

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 1st July, 2020, 2.00 pm

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

10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

11 DECLARATIONS OF INTEREST

The following declarations of interest were made:

- 19/04772/FUL – Additional Development Area, Holburne Park, Bathwick, Bath. Cllr Manda Rigby stated that she had attended the exhibitions relating to these developments along with the Planning Case Officer.
- Cllrs Hal MacFie, Matt McCabe and Manda Rigby declared interests in planning application nos. 20/01690/VAR and 20/01689/VAR – Liberal Democrats, 31 James Street West, Bath. The interests related to their work for the Liberal Democrat Party. The Councillors stated that they would leave the meeting while this item was discussed and would not speak or vote.
- Cllr Duncan Hounsell declared an interest in planning application no. 20/01119/FUL – 31 Torridge Road, Keynsham. Cllr Hounsell used to live in Walden Road. He stated that he would leave the meeting while this item was discussed and would not speak or vote.
- Cllr Sue Craig declared a disclosable pecuniary interest in application no. 20/00006/LBA – 21 Victoria Buildings, Bath as she was the applicant and it concerned her property. Cllr Craig stated that she would leave the meeting while this item was discussed and would not speak or vote.
- With regard to planning application no. 20/01249/FUL – The Coach House, College Road, Lansdown, Bath - Cllr Hodge stated that she would make a statement as local ward member and would not speak or vote.

12 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

The Chair asked officers for an update regarding the enforcement action at Land Rear of 18-25 Queenwood Avenue, Bath which had been agreed at the last meeting. Officers agreed to provide a written update via email.

13 **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.

14 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 3 June 2020 were confirmed and signed as a correct record.

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

Item No. 1

Application No. 19/04772/FUL

Site Location: Additional Development Area, Holburne Park, Bathwick, Bath – Proposed erection of eight 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 permit. He explained that the officer recommendation had now been changed to refusal. Following the refusal of application 19/03838/FUL no viability appraisal for this application has been provided and therefore the failure to provide the required level of affordable housing has not been justified.

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

The Agent spoke in favour of the application.

Cllr Rigby, local ward member on the Committee stated that she welcomed the proposal to provide a masterplan for the whole site rather than considering individual applications for this area. She was concerned about the lack of affordable housing and noted that only 31% affordable housing would be provided if this application were agreed. She felt that the application represented overdevelopment and that the drop in ground levels would result in overlooking. She also stated that the

proposal does not enhance either the Conservation Area or the World Heritage Site. It also did not comply with the affordable housing policy.

Cllr McCabe felt that the access to the public highway should not be removed but should remain open to cyclists.

Cllr Jackson felt that the required level of affordable housing should be provided and moved the officer recommendation to refuse. She noted that no evidence had been submitted regarding viability. She also felt that the proposed design was unacceptable and would dominate the hillside on this highly visible site.

Cllr Davis seconded the motion.

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

16 **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 3, 4, 5 and 6 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

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

Item No. 1

Application No. 20/00861/FUL

Site Location: 231 Wellsway, Bath, BA2 4RZ – Change of use from residential dwelling (Use Class C3) to HMO (Use Class C4)

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

A local resident spoke against the application.

The applicant spoke in favour of the application.

Cllr Winston Duguid spoke against the application. He raised concerns regarding an increase in noise due to higher density and loss of a bungalow to student accommodation. He queried the need for more student accommodation in Bath at a time when student numbers are not likely to increase.

Officers then responded to questions as follows:

- The Case Officer confirmed that the residents of the HMO would not

necessarily be students. The Use Class C4 related to three or more unrelated individuals. A further application would be required if the applicant wished to increase the number of occupants to seven or more.

- Whilst the B&NES policy does not specify space standards, this application does meet national space standards.
- The area is outside of the saturated area for HMO properties and meets Tests 1 and 2 of the Supplementary Planning Document relating to HMOs.

Cllr Davis stated noted that the applicants had reduced the number of bedrooms requested from 7 to 4. She also noted that the access to the bungalow was very steep and not particularly suitable for older people. She moved the officer recommendation to permit. This was seconded by Cllr Clarke.

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 2 votes against and 2 abstentions to PERMIT the application subject to the conditions set out in the report.

Item No. 2

Application No. 20/00257/FUL

Site Location: Land between Three Gables and Payson's Croft, Church Lane, Bishop Sutton – Erection of dwelling

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

A local resident spoke against the application.

Cllr Vic Pritchard, local ward member, spoke against the application. He felt that the application was in conflict with the local Neighbourhood Plan. He stated that there were a number of sensitive issues and inconsistencies within the proposal and asked the Committee to refuse the application.

The Case Officer then responded to questions as follows:

- The area is of a mixed character with an altering building line. The property is slightly set back.
- The site is considered to be within the definition of infill development.

Cllr Davis noted that a number of revisions have been made to the original plans. She then moved the officer recommendation to permit. This was seconded by Cllr Jackson.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 vote against to PERMIT the application subject to the conditions set out in the report.

Item No. 3

Application No. 20/01337/FUL

Site Location: Lambrook Barn, Deadmill Lane, Lower Swainswick, Bath, BA1 8DE – Erection of single storey extension

The Case Officer reported on the application and her recommendation to permit. In response to a question she explained that the new extension would have a flat roof

and that there was already some timber cladding on the building. The impact on the street scene would be minimal.

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

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

Item No. 4

Application No. 20/01078/FUL

Site Location: Land North of 9B, Tennis Court Avenue, Paulton – Erection of detached dwelling

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

A local resident spoke against the application.

Cllr Liz Hardman, local ward member, spoke against the application. She raised concerns regarding disruption of the street scene due to all other houses in this street being semi-detached. She also raised concerns at the lack of parking provision in an already busy road. She pointed out that Paulton Parish Council strongly opposed the application.

Officers then responded to questions as follows:

- The Highways Officer confirmed that he had visited the site in June and had not seen any particular parking issues. He confirmed that vehicles currently reverse onto the road from this site and that this is not prejudicial to highway safety. He also explained that the new owner purchased the site in February 2020 and that, since then, the parking area had only been available to them. This meant that any displacement of parking had already occurred and so would not be affected by this application.
- The Case Officer confirmed that there were no concerns regarding the design of the new dwelling.
- The total floor area is 108sqm.
- The Team Manager, Development Management, informed the Committee that there is currently no finalised Neighbourhood Plan for Paulton but one is being produced.
- The Case Officer explained that the new property would be positioned slightly lower than 9B Tennis Court Avenue and that this would prevent overlooking. She stated that the application is policy compliant.

Cllr Clarke felt that a house in this location would be more attractive than the existing garages.

Cllr Rigby stated that she did not know the area and moved that a site visit take place to enable the Committee to better understand the concerns raised. Cllr Hodge seconded the motion.

Cllr Hounsell stated that it was important to fully understand the street scene and noted that all other matters appeared to be policy compliant.

The motion was put to the vote and it was RESOLVED by 8 votes in favour, 1 vote against and 1 abstention to DEFER consideration of the application pending a SITE VISIT.

(Note: At this point Cllrs MacFie, McCabe and Rigby left the meeting having declared interests in the following application. The Vice-Chair, Cllr Sally Davis then took the Chair).

Item No. 5 and 6

Application Nos. 20/01690/VAR and 20/01689/VAR

Site Location: Liberal Democrats, 31 James Street West, Bath – Variation of conditions 3 (construction management plan) and 7 (Plans List) of application 20/00098/FUL (External works including an external lift to the front elevation, construction of a rear extension and internal ground floor renovation works to increase accessibility (Resubmission of 19/04523/FUL). Variation of conditions 6 (Archaeological watching brief) and 7 (Plans List) of application 20/00099/LBA (External works including an external lift to the front elevation, construction of a rear extension and internal ground floor renovation works to increase accessibility (Resubmission 19/04330/LBA).

The Case Officer reported on the applications and her recommendations to permit and to grant listed building consent. She drew members' attention to the matters in the update report.

Cllr Jackson stated that the variations to the conditions were an improvement on the previous applications and moved the officer recommendations to permit and grant listed building consent. This was seconded by Cllr Clarke.

The motion was put to the vote and it was RESOLVED unanimously to PERMIT application no. 20/01690/VAR and to grant listed building CONSENT to application number 20/01689/VAR.

(Note: At this point Cllrs MacFie, McCabe and Rigby returned to the meeting and Cllr McCabe resumed the Chair).

Item No. 7

Application No. 20/00782/FUL

Site Location: 51 Lymore Avenue, Twerton, Bath, BA2 1BB – Provision of a loft conversion and erection of hip to gable and rear dormer extension.

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

The applicant spoke in favour of the application.

Cllr Paul Crossley, local ward member, spoke in favour of the application. He pointed out that 34 letters of local support for the application had been received and only 1 objection. The applicant had discussed his proposals with his neighbours, and they supported him. The retrospective nature of the application had been a genuine mistake. He stated that the proposal would give the family the extra space

they need and would not be harmful to the local area as there are already a mix of different properties.

The Case Officer then responded to questions as follows:

- The site is not in a Conservation Area but is within the World Heritage Site.
- There are various different roof forms in the area.

Cllr Rigby noted that the retrospective aspect of this application had no bearing on the decision of the Committee. She did not feel that the proposal would be harmful to the local area and moved that the application be delegated to officers to permit.

Cllr Jackson seconded the motion and noted that the hip would be to the side and not to the front or rear of the property.

Cllr Davis supported the motion as she felt the application did reflect the character of the area and would not be detrimental.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application as the application is not harmful or detrimental to the character of the area.

(Note: At this point Cllr Duncan Hounsell left the meeting having declared an interest in the following application).

Item No. 8

Application No. 20/01119/FUL

Site Location: 31 Torridge Road, Keynsham, BS31 1QQ – Erection of a detached bungalow (Resubmission).

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

The agent spoke in favour of the application.

The officers responded to questions as follows:

- The Legal Advisor stated that the Committee should not rely on restrictive covenants and should secure any requirements either by a S106 Agreement or through planning conditions.
- The Case Officer confirmed that some trees were removed from the site last year. The trees were not protected by a Tree Preservation Order and are not in a Conservation Area and so no permission to remove them was required. Additional planting could be requested if required to compensate for the trees that have been removed.
- The Highways Officer confirmed that there is room for vehicles to manoeuvre and that some amendments have been made to the site access to facilitate this.
- A mix of housing is supported in this area.
- Permitted Development Rights for the property would remain in place and would be quite wide-ranging. This would allow development such as a dormer or loft conversion. The Legal Advisor informed the Committee that

sound planning reasons would be required to remove existing permitted development rights.

- The wall is not listed and the property is not in a Conservation Area.

Cllr MacFie felt that the proposal would be detrimental to the amenity of the existing properties as their outlook would be reduced. This would also affect the outlook across the roofscape with loss of trees and a garden view. He also expressed concerns about the tight access to the property.

Cllr Davis pointed out that the applicant has made changes to the original application reducing the development to one bungalow and moving the parking area.

Cllr Clarke was disappointed at the removal of mature trees but acknowledged that permission was not required to do this. More dwellings were required in the area and overall, he found the objections to the application quite weak.

Cllr Rigby felt that the loss of amenity to local residents was significant and included a loss of openness.

Cllrs Hodge and Craig expressed concern at the loss of green infrastructure.

Cllr McCabe stated that the impact on amenity was substantial and that any further development, resulting in a two-storey property, would increase this impact.

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

- Loss of amenity.
- Loss of openness.
- Loss of green infrastructure.

This was seconded by Cllr Rigby.

Cllr Jackson felt that the bungalow would be too close to the boundary of Walden Road and would also have ecological implications.

The Team Manager, Development Management, clarified the reasons for refusal confirming that the Committee was concerned about the loss of the spacious character of the area (Policy D7), the development being contrary and harmful to residential amenity, and contrary to the Placemaking Plan due to loss of green infrastructure. The mover and seconder of the motion agreed to delegate to officers to refuse the application for the reasons outlined above.

The motion was put to the vote and it was **RESOLVED** by 7 votes in favour and 2 votes against to **DELEGATE TO REFUSE** the application for the reasons set out above.

(Note: At this point Cllr Duncan Hounsell returned to the meeting).

(Note: At this point Cllr Sue Craig left the meeting having declared a disclosable pecuniary interest in the following item).

Item No. 9

Application No. 20/00006/LBA

**Site Location: 21 Victoria Buildings, Westmoreland, Bath, BA2 3EH -
Installation of secondary glazing to all windows.**

The Case Officer reported on the application and his recommendation to grant listed building consent.

Cllr Jackson moved the officer recommendation to grant listed building consent. This was seconded by Cllr Rigby.

The motion was put to the vote and it was RESOLVED unanimously to grant listed building CONSENT subject to the conditions set out in the report.

(Note: At this point Cllr Sue Craig returned to the meeting).

Item No. 10

Application No. 20/01399/FUL

**Site Location: New Leaf Farm, Mill Lane, Bathampton, Bath – Erection of
agricultural storage building.**

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

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

The Case Officer responded to questions as follows:

- Enforcement action is being undertaken separately regarding the removal of the unauthorised static caravan. However, no enforcement notice has been served.
- Although other buildings on the site could be used for agricultural storage, the applicant is still permitted to apply to erect another building for agricultural purposes.
- The farm is a working farm primarily dealing with cattle, but the applicants are diversifying.
- The materials to be used would be corrugated steel (dark grey) for the roof and Yorkshire timber cladding.
- The issues raised by the Bath Preservation Trust are addressed to some extent in the officer recommendation. The applicant would have to submit a further application for any future change of use.
- The building would be at the end of a long access track and would have minimal impact from Mill Lane. It is not adjacent to a public highway or footpath.

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

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

Item No. 11

Application No. 20/01249/FUL

Site Location: The Coach House, College Road, Lansdown, Bath – Erection of rear and side extension.

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

A neighbour and a representative of local residents spoke against the application.

The agent spoke in favour of the application.

Cllr Lucy Hodge, local ward member, spoke against the application. She outlined the history of the site and explained that the building has been substantially extended. It has now reached the point of overdevelopment. If permission were granted, then the footprint of The Coach House would exceed that of the main building. The area is characterised by large family homes with no back-land development. The proposal would be at odds with the historic layout and the building has reached the limit of its development.

Cllr Mark Elliott, local ward member, spoke against the application. He explained that there is no room for vehicles to turn on this plot and that traffic has already increased in this area. The overdevelopment would also cause overlooking. The development could also set a precedent in this Conservation Area and would lead to loss of amenity and of green space. A mix of properties should be maintained, and this represents overdevelopment on a back-land site.

Cllr Hodge summed up by stating that the proposal is contrary to policies D7, HE1 and BD1, does not contribute positively to the area and is detrimental to the amenities of local residents.

The Case Officer then responded to questions as follows:

- The proposal would represent a 43% increase in floor space.
- The shed is located at the side of the property.
- The Highways Officer explained that he had visited the site in June and, while he appreciated that it is not ideal to have to reverse out of the site this is already the current situation.
- The building is not listed.
- The two-storey element to the proposal is smaller than the proposal put forward in 2003 and is at the rear of the property.

Cllr Jackson stated that the size of the building had been greatly increased. She noted its impact on the main house and felt that it should be a subservient building.

Cllr Rigby moved that the application be refused on the following grounds:

- The Coach House should be ancillary to the main building and this development would make it in competition with the main building.
- The proposal does not preserve or enhance the Conservation Area, contrary to policies HE1 and D4.
- The proposal exacerbates existing highway/traffic problems.

- Loss of amenity due to overdevelopment of the site and overlooking contrary to Policy D6.

Cllr Jackson seconded the motion. She stressed the unacceptable loss of amenity.

The Team Manager, Development Management, cautioned against the use of a highways reason for refusal as there is no clear evidence that there would be an increase in vehicles reversing onto the highway. He also explained that officers did not feel that overlooking would increase as a result of the application.

The motion was 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.

17 **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 6.48 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

Date

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

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
Site visit 001	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 piecemeal, disjointed submission of multiple planning application does not suitably account for the overall coherence of the Holburne Park site and its contextual setting within the World Heritage Site.
- The proposals exacerbate the existing overdevelopment of an already dense residential site.
- The poor quality of the drawings are insufficient to make a proper assessment of the landscape and visual impact of the development.
- The failure to provide affordable housing does nothing to address the housing crisis locally.
- Loss of the designated school site to residential development resulted in a failed 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.

Item No.	Application No.	Address
03	20/01337/FUL	Lambrook Barn, Deadmill Lane, Lower Swainswick, Bath

Plan Update

Plan no. SMH/28/19/18 – 02 (Existing House Elevations and Gym Survey) was superseded and replaced with plan SMH/28/19/18 - 02a on 26th June 2020. The front and rear elevations were incorrectly labelled on the original drawing. The Agent has corrected this on the updated plan.

Item No.	Application No.	Address
04	20/01078/FUL	Land North of 9B Tennis Court Avenue Paulton

Further information has been submitted by Cllr Hardman

Photographs indicating use of the garage and works being carried out on site have been forwarded to the Case Officer from interested parties.

1-The photographs indicate the garage in use not being obsolete as stated by the applicant.

Officer comment: This matter is addressed below.

2-Photographs of some ground works being carried out on the site.

Officer comment: These works appear to be drainage works and should permission not be granted for this development then further works on the site may need to be investigated.

Amendments to the committee report:

Typing error in section Summary of consultations/representations

Cllr Liz Hardman -Objection

Paragraphs in report amended as follows:

Residential Amenity

All the habitable room windows are located on the front and rear elevations (E and W) and the rear windows are at a distance of 15m from the site boundary with the closest property to the East. *There is one high level window on the northern elevation serving a bathroom with a ground floor window on the southern elevation serving a toilet therefore it is not considered the neighbours would suffer a severe loss of amenity through loss of privacy.* Whilst loss of view over the site has been raised as an objection this matter would not warrant refusal of the application.

Highways

Given the nature of the proposal Highways DC (HDC) has been consulted. Within the response received it is noted that the proposed three-bedroom dwelling requires the provision of two off-street car parking spaces. The submitted plans indicate that four off-street car parking space will be retained on the front forecourt. The submitted application indicates that the site was sold off separately to number 21 Tennis Court Road (Hope Terrace) and is not owned by the occupiers of this property. The applicant purchased this land on 5th February 2020 the applicant has sole use of land and garage, but this will obviously cease when/if the development is carried out. This sale of land has resulted in the property fronting Tennis Court Road no longer having available parking. *The site is now in separate ownership and at present the site is used by the owners of the site who lives locally as confirmed by the agent. The garage has been shown by submitted photos by interested parties to be used for some storage and parking, the garage is not obsolete. However, the agent has confirmed the owner does sometimes park his van on the site, but this will stop once the site is developed if planning permission is granted. As the site is privately owned its use is at the discretion of the owner and does not provide general parking facilities for local residents.*

The submitted site plan indicates that a pedestrian right of way is to be provided along the southern boundary of the site allowing rear access to the new property if planning permission is granted and 21 Tennis Court Road (Hope Terrace).

This matter has been raised by residents and the impact on traffic and parking has been a matter of concern to interested parties. As such the loss of these two garages and the use of the forecourt in association with the new dwelling cannot be seen to impact negatively on the parking provisions within the immediate area in principle. The submitted plans indicate the retention of the parking forecourt to serve the new dwelling and it is not envisaged that development of this site would necessarily restrict or inhibit access to adjacent properties. The proposal includes adequate car parking for a three bedroomed house.

As shown on the submitted plans the means of access and parking arrangements are considered acceptable and to maintain highway safety standards. The proposal accords with policy ST7 of the Placemaking Plan for Bath and North East Somerset (2017) and part 9 of the NPPF subject to compliance with conditions.

Item No.	Application No.	Address
005	20/01690/VAR	Liberal Democrats 31 James Street West

Consultation Comment from BaNES Drainage & Flooding:

No objection

Full Comment: The area in front of the house is at medium risk of surface water flooding. It may be wise to site any motors for the lift mechanism above any likely flood levels.

Consultation comments received do not relate directly to the variation sought ie. internal and external alteration to the rear of the premises.

Item No.	Application No.	Address
006	20/01689/VAR	Liberal Democrats 31 James Street West

For clarity, this application is being considered under section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to vary Conditions 6 and 7 of approval 20/00099/LBA. Section 16 of the Act does not apply and references to it in the main report should be disregarded. Nevertheless, members are advised that, in considering whether to grant the variation, special regard should still be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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 1 JULY 2020**

SITE VISIT LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	Additional Development Area, Holburne Park, Bathwick, Bath	Caroline Kay (Bath Preservation Trust)	Against
		Charlotte Taylor-Drake (Agent)	For

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	231 Wellsway, Bath, BA2 4RZ	David Pyles	Against
		Lee Wadsworth (on behalf of applicant)	For
		Cllr Winston Duguid (Local Ward Member)	Against
2	Land between Three Gables and Payson's Croft, Church Lane, Bishop Sutton	Graham Young	Against
		Cllr Vic Pritchard (Local Ward Member)	Against
4	Land North of 9B, Tennis Court Avenue, Paulton	Tracy Pierce	Against

		Cllr Liz Hardman (Local Ward Member)	Against
7	51 Lymore Avenue, Twerton, Bath, BA2 1BB	Gareth Lyon (Applicant)	For
		Cllr Paul Crossley (Local Ward Member)	For
8	31 Torridge Road, Keynsham, BS31 1QQ	Michael Ashbee (Agent)	For
10	New Leaf Farm, Mill Lane, Bathampton, Bath	Joanna Robinson (Bath Preservation Trust)	Against
11	The Coach House, College Road, Lansdown, Bath,	Judith Cameron Andrew Beard	Against (To share 3 minutes)
		Chris Beaver (Agent)	For
		Cllr Mark Elliott (Local Ward Member)	Against
		Cllr Lucy Hodge (Local Ward Member)	Against

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

1st July 2020

DECISIONS

Item No:	001	
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 July 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.

PLANS LIST:

153300_STL_09301_PL01	WESTERN PARCEL - LOCATION PLAN
12290-CD351-P3	PROPOSED DRAINAGE STRATEGY SHEET 1 OF 3
12290-CD352-P3	PROPOSED DRAINAGE STRATEGY SHEET 2 OF 3
12290-CD353-P3	PROPOSED DRAINAGE STRATEGY SHEET 3 OF 3
12290-CE301-P2	PROPOSED RETAINING WALL PLAN SHEET 1 OF 3
12290-CE302-P2	PROPOSED RETAINING WALL PLAN SHEET 2 OF 3
12290-CE303-P2	PROPOSED RETAINING WALL PLAN SHEET 3 OF 3
153300_STL_01301_PL01	WESTERN PARCEL - PHASE 3B - GA PLANS
153300_STL_02301_PL01	WESTERN PARCEL - PHASE 3B ELEVATIONS
153300_STL_09302_PL01	WESTERN PARCEL - SITE PLAN

1902-MWA-00-XX-DR-L-0050_01	WESTERN PARCEL HARD LANDSCAPE PLAN
1902-MWA-00-XX-DR-L-0051_01	WESTERN PARCEL SOFT LANDSCAPE PLAN
09302-PL03	WESTERN PARCEL SITE PLAN WITH SOLAR PANEL LOCATIONS

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all relevant planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	09	
Application No:	20/00006/LBA	
Site Location:	21 Victoria Buildings, Westmoreland, Bath, BA2 3EH	
Ward: Westmoreland	Parish: N/A	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Installation of secondary glazing to all windows.	
Constraints:	Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Zone, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, District Heating Priority Area, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, LLFA - Flood Risk Management, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Mrs Sue Craig	
Expiry Date:	28th April 2020	
Case Officer:	Adrian Neilson	

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Plans List (Compliance)

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

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

PLANS LIST:

03B, Location Plan dated 12 February 2020.

INTEGRATED SLIDING SASH COSYGLAZING SECTIONS dated 8 June 2020.

SMH/17/16/15-04 dated 12 June 2020.

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.

Condition Categories

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

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

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development.

The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

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

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

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

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

Item No:	02		
Application No:	20/00257/FUL		
Site Location:	Land Between Three Gables And Paysons Croft, Church Lane, Bishop Sutton, Bristol		
Ward: Chew Valley	Parish: Stowey Sutton	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of dwelling.		
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, 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 & Aerodrome,		
Applicant:	Mr Christopher Banks		
Expiry Date:	2nd July 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 Parking (Compliance)

The area allocated for parking, as indicated on submitted plan reference 2210/011 Revision B, 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 (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.

4 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least two bicycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy T.6 of the Bath and North East Somerset Local Plan.

5 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

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

6 Infiltration testing and soakaway (Pre-Occupation)

The development hereby permitted is to manage surface water onsite using soakaways as indicated on the application form and/or approved drawings. Soakaways are to be designed and constructed in accordance with Building Regulations Approved Document Part H section 3, noting the requirement for infiltration testing which should be undertaken at an early stage of the development to confirm viability of infiltration techniques.

If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority.

The soakaways or other approved method of surface water drainage shall be installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed 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.

7 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:

22 Jan 2020 001 Site Location Plan
17 Apr 2020 010b Proposed Site Plan
17 Apr 2020 016a Proposed Drainage Plan
17 Apr 2020 017a Proposed Waste Management Plan
01 Jun 2020 011c Proposed Ground Floor Plan
01 Jun 2020 012c Proposed First Floor Plan
01 Jun 2020 013c Proposed N & S Elevations
01 Jun 2020 014c Proposed E & W Elevations
01 Jun 2020 015b Proposed Street Elevation

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

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

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:	07	
Application No:	20/00782/FUL	
Site Location:	51 Lymore Avenue, Twerton, Bath, Bath And North East Somerset	
Ward: Southdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Provision of a loft conversion and erection of hip to gable and rear dormer extension.	
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, SSSI - Impact Risk Zones,	
Applicant:	Mr Gareth Lyon	
Expiry Date:	22nd April 2020	
Case Officer:	Dominic Battrick	

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following plans:

Location Plan

Site Plan

Existing Plans & Elevations - 19-304-103

Proposed Plans & Elevations - 19-304-104

Existing & Proposed Section and Roof Plans - 19-304-105

All received 26/02/2020.

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 Framework.

Item No:	01		
Application No:	20/00861/FUL		
Site Location:	231 Wellsway, Bath, Bath And North East Somerset, BA2 4RZ		
Ward:	Widcombe And Lyncombe	Parish:	N/A
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Change of use from residential dwelling (Use Class C3) to HMO (Use Class C4)		
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, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the		

	green set, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mrs Clare WADSWORTH
Expiry Date:	29th April 2020
Case Officer:	Thomas Boyle

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

3 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least two bicycles has been provided within the site. The bicycle storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy ST7 of the Placemaking Plan for Bath and North East Somerset.

PLANS LIST:

This decision relates to the following plans:

01 May 2020 REVISED PROPOSED GROUND FLOOR PLAN
 01 May 2020 REVISED PROPOSED LOWER GROUND FLOOR PLAN
 02 Mar 2020 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.

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.

Please note that you will also require an HMO Licence for your property to operate as an HMO. Planning and HMO licensing are two separate requirements and it is essential that an HMO licence is obtained after receiving planning permission. Although Planning Permission may be granted without an HMO licence, you may legally not be able to use the property as an HMO. If you have any queries, please contact Housing Services by email at hmo_licensing@bathnes.gov.uk or telephone 01225 396269.

Item No:	08
Application No:	20/01119/FUL
Site Location:	31 Torridge Road, Keynsham, Bristol, Bath And North East Somerset

Ward: Keynsham East	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a detached bungalow (Resubmission)	
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,	
Applicant:	Mr David Britton	
Expiry Date:	10th June 2020	
Case Officer:	Dominic Battrick	

DECISION REFUSE

1 Given the design, scale, massing and siting of the proposed development the proposal is considered to result in harm to the amenities of the adjacent occupiers at Walden Road through loss of outlook and overbearing impact. The proposal is therefore contrary to policy D6 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

2 The proposal by reason of its design, siting, scale, massing, layout is considered to harm the open spacious character of the plot and wider area, failing to respond to the local context and failing to maintain the character of the area. The proposal is therefore contrary to policy CP6 of the adopted Core Strategy (2014) and policies D1, D2, D3, D4 and D5 of the Placemaking Plan for Bath and North East Somerset (2017) and the NPPF.

3 The proposal results in the loss of Green Infrastructure through the level of built form proposed in the rear garden resulting in an impact to the wider Green Infrastructure network. The development fails to maximise the local Green Infrastructure in accordance with policy NE1 of the Placemaking Plan for Bath and North East Somerset (2017) and CP7 of the adopted Core Strategy (2014) and the NPPF.

PLANS LIST:

This decision relates to the following plans:

Existing Site Plan - 1912/3
Proposed Floor Plan & Elevations - 2004/2
Existing and Proposed Sections - 2004/3
Received 23/03/2020.

Garages & Bike Store Plans & Elevations - 10/1
Received 02/06/2020.

Block Plan (revised) - 1912/R
Proposed Site Plan (revised) - 2004/1B
Received 16/06/2020.

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.

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

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

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

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

Community Infrastructure Levy

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

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

Item No:	11
Application No:	20/01249/FUL
Site Location:	The Coach House, College Road, Lansdown, Bath

Ward: Lansdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of rear and side extension	
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 NE2A Landscapes and the green set, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	Mr and Mrs Stenning	
Expiry Date:	2nd July 2020	
Case Officer:	Chloe Buckingham	

DECISION REFUSE

1 The proposal amounts to over-development of the site and the extensions are of a poor quality design and as such the scheme will not preserve the character or appearance of this part of the Bath Conservation Area. Furthermore, the siting of the new rooflights will have a significant negative overlooking/loss of privacy impact on neighbouring occupiers to the East, South and North of the site. The scheme is contrary to policies D2, D4, D5, HE1 and D6 of the Bath and North East Somerset Placemaking Plan (2017).

2 The increase from a 4-bed to a 5-bed property will exacerbate the existing highways situation at the property. Cars will have to reverse down a narrow driveway which will have a significant negative highway safety impact contrary to policy ST7 of the Bath and North East Somerset Placemaking Plan (2017).

PLANS LIST:

This decision relates to the plan references;

1903-S001 P1 and 1903-P001 P1 received 6th May 2020.

1903-P101, 1903-P102, 1903-S101, 1903-S102 and 1903-S201 received 31st March 2020.

1903-P201 P3 and 1903-SP101 received 10th June 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.

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

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.

Condition Categories

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

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

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

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

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

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

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

Item No:	03		
Application No:	20/01337/FUL		
Site Location:	Lambrook Barn , Deadmill Lane, Lower Swainswick, Bath		
Ward: Bathavon North	Parish: Swainswick	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of single storey extension		

Constraints:	Article 4 The Swainswick Valley, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Contaminated Land, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Flood Zone 2, Flood Zone 3, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mr Burns
Expiry Date:	6th July 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 external render and cladding materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D2 and D4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

3 No Terrace/Balcony Use (Compliance)

The roof area of the development hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area.

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

4 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:

SMH/28/19/18-05a. Proposed House Elevations.
 SMH/28/19/18-06a. Proposed Site Plan.
 SMH/28/19/18-04a. Proposed Extension Plan.

SMH/LB01/01. Existing and Proposed Block/Location Plan.

All received 8th April 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

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.

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.

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

Item No:	10	
Application No:	20/01399/FUL	
Site Location:	New Leaf Farm, Mill Lane, Bathampton, Bath	
Ward: Bathavon North	Parish: Bathampton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of agricultural storage building.	
Constraints:	Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Flood Zone 2, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Neighbourhood Plan, SSSI - Impact Risk Zones,	
Applicant:	Mr Steven Horler	
Expiry Date:	7th August 2020	
Case Officer:	Nicola Little	

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 Removal of Permitted Development Rights - Class Q. Agricultural buildings to dwellinghouses (bespoke - compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building hereby approved shall be used only for the purposes of agriculture and for no other purpose without the prior written approval of the Local Planning Authority.

Reason: The approved use only has been found to be acceptable in this location and other uses will require further detailed consideration by the Local Planning Authority.

3 Removal of existing building (bespoke - compliance)

Prior to the commencement of development hereby approved, the existing static caravan shall be permanently removed from the application site.

Reason: In the interests of visual amenity and the preservation of the openness of the Green Belt in accordance with Policy GB1 of the Placemaking Plan for Bath and North East Somerset and paragraph 133 of the National Planning Policy Framework.

4 Installation of Swift Boxes (bespoke - compliance)

No use of the building hereby approved shall commence until a minimum of three Schwegler swift boxes have been installed onto the North East Elevation of the building. Confirmation in the form of photographic evidence shall be sent to the Local Planning Authority upon completion of the installation before the first use of the building hereby approved shall commence.

Reason: To provide biodiversity gain in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policies D5 and NE3 of the Bath and North East Somerset Placemaking Plan and section 15 of the National Planning Policy Framework.

5 External Lighting (bespoke trigger)

No external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights, details of predicted lux levels and light spill, and details of all necessary measures to limit use of lights when not required and to prevent light spill onto nearby vegetation and adjacent land, and to avoid harm to bat activity and other wildlife. The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: In the interests of preventing harm to bats and other wildlife and preventing light pollution in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policies D8 and NE3 of the Bath and North East Somerset Placemaking Plan.

6 Provision for Drainage (bespoke trigger)

The proposed method of drainage hereby approved (soakaways) are to be designed and constructed in accordance with Building Regulations Approved Document Part H section 3, noting the requirement for infiltration testing which should be undertaken at an early stage of the development to confirm viability of infiltration techniques. Should the infiltration test results demonstrate that soakaways are not appropriate for the development hereby approved, an alternative method of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The soakaways or other approved method of surface water drainage shall be installed prior to the first use of the building hereby approved.

Reason: To ensure that an appropriate method of surface water drainage is installed 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

7 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 BLOCK PLAN; SITE LOCATION PLAN; and PROPOSED ELEVATIONS all submitted to the Local Planning Authority on 20 April 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.

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.

Condition Categories

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

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

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

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

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

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

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

Item No:	06	
Application No:	20/01689/VAR	
Site Location:	Liberal Democrats, 31 James Street West, City Centre, Bath	
Ward: Kingsmead	Parish: N/A	LB Grade: N/A
Application Type:	Application for Variation of Condition	
Proposal:	Variation of conditions 6 (Archaeological watching brief) and 7 (Plans list) of application 20/00099/LBA (External works including an external lift to the front elevation, construction of a rear extension and internal ground floor renovation works to increase accessibility (Resubmission 19/04330/LBA)).	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Flood Zone 2, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	The Trustees	
Expiry Date:	10th July 2020	
Case Officer:	Helen Ellison	

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

The development hereby approved shall be begun before the expiration of three years from 16th March 2020.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

No construction of the external walls of the development shall commence until a schedule of all materials (to include rainwater goods), colours and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

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

3 Mortar Mix (Bespoke Trigger)

No pointing shall be carried out until details of the specification for the mortar mix and a sample area of pointing demonstrating colour, texture, jointing and finish have been provided in situ for the inspection and approval in writing by the Local Planning Authority and

retained for reference until the work has been completed. Once approved the works shall be completed in accordance with the approved details.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the listed building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

4 Large Scale External Details (Bespoke Trigger)

No installation of the windows, doors or roof lantern shall commence until full details comprising 1:5 and/or 1:20 scale plans, sections and elevations (as appropriate), and, materials, colours and finishes have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

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

5 Schedule of works - railings and external lift (Bespoke Trigger)

No installation of railings or external lift shall commence until full details including detailed drawings to include 1:5 and/or 1:20 scale plans, elevations and sections, and, a schedule of works, methodology, materials, colours and finishes have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the listed building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

6 Archaeology - Watching Brief (Bespoke Trigger)

The programme of archaeological investigation work shall be undertaken in accordance with the 'Specification for an Archaeological Watching Brief' dated 15.05.2020.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

7 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 drawings and document;

Date: 13.01.2020 Drwg. No. Drwg. title: Site plan

Date: 13.01.2020 Drwg. No. 4142 - 001 Drwg. title: Location plan

Date: 13.01.2020 Drwg. No. 4142 - 0011A Drwg. title: Ground and first floor plans - as existing

Date: 13.01.2020 Drwg. No. 4142 - 0012A Drwg. title: Front and rear elevations - as existing

Date: 16.06.2020 Drwg. No. 4142 - 0015F Drwg. title: Sections A-A B-B and C-C - as proposed

Date: 13.01.2020 Drwg. No. 4142 - D02A Drwg. title: Internal door detail

Date: 16.06.2020 Drwg. No. 4142 - 0013M Drwg. title: Ground and first floor plans - as proposed

Date: 16.06.2020 Drwg. No. 4142 - 0014K Drwg. title: Front and rear elevations - as proposed

Date: 15.05.2020 Document Title: 'Specification for an Archaeological Watching Brief'

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

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

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:	05	
Application No:	20/01690/VAR	
Site Location:	Liberal Democrats, 31 James Street West, City Centre, Bath	
Ward: Kingsmead	Parish: N/A	LB Grade: N/A
Application Type:	Application for Variation of Condition	
Proposal:	Variation of conditions 3 (construction management plan) and 7 (Plans List) of application 20/00098/FUL (External works including an external lift to the front elevation, construction of a rear extension and internal ground floor renovation works to increase accessibility (Resubmission of 19/04523/FUL)).	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Flood Zone 2, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	The Trustees	
Expiry Date:	10th July 2020	
Case Officer:	Helen Ellison	

DECISION PERMIT

1 Standard Time Limit (Compliance)

The development hereby approved shall be begun before the expiration of three years from 16th March 2020.

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 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least two bicycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy ST1 and ST7 of the Bath and North East Somerset Local Plan.

3 Construction Management Plan (Bespoke Trigger)

The development hereby approved shall be carried out in accordance with the Construction Management Plan Revision A dated 12th June 2020.

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

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 D2, D5 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 D2, D5 and NE2 of the Bath and North East Somerset Placemaking Plan.

6 External Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials (including rainwater goods) and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

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

7 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 drawings and document;

Date: 13.01.2020 Drwg. No. Drwg. title: Site plan

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Date: 16.06.2020 Drwg. No. 4142 - 0015F Drwg. title: Sections A-A B-B and C-C - as proposed

Date: 13.01.2020 Drwg. No. 4142 - D02A Drwg. title: Internal door detail

Date: 16.06.2020 Drwg. No. 4142 - 0013M Drwg. title: Ground and first floor plans - as proposed

Date: 16.06.2020 Drwg. No. 4142 - 0014K Drwg. title: Front and rear elevations - as proposed

Date: 15.06.2020 Document Title: 'Construction Management Plan Revision A'

Condition Categories

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