STL-XX-ZZ-DR-A-01102-PL02 EASTERN PARCEL - PHASE 3A-2 - GA PLANS
153300-STL-XX-ZZ-DR-A-01103-PL02 PHASE 5 LOWER TERRACE - GA
153300-STL-XX-ZZ-DR-A-01104-PL02- PHASE 5 UPPER TERRACE - GA
153300-STL-XX-ZZ-DR-A-02101-PL02 PHASE 3A-1 ELEVATIONS
153300-STL-XX-ZZ-DR-A-02103-PL02 EASTERN PARCEL - PHASE 5 ELEVATIONS -
1/2
153300-STL-XX-ZZ-DR-A-02104-PL02 EASTERN PARCEL - PHASE 5 ELEVATIONS -
2/2
153300-STL-XX-ZZ-DR-A-02105-PL02 EASTERN PARCEL - BF13 & BF14
ELEVATIONS
153300-STL-XX-ZZ-DR-A-09102-PL02 EASTERN PARCEL - SITE PLAN
153300-STL-XX-ZZ-DR-A-09103-PL02 EASTERN PARCEL - BF13 BF14 CYCLES
REFUSE
153300-STL-XX-ZZ-DR-A-19003-PL02 SITE PLAN - ACCOMODATION & PARKING
12290-CD351-P3 PROPOSED DRAINAGE STRATEGY 1 OF 3
12290-CD352-P3 PROPOSED DRAINAGE STRATEGY 2 OF 3
12290-CD353-P3 PROPOSED DRAINAGE STRATEGY 3 OF 3
12290-CE301-P2 PROPOSED RETAINING WALL LAYOUT AND CONTOUR PLAN 1 OF
3
12290-CE302-P2 PROPOSED RETAINING WALL LAYOUT AND CONTOUR PLAN 2 OF
3
12290-CE303-P2 PROPOSED RETAINING WALL LAYOUT AND CONTOUR PLAN 3 OF
3
1902-MWA-00-XX-DR-L-0001 REV 4 WARMINSTER ROAD - STRATEGIC LANDSCAPE
PLAN
1902-MWA-00-XX-DR-L-0010 REV 01 EAST PARCEL - HARD LANDSCAPE PLAN
1902-MWA-00-XX-DR-L-0010 REV 01 EAST PARCEL - HARD LANDSCAPE PLAN
1105 PL01 EASTERN PARCEL - BF13 & BF14 - GA PLANS
2102 PL01 EASTERN PARCEL - PHASE 3A-2 ELEVATIONS
3101 PL01 EASTERN PARCEL - LONG SECTIONS 1
3102 PL01 EASTERN PARCEL - LONG SECTIONS 2
09101 PL01 EASTERN PARCEL - LOCATION PLAN
09102-PL03 EASTERN PARCEL - SITE PLAN WITH SOLAR PANEL LOCATIONS

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.

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

This permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990.

Item No:	02	
Application No:	19/04772/FUL	
Site Location:	Additional Development Area, Holburne Park, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Proposed erection of 8 additional dwellings, landscaping, car parking and associated works on land adjacent to Holburne Park, Warminster Road, Bath	

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, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Policy CP9 Affordable Housing Zones, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI, Policy NE5 Ecological Networks, Placemaking Plan Allocated Sites, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
Applicant:	N/A
Expiry Date:	3rd June 2020
Case Officer:	Chris Griggs-Trevarthen

DECISION Deferred for site visit - to get a better understanding of the context, the local topography and the relationship with neighbouring properties.

Item No:	03
Application No:	20/00395/RES
Site Location:	Land Between Homelands And 10, Camerton Hill, Camerton, Bath
Ward: Bathavon South	Parish: Camerton LB Grade: N/A
Application Type:	PI Permission (ApprovalReserved Matters)
Proposal:	Approval of reserved matters with regard to outline application 17/00299/OUT (Erection of 1no. single storey dwelling (Resubmission)).
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mr Nick Biggs
Expiry Date:	4th June 2020
Case Officer:	Samantha Mason

DECISION APPROVE

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

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

3 Sustainable Construction (Pre-Occupation)

Prior to first occupation of the development hereby approved the following tables (as set out in the Council's Sustainable Construction Supplementary Planning Document, Adopted November 2018) shall be completed in respect of the completed development and submitted to the local planning authority together with the further documentation listed below:

- o Table 2.4 (Calculations);
- o Building Regulations Part L post-completion documents

Reason: To ensure that the approved development complies with Policy SCR1 of the Placemaking Plan (renewable energy) and Policy CP2 of the Core Strategy (sustainable construction).

4 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

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

5 Water Efficiency (Compliance)

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

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

6 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:

- 31 Mar 2020 8063-16881 Proposed Plans and Site Location
- 31 Jan 2020 Hs/162935 Location Plan

Condition Categories

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

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

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

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

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

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

Where approval of further information is required you will need to submit 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.

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.

Community Infrastructure Levy

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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.

Item No:	04
Application No:	20/01024/FUL
Site Location:	84 Triangle North, Oldfield Park, Bath, Bath And North East Somerset
Ward: Westmoreland	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a two storey rear extension following removal of existing extension. Erection of a single storey side extension to number 84 & single storey rear extension to number 85.
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, HMO Stage 1 Test Area (Stage 2 Test Req), MOD Safeguarded Areas, Railway, SSSI - Impact Risk Zones,
Applicant:	Tom And Gerald Wood And Richards
Expiry Date:	8th June 2020
Case Officer:	Isabel Daone

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)

The proposed walling materials of the two storey rear extension to nos.84 and 85, the proposed single storey rear extension to no.85 and single storey side extension to no.84 and the roofing materials of the two-storey rear extension to both nos.84 and 85 and the proposed single storey rear extension to no.85 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 D.2 and D.4 of the Bath and North East Somerset Local 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 only to the following plans:

sfc/tn/003. Ground Floor Layout - Proposed. Received 12th March 2020

sfc/tn/004 First Floor Layout Plan - Proposed. Received 12th March 2020

sfc/tn/005. Side elevations - 2 storey rear annexe rebuild. Received 17th March 2020

Block Plan. Received 12th March 2020

Site Plan. Received 12th March 2020

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.

Condition Categories

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Responding to Climate Change (Informative):

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Community Infrastructure Levy

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Item No:	05
Application No:	19/05519/FUL
Site Location:	Avon Farm, Avon Lane, Saltford, Bristol
Ward: Saltford	Parish: Saltford LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of a former office building to a dwelling (Retrospective).
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, British Waterways Major and EIA, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr Clive Franklin
Expiry Date:	5th June 2020
Case Officer:	Martin Almond

DECISION REFUSE

1 The site, outside of a housing development boundary is considered to be in an unsustainable location contrary to Policy ST1 of the Bath and North East Somerset Placemaking Plan 2017. The proposals do not demonstrate safe and suitable access to the site can be achieved for all people contrary to Policy ST7 of the Bath and North East Somerset Placemaking Plan 2017.

PLANS LIST:

This decision relates to drawings:

1868:

801, 802, 803, 804, 805, 806, 810, 811, 812, 813, 814 dated as received 21st December 2019

800A dated as received 6th January 2020

809B, 1905/002A dated as received 18th March 2020.

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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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.

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