

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday, 29th July, 2020, 2.00 pm

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

#### 18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Lucy Hodge (substitute Cllr Ruth Malloy).

#### 19 DECLARATIONS OF INTEREST

The following declarations were made:

- Cllr Vic Clarke stated that he is a member of the Royal Society for the Protection of Birds (RSPB).
- Cllr Manda Rigby made a declaration in relation to application no. 20/01061/FUL – 21 Henrietta Gardens, Bathwick, Bath. Cllr Rigby used to live at 18 Henrietta Gardens but had not discussed the application with any of the current residents.
- Cllr Eleanor Jackson stated that she knew the agent for application no. 20/01078/FUL – Land North of 9B Tennis Court Avenue, Paulton, as he lives near to her. However, Cllr Jackson clarified that she did not know the agent well and so this would not impede her ability to consider the application.

#### 20 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

The Chair announced that he had agreed to consider two urgent items of business at this meeting:

- Planning Application Number 18/01516/REG04 – Land to the Rear of 89 to 123 Englishcombe Lane, Bath. The item would be presented to this meeting following a change to the Scheme of Delegation which had been agreed at the full Council meeting the preceding week. The reason for the urgency was that there was a large grant for ecological mitigation work associated with the application and the mitigation work had to be carried out during September and October. To enable the Committee to be able to take the full range of decisions (including deferring for a site visit if necessary) the application had to be considered at this meeting in order to make a decision within the necessary timescale.
- Member Call-in Period – The Committee was asked to consider extending the time for members to be able to call in an application to be heard by the

Planning Committee to two days after the closure of the consultation period. This was being considered as an urgent item to enable any changes to the scheme to be implemented as soon as possible.

**21 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.

**22 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 1 July 2020 were confirmed and signed as a correct record subject to the following amendments:

- Minute no. 11 – Declarations of interest – amend the declaration made by Cllr Duncan Hounsell to read “Walden Road” rather than “Torrige Road”.
- Minute no. 16 – Main Plans List – Item No. 8 – paragraph 12 – Amend “Waldron Road” to read “Walden Road”.

Cllr Rigby expressed concern that, despite a request at the last meeting for an update regarding recent enforcement action at Queenwood Avenue, Bath, this had not yet been received.

RESOLVED: To request that:

- An update on the enforcement action at 18-25 Queenwood Avenue, Bath be emailed to members of the committee as soon as possible.
- A progress report be submitted to the next meeting on the enforcement action taken at Parcel 2300 and Roberts Yard, Marsh Lane, Clutton.

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

The Committee considered:

- A report by the Head of Planning on various planning applications.
- An update report by the Head of Planning on items 1 and 2 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. 20/01078/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.

The agent spoke in favour of the application.

Cllr Liz Hardman, local ward member, spoke against the application. She stated that, the principle of housing development has been established on Tennis Court Avenue, a street made up entirely of semi-detached properties. However, a detached dwelling would not be in keeping with the street scene as all other houses in the street are semi-detached. She pointed out that a precedent has been set where two very recent applications in Tennis Court Avenue, for detached houses were rejected and both appeals had been dismissed by the Planning Inspector. She also stated that Paulton Parish Council is strongly opposed to the application.

The Case Officer then responded to questions as follows:

- There would be a side access which both the new property and 21 Hope Terrace would be able to use.
- A number of the properties in this part of the street have sold off part of their long gardens for development and the character of the area has changed as a result of new properties being built.

Cllr Jackson noted the impact of the development on the street scene and felt that the application should be refused on the grounds of urban design. She felt that the existing garage is neat and tidy and has no adverse impact on the area. It would not be possible to erect semi-detached properties on this plot.

Cllr Clarke had visited the area and did not see evidence of any particular parking problems in this street.

Cllr Hounsell felt that the design would fit in with the location and moved the officer recommendation to permit. This was seconded by Cllr Craig who stated that the development would not make any difference to parking in the area and that it would be a shame to lose the opportunity for a much-needed dwelling.

Cllr Rigby supported the motion stating that the detached dwelling would be in proportion with other properties in the street.

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

**Item No. 2****Application No. 20/01061/FUL****Site Location: 21 Henrietta Gardens, Bathwick, Bath, BA2 6NA – Erection of 4 dwellings and associated works following demolition of existing dwelling**

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

A representative of the Pulteney Estates Residents' Association (PERA) spoke against the application.

The agent spoke in favour of the application.

Cllr Dr Yuktेशwar Kumar, local ward member, spoke against the application. He stated that he had received a great deal of correspondence from local residents who were against this application. He stressed that any development in the heart of the city, which is a World Heritage Site, should be considered very carefully. He felt that the height of the buildings was not suitable for the site and that parking was a concern as it would cause inconvenience to the neighbours. Existing properties would also lose sunlight. The site may also be of archaeological importance and this should not be lost.

Officers then responded to questions as follows:

- The accommodation would be set across three floors at a height of 8m.
- There is no restriction on the number of storeys for a property in this area. The policy is driven by local character and there are a range of different dwelling heights in the area.
- The applicant does not own the access track leading to the site.
- There are 3-storey flats on one side of the site and 2-storey terraced houses on the other side.
- The level of overlooking is not considered enough to warrant refusal of the application. There would be some overlooking towards the built form of the neighbouring bungalow.
- The Highways Officer stated that the existing access would be retained and that this contains some private parking. There would be unobstructed access to the proposed dwellings and all eight parking spaces will be accessible.
- The two end dwellings would have a side access to their rear gardens and the two mid-terrace dwellings would have to access their rear gardens through the house itself.
- The cycle store would be located near the front door by the parking area and close to the bin stores.
- A loft extension could be added to the dwellings under permitted development rights; however, the addition of a dormer window would require planning permission.
- A Section 106 Agreement is in the process of being negotiated to secure a level of contribution for tree planting. It was noted that this should be included in the officer recommendation.
- The site is within an area of potential archaeological interest and conditions have been added to reflect this. Any archaeological findings will be recorded and preserved.

Cllr Rigby, local ward member on the Committee, noted that the existing bungalow adds no particular value to the area. However, she did not feel that the neighbouring flats should be used as a point of reference. There are three 2-storey houses next to the site which backs onto a private road containing garages for residents of Daniel Street. She felt that there is a level of harm to the Conservation Area and that the proposal would not preserve or enhance the area. She stated that the development is too large for the site and that there would be overlooking and loss of light to

neighbouring properties. She also felt that the development would be too high and that four houses was one too many. She then moved that the application be refused.

Cllr Jackson seconded the motion and felt that the application should be refused for the following reasons:

- Overdevelopment of the site.
- Inappropriate design for this location.
- Loss of amenity to neighbours.

Cllr Davis stated that the proposed 2.5 storey dwellings were appropriate for the area and pointed out that measures would be taken to protect the archaeology in the area.

Cllr Hounsell felt that the application represented intelligent use of the space available. He pointed out that residents could extend into the loft using permitted development rights in any case.

Cllr Clarke felt that the application is policy compliant and that the reasons put forward against the development are very subjective.

Cllr Malloy supported the motion stating that the application would result in overdevelopment of the site and properties that would not be in keeping with the area.

The Team Manager, Development Management, informed the Committee that house values are not a material consideration, although housing mix to meet housing need can be taken into account.

The motion was put to the votes and there were 5 votes in favour and 5 votes against. The Chair then used his casting vote against the motion. The motion was therefore LOST.

Cllr Davis then moved the officer recommendation to delegate to permit the application subject to conditions and the completion of a Section 106 Agreement. This was seconded by Cllr Clarke.

The motion was put to the vote and there were 5 votes in favour and 5 votes against. The Chair then used his casting vote in favour of the motion and it was therefore RESOLVED to DELEGATE TO PERMIT the application subject to the conditions set out in the report and the completion of a S106 Agreement to secure a contribution towards tree planting.

### **Item No. 3**

#### **Application No. 19/04024/FUL**

**Site Location: 8 South Parade, Chew Magna, BS40 8SJ – Conversion and change of use of former NatWest Bank Buildings into 3 apartments and retail unit**

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

The agent spoke in favour of the application.

Cllr Karen Warrington, local ward member, spoke against the application. She explained that the building is in a Conservation Area and that it is important to preserve the building. The Parish Council is keen to see the building brought back into use. She expressed concerns regarding non-compliance with the parking policy, inappropriate density in this location, the impact on the Conservation Area and Grade II\* listed building and the impact on the viability of retail outlets in Chew Magna High Street.

Officers then responded to questions as follows:

- Whilst the current Covid-19 situation has an impact, this is considered to be a temporary issue and so should be given little weight.
- There are no specific space standards in the B&NES policies, however it is considered that the size of the apartments is acceptable.
- The top floor was previously office space for the bank (A2 use).
- The Highways Officer explained that officers do not feel that the proposed retail unit requires parking provision. There is a shortfall of six parking spaces for the residential element of the proposal, however, free parking is available within walking distance of the property.
- The Case Officer explained that weight has been given to the fact that there is a parking shortfall. It was felt that the benefits of the proposal outweighed the lack of parking provision.

Cllr Clarke noted that this area has always experienced problems with parking. However, he felt that it has been worse in the past when there were more pubs and shops in the village. He supported the development and the use of this building.

Cllr Hounsell stated that parking in Chew Magna is very difficult and that this would be challenging with a shortfall of six parking spaces.

Cllr Jackson moved the officer recommendation to permit. She felt that the proposal would improve the external appearance of the building and would make good use of an empty building. Cllr Clarke seconded the motion.

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 1 vote against and 2 abstentions to PERMIT the application subject to the conditions set out in the report.

#### **Item No. 4**

##### **Application No. 19/05110/FUL**

##### **Site Location: Three Ways, Station Road, Clutton – Erection of a single storey 2 bedroom dwelling adjacent to existing bungalow**

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

A representative from Clutton Parish Council spoke against the application.

Officers then responded to questions as follows:

- There is a warning sign near to the site asking drivers to be aware of the possibility of pedestrians walking in the road. The area marked for pedestrians is a flush surface used by both pedestrians and vehicles. There is not a formal crossing point.
- The Highways Officer stated that, according to the Highway Code, there should be no parking within 10m of a junction. The junction is 7.5m from the entrance to the property and 10m from the centre of the site. It was noted that the Highways Officer had not visited the site and had relied solely on written information to reach his conclusions.

Cllr MacFie felt that the junction was dangerous and noted that there is no solid pavement for pedestrians to use.

Cllr Craig noted that a vehicle would have to either reverse into or out of the site and also felt that it was a dangerous junction.

Cllr Davis, ward councillor on the committee, stated that highway safety was the main concern.

Cllr Rigby was concerned that the Highways Team had not visited the site and queried how vehicles would enter and exit the site.

Cllr Clarke welcomed the provision of new houses in the area, however, felt that this was a difficult location.

Cllr Jackson moved that the application be refused on highway safety grounds as the entrance is located so close to the junction. This was seconded by Cllr Hounsell.

The motion was put to the vote and it was RESOLVED unanimously to REFUSE the application on the grounds of highway safety which is contrary to Policy ST7.

#### **Item No. 5 – Urgent Item**

##### **Application No. 18/01516/REG04**

**Site Location: Land to the Rear of 89 to 123 Englishcombe Lane, Bath – Development of 37 residential dwellings (Use Class C3, including affordable housing), vehicular and pedestrian access, open space, landscaping, drainage, related infrastructure and engineering works.**

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

Two local residents spoke against the application.

The agent spoke in favour of the application.

Cllr Jess David, local ward member, spoke against the application. She raised concerns regarding the ecological value of the site, visual and landscape impact of the proposal and transport planning and the potential impact on the local highway. She felt that the application is contrary to policies NE3, NE2A, ST7 and ST1. She did not feel that the application adequately addresses the challenges and complexities of this site: its ecology, its landscape setting, and the need to minimise impacts on the local highway and promote more sustainable travel.

The Case Officer then responded to questions as follows:

- The habitat translocation site is on Pennyquick Hill and is a greenfield site in the Green Belt which has previously been a farm.
- The habitat creation and translocation work must be completed by October and therefore needs to take place during September and October this year.
- The Pennyquick site is privately owned and can currently be accessed by members of the public but there is no automatic entitlement to do so in the future.
- If the tufa flushes remained on the Englishcombe Lane site then there would need to be a significant reduction in the number of houses to be built. If the tufa flushes were left intact, then it was estimated that only around 10-20 properties could be built on the site rather than the proposed 37 properties. Officers felt that the need for the 37 houses outweighed the harm that would be caused.

Cllr Jackson moved that consideration of the application be deferred pending a site visit. This was seconded by Cllr Rigby.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 abstention to DEFER consideration of the application pending a SITE VISIT to both the Englishcombe Lane and Pennyquick Hill sites. If possible, this should be a physical rather than a virtual site visit.

#### 24 **MEMBER CALL-IN PERIOD**

The Committee considered a report which asked them to consider a proposal to extend the time for members to be able to call in an application to be heard by the Planning Committee from 5 weeks from the publication of the Weekly List to 2 days after the closure of the public consultation/publicity period. It was noted that, as a change to the Scheme of Delegation, the final decision must be made by the full Council and the Planning Committee's views will inform the Council report.

It was noted that the proposal would reduce the transparency of deadline dates on applications as these may vary per application. There has been no consultation on the proposal yet, and officers recommended that consultation with the Agents' Forum should take place prior to any final decision.

RESOLVED: To defer consideration of this report until the next meeting to enable further work and consultation to take place.

#### 25 **POLICY DEVELOPMENT - AGENDA ITEM**

The Chair asked the Committee whether they would agree to an additional standing item entitled "Policy Development" to be added to future agendas. A number of policy developments are under discussion and will need to be considered at future meetings.

RESOLVED: To add a standing item entitled "Policy Development" to future Planning Committee agendas.

26 **QUARTERLY PERFORMANCE REPORT - APRIL TO JUNE 2020**

The Committee considered the quarterly performance report from April to June 2020.

Councillor Hounsell asked for more detailed information to be provided regarding enforcement investigations. He asked for the enforcement report (of resolved cases) to be split into those resolved due to compliance and those resolved due to it not being expedient to take action.

RESOLVED: To note the report.

27 **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 6.03 pm

Chair .....

Date Confirmed and Signed .....

Prepared by Democratic Services

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**Planning Committee**

**Date 29<sup>th</sup> July 2020**

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

**ITEM**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
1	20/01078/FUL	Land north of 9B Tennis Court Avenue Paulton

This application was considered by the Planning Committee on the 1<sup>st</sup> July 2020. The committee resolved that a site visit should be carried out to enable Councillors to assess the development in relation to the surrounding context. A virtual site visit was carried out on the 20<sup>th</sup> July 2020. Councillors were shown a video of the local area including Tennis Court Avenue and Tennis Court Road.

**HIGHWAYS PARKING RESTRICTIONS**

There are only yellow lines on Tennis Court Road in the vicinity of the site at the corners of the junctions of Tennis Court Road and Park Road (to the north) and Specklemead (to the South). There are yellow lines on the corner of the junction with Plumptre Road and yellow lines outside numbers 16-19 Tennis Court Road opposite the junction with Plumptre Road. There is a disabled space adjacent to these yellow lines. The rest of this section of Tennis Court Road is available for parking. Most of the properties on the east side of this road have their own off-street parking.

Tennis Court Avenue does not have any yellow line parking restrictions in the vicinity of the site.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
2	20/01061/FUL	21 Henrietta Gardens Bathwick Bath Bath And North East Somerset BA2 6NA

The report incorrectly refers to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in the second to last paragraph of the design and heritage section of the report. The application does not require listed building consent but is within the setting of listed buildings as such this section should have instead referred to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The paragraph should therefore read;

“There is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission for development which affects a listed building or its setting, that the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Here it is considered that the proposals are consistent with the aims and requirements of the primary legislation and planning policy and guidance. The proposals would not have an unacceptable impact on the listed building or its setting and would preserve the significance of the designated Heritage asset. The proposal accords with policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017) and part 16 of the NPPF.”

**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 29 JULY 2020**

<b>MAIN PLANS LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>NAME</b>	<b>FOR/AGAINST</b>
Urgent Item	Land to the rear of 89 – 123 Englishcombe Lane, Bath	David Roberts	Against (To share 10 minutes)
		Danny Groves	
		Arwel Evans (Agent)	For (10 minutes)
		Cllr Jess David (Local Ward Member)	N/A (5 minutes)
1	Land North of 9B, Tennis Court Avenue, Paulton	Dave Bissex (Agent)	For
		Cllr Liz Hardman (Local Ward Member)	Against
2	21 Henrietta Gardens, Bathwick, Bath, BA2 6NA	Sasha Wass (On behalf of Pulteney Estates Residents' Association - PERA)	Against
		Chris Beaver (Agent)	For
		Cllr Dr Kumar (Local Ward Member)	Against
3	8 South Parade, Chew Magna, BS40 8SJ	Marcus Fox (Agent)	For
		Cllr Karen Warrington (Local Ward Member)	Against

4	Three Ways, Station Road, Clutton	Cllr Rosemary Naish (Clutton Parish Council)	Against
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**BATH AND NORTH EAST SOMERSET COUNCIL**

**PLANNING COMMITTEE**

**29th July 2020**

**DECISIONS**

<b>Item No:</b>		
<b>Application No:</b>	18/01516/REG04	
<b>Site Location:</b>	Land To The Rear Of 89 To123, Englishcombe Lane, Southdown, Bath	
<b>Ward:</b> Odd Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Regulation 4 Application	
<b>Proposal:</b>	Development of 37 residential dwellings (Use Class C3, including affordable housing), vehicular and pedestrian access, open space, landscaping, drainage, related infrastructure and engineering works.	
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Policy GDS1 Site Allocations, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE3 Local Nature Reserve, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Bath & North East Somerset Council	
<b>Expiry Date:</b>	31st December 2019	
<b>Case Officer:</b>	Tessa Hampden	

**DECISION** DEFERRED FOR COMMITTEE SITE VISIT

**PLANS LIST:**

03 Jun 2020 065-403\_P1 WELDMESH FENCING  
03 Jun 2020 065-501\_P4 ACCESS ROAD SECTIONS  
03 Jun 2020 065-502\_P1 ACCESS ROAD SECTION  
03 Jun 2020 065-503\_P1 ACCESS ROAD LONG SECTIONS  
03 Jun 2020 065-510\_P4 SECTION EE  
03 Jun 2020 065-511\_P5 SECTIONS CC  
03 Jun 2020 065-512\_P4 SECTION KK  
03 Jun 2020 065-G107-1\_P3 PROPOSED MATERIALS - HARD LANDSCAPE  
03 Jun 2020 065-G107-2\_P3 PROPOSED MATERIALS - SITE FURNITURE  
03 Jun 2020 065-G107-3\_P3 PROPOSED PLANTING - TREE PALETTE  
22 Jun 2018 020015 B PROPOSED SITE ELEVATIONS  
22 Jun 2018 030011 A PROPOSED SITE SECTIONS  
22 Jun 2018 030015 PROPOSED SITE SECTIONS  
22 Jun 2018 040001 PROPOSED BIN STORES

05 Apr 2018	900010	PROPOSED SITE PLAN 1 OF 2	Public
22 Jun 2018	040002	PROPOSED BIN STORES	
03 May 2018	5889-BR-V01-ZZ-DR-A-010104	PROPOSED PLANS HOUSE TYPE 3	
03 May 2018	5889-BR-V01-ZZ-DR-A-010111	PROPOSED PLANS HOUSE TYPE 6	
03 May 2018	5889-BR-V01-ZZ-DR-A-010119	PROPOSED PLANS HOUSE TYPE 8	
05 Apr 2018	010100	HOUSE TYPE 01 - PROPOSED PLANS	
05 Apr 2018	010102	HOUSE TYPE 02 - PROPOSED PLANS	
05 Apr 2018	010106	HOUSE TYPE 04 - PROPOSED PLANS	
05 Apr 2018	010108	HOUSE TYPE 05 - PROPOSED PLANS	
05 Apr 2018	010113	APARTMENTS - PROPOSED PLANS	
05 Apr 2018	010114	APARTMENTS - FLAT LAYOUTS	
05 Apr 2018	010117	HOUSE TYPE 07 - PROPOSED PLANS	
05 Apr 2018	010117	HOUSE TYPE 07 - PROPOSED PLANS	
05 Apr 2018	020015	PROPOSED SITE ELEVATIONS	
05 Apr 2018	020101	HOUSE TYPE 01 - PROPOSED ELEVATIONS	
05 Apr 2018	020103	HOUSE TYPE 02 - PROPOSED ELEVATIONS	
05 Apr 2018	020105	HOUSE TYPE 03 - PROPOSED ELEVATIONS	
05 Apr 2018	020105	HOUSETYPE 03 - PROPOSED ELEVATIONS	
05 Apr 2018	020107	HOUSE TYPE 04 - PROPOSED ELEVATIONS	
05 Apr 2018	020109	HOUSE TYPE 05 - PROPOSED ELEVATIONS	
05 Apr 2018	020110	HOUSE TYPE 05, PLOT 19-21 - PROPOSED ELEVATIONS	
05 Apr 2018	020112	HOUSE TYPE 06 - PROPOSED ELEVATIONS	
05 Apr 2018	020112	HOUSE TYPE 06 - PROPOSED ELEVATIONS	
05 Apr 2018	020115	APARTMENTS - PROPOSED ELEVATIONS	
05 Apr 2018	020116	APARTMENTS - PROPOSED ELEVATIONS	
05 Apr 2018	020120	HOUSE TYPE 08 - PROPOSED ELEVATIONS	
05 Apr 2018	020120	HOUSE TYPE 08 - PROPOSED ELEVATIONS	
05 Apr 2018	030010	PROPOSED SITE SECTIONS	
05 Apr 2018	030011	PROPOSED SITE SECTIONS 2	
05 Apr 2018	030012	PROPOSED SITE SECTION 3	
05 Apr 2018	030013	PROPOSD SITE SECTIONS 4	
05 Apr 2018		EXISTING SITE SURVEY	
05 Apr 2018	900102	PROPOSED PLOT NUMBERS	
05 Apr 2018	900100	SITE LOCATION PLAN	
05 Apr 2018	900011	PROPOSED SITE PLAN 2 OF 2	
05 Apr 2018	900012	PROPOSED SITE PLAN	
05 Apr 2018	900013	PROPOSED SITE CONTEXT 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](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Local Highway Authority require an agreement (Section 106, Section 38, Section 278)

The Local Highway Authority (LHA) requires the developer to enter into a legally binding agreement(s) to secure the vehicular access and adoption of the internal access roads and footways as public highway. Further information in this respect may be obtained by contacting the LHA.

The Local Highway Authority requires Road Safety Audits

The detailed design of the vehicular access to the application site together with the layout of the internal access roads and footways shall be subject of an independent Stage 2 Road Safety Audit (RSA) and the completed works shall be the subject of an independent Stage 3 RSA. Both audits will be undertaken in accordance with GG119. Both audit briefs together with the CV of the Audit Team Leader and Audit Team Member shall be submitted to and approved in writing by the LHA. A representative of the LHA shall be present at the Stage 2 RSA site visit as an observer and a representative of the LHA and Avon and Somerset police shall be invited to attend the daytime and night-time Stage 3 RSA site visits

### **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](http://www.bathnes.gov.uk/cil)

<b>Item No:</b>	01	
<b>Application No:</b>	20/01078/FUL	
<b>Site Location:</b>	Land North Of 9B, Tennis Court Avenue, Paulton, Bristol	
<b>Ward:</b> Paulton	<b>Parish:</b> Paulton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of detached dwelling.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Harrub Ltd	
<b>Expiry Date:</b>	31st July 2020	
<b>Case Officer:</b>	Christine Moorfield	

## **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 Surface water management (Compliance)**

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.

#### **4 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).

#### **5 Water Efficiency - Rainwater Harvesting (Pre-occupation)**

No occupation of the approved dwelling 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.

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

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

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

#### **7 Hard Landscaping (Pre-occupation)**

No occupation shall commence until a hard landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing an appropriate surface finish at the front of the dwelling adjacent to Tennis Court Avenue. The surface shall be constructed in accordance with the approved details prior to the first occupation of the dwelling.

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

## **PLANS LIST:**

2020519-20, 21, 22, 23 and 24 all dated 16/03/20

### **Condition Categories**

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

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

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

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

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

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

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

### **Community Infrastructure Levy**

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](http://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.

### **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.

### **Coal Mining - Low Risk Area (but within coalfield)**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

<b>Item No:</b>	02	
<b>Application No:</b>	20/01061/FUL	
<b>Site Location:</b>	21 Henrietta Gardens, Bathwick, Bath, Bath And North East Somerset	
<b>Ward:</b> Bathwick	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 4no. dwellings and associated works following demolition of existing dwelling.	
<b>Constraints:</b>	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 B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Longacre Development Ltd	
<b>Expiry Date:</b>	30th July 2020	
<b>Case Officer:</b>	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 Drainage Design (Pre-commencement)**

No development shall commence (except for demolition, ground investigations or remediation works), until a detailed drainage design including plans and calculations

(demonstrating no flooding at the critical 1in100+40% storm event) has been submitted to and approved in writing by the Local Planning Authority. This design should consider discharge to the ground via soakaways in the first instance for which evidence of both a viable infiltration rate (testing to comply with BRE Digest 365); and confirmation that there will be least 1m clearance between the highest seasonal groundwater level and the base of the proposed infiltration structure is required. If soakaways are demonstrated not to be viable then an alternative means of disposing surface water within the site will be required for approval (this should be supported with any relevant third party approvals).

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.

### **3 Archaeological Evaluation (Pre-commencement)**

No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a field evaluation of the site to determine date, extent, and significance of any archaeological deposits or features, and shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of potential archaeological interest and the Council will wish to evaluate the significance and extent of any archaeological remains.

### **4 Archaeology Controlled Excavation (Pre-commencement)**

No development shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled excavation of all significant deposits and features which are to be disturbed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation. Thereafter the building works shall incorporate any building techniques and measures necessary to mitigate the loss or destruction of any further archaeological remains.

Reason: The site is within an area of major 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.

### **5 Archaeology Post Excavation and Publication (Pre-occupation)**

No occupation of the development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the

approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site has produced significant archaeological findings and the Council will wish to publish or otherwise disseminate the results in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan.

#### **6 Tree Protection Plan (Pre-commencement)**

No development shall take place until an annotated tree protection plan produced following the recommendations contained within BS 5837:2012 identifying measures (fencing and/or ground protection measures) to protect the trees to be retained has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan should include the design of protective fencing proposed and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with policy NE.6 of the Placemaking Plan and CP7 of the Core Strategy. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

#### **7 Implementation of Wildlife Scheme (Pre-Occupation)**

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs, completion and implementation of the Wildlife Protection and Enhancement Measures detailed in Section 8 of Ecological Appraisal (Ethos Environmental Planning, March 2020) has been submitted to and approved in writing by the Local Planning Authority. This shall include avoidance and protection measures for nesting birds, reptiles and hedgehog and ecological enhancement measures including bat and bird boxes, hedgehog connectivity measures and beneficial planting for wildlife.

Reason: To demonstrate the completed implementation of the Wildlife Protection and Enhancement recommendations as set out in the ecology report, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3 NE5 and D5e of the Bath and North East Somerset Local Plan.

#### **8 Materials - Submission of Schedule and Samples (Bespoke Trigger)**

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. Additionally, a sample panel of all external walling materials to be used showing the lime mortar joints shall be erected on site. The development shall thereafter be carried out only in accordance with the approved details.

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

### **9 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.

### **10 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, and site opening times. 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.

### **11 Waste Management Plan (Pre-Occupation)**

No occupation of the development hereby approved shall commence until a detailed waste management plan including collection arrangement by refuse vehicles has been submitted to and approved in writing by the Local Planning Authority. 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.

### **12 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).

### **13 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.

### **14 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.

### **15 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:

- 13 Mar 2020 001 Site Location Plan
- 13 Mar 2020 005 Opportunities and Constraints Plans
- 13 Mar 2020 006 Proposed Site Plan
- 13 Mar 2020 011 Proposed Ground Floor Plan
- 13 Mar 2020 012 Proposed First Floor Plans
- 13 Mar 2020 013 Proposed Second Floor Plans
- 13 Mar 2020 014 Proposed Roof Plan
- 13 Mar 2020 020 Proposed North Elevation
- 13 Mar 2020 021 Proposed East Elevation
- 13 Mar 2020 022 Proposed South Elevation
- 13 Mar 2020 023 Proposed West Elevation
- 13 Mar 2020 025 Proposed Sections
- 13 Mar 2020 030 Proposed Site Section Aa
- 13 Mar 2020 031 Proposed Site Section Bb
- 13 Mar 2020 032 Proposed Site Section Cc
- 13 Mar 2020 033 3d Visualisation
- 13 Mar 2020 034 Aerial Views Massing Model
- 13 Mar 2020 035 Proposed Waste Management Plan
- 13 Mar 2020 19084-D01-B Drainage Strategy Layout

## **Condition Categories**

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

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

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

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

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

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

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

## **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](http://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.

<b>Item No:</b>	03
<b>Application No:</b>	19/04024/FUL
<b>Site Location:</b>	8 South Parade, Chew Magna, Bristol, Bath And North East Somerset
<b>Ward:</b> Chew Valley	<b>Parish:</b> Chew Magna <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Conversion and change of use of former Natwest Bank Buildings into 3 apartments and retail unit
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Policy CP12 Centres and Retailing, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Listed Building, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
<b>Applicant:</b>	Frater Developments
<b>Expiry Date:</b>	5th August 2020
<b>Case Officer:</b>	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 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until the proposed bicycle storage shown on the approved plans has been provided in accordance with 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 ST7 of the Bath and North East Somerset Placemaking Plan.

### 3 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 and site opening times. 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.

#### **4 Tree Protection Plan (Pre-commencement)**

No development shall take place until an annotated tree protection plan produced following the recommendations contained within BS 5837:2012 identifying measures ( fencing and/or ground protection measures ) to protect the adjacent trees has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The plan shall include proposed tree protection measures during site preparation during construction and landscaping operations. The plan should include the design of protective fencing proposed and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with policy NE.6 of the Placemaking Plan and CP7 of the Core Strategy. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore, these details need to be agreed before work commences.

#### **5 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).

#### **6 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.

#### **7 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.

### **8 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:

05 Jun 2020 100 Rev C Proposed Floor Plans  
05 Jun 2020 110 Rev B Proposed Elevations  
11 Sep 2019 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](http://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](http://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.

<b>Item No:</b>	04	
<b>Application No:</b>	19/05110/FUL	
<b>Site Location:</b>	Three Ways, Station Road, Clutton, Bristol	
<b>Ward:</b> Clutton And Farmborough	<b>Parish:</b> Clutton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a single storey 2 bedroom dwelling adjacent to existing bungalow	
<b>Constraints:</b>	Bristol Airport Safeguarding, Clutton Airfield, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy M1 Minerals Safeguarding Area, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr Dean	
<b>Expiry Date:</b>	12th June 2020	
<b>Case Officer:</b>	Hayden Foster	

### DECISION REFUSE

1 The proposed development is considered to present an unacceptable means of access and parking arrangements which would prejudice highways safety. Therefore, the proposal is contrary to policy ST7 of the Placemaking Plan for Bath and North East Somerset (2017) and part 9 of the NPPF.

### PLANS LIST:

This decision relates to the following plans received 23rd November 2019:

Drawing Number: P002 - Proposed Ground Floor Plan  
Drawing Number: P006 - Proposed Section

Plans received 15th May 2020:

Drawing Number: P100 C4 - Proposed Block Plan  
Drawing Number: P005 C4 - Proposed 3D View and South Elevation

Plans received 22nd May 2020:

Drawing Number: P004 C4 - Proposed North and East Elevations

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

### **Community Infrastructure Levy**

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

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