

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 23rd September, 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

37 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

38 DECLARATIONS OF INTEREST

There were no declarations of interest.

39 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

40 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.

41 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 26 August 2020 were confirmed as a correct record.

42 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 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 Nos. 1 and 2

Application Nos. 19/04933/FUL and 19/04934/LBA

Site Location: Royal National Hospital for Rheumatic Diseases, Upper Borough Walls, Bath – Change of use from hospital (Use Class D1) to 164 bedroom hotel (Use Class C1) and 66sq m of restaurant/café (Use Class A3); to include publicly accessible restaurant, health spa, bar, lounge/meeting spaces at ground and first floor; external alterations to East Wing roof including removal of lift room and flu, demolition and replacement of roof top plant area and extension to existing pitched roof; demolition and replacement of modern infill development to south elevation and new infill development to north elevation of the East Wing internal courtyard and new glazed roof to spa area; removal of modern external staircase to rear of West Wing and replacement infill development and glazed link to new extension; demolition and replacement of 3rd storey extension to West Wing; alterations to the roof of West Wing; including new lift shaft and plant screen; erection of 3.5 storey extension to rear of West Wing with glazed link/conservatory space; removal of two trees and replacement tree planting; landscaping and associated works.

Listed Building Consent: Internal and external alterations associated with proposed conversion to hotel (Use Class C1); demolition and replacement of modern infill extension, new glazed roof and new infill development of northern elevation to internal courtyard of East Wing; alterations to the roof of East and West Wings; removal of external staircase to West Wing and replacement with glazed link to new extension and replacement infill development; abutment of new glazed structure with West Wing chapel south wall; demolition and replacement of 3rd floor extension and replacement infill development; abutment of new glazed structure with west wing chapel south wall; demolition and replacement of 3rd floor extension to West Wing and additional plant screen and lift overrun to West Wing roof; partial demolition of the boundary wall on Parsonage Lane; construction of replacement glass screen to main internal ground floor lobby of West Wing; changes to internal layout and consequential changes to internal partitions and other fabric.

The Chair explained that it had not been possible to physically visit the site due to the current situation with Covid-19 and the need to maintain the safety of members, officers and members of the public. The Committee had, instead, undertaken a virtual site visit in which they viewed films of the site prepared by officers along with photographs and drawings. Members also have local knowledge of the area. He reassured members of the public that a lot of time and effort had gone into ensuring that the Committee had viewed the sites as thoroughly as possible and were fully prepared to consider the applications.

The Case Officer reported on the applications and her recommendation to permit and to grant listed building consent.

Three members of the public spoke against the application.

The agent and a representative from Bath Preservation Trust spoke in favour of the application.

Officers responded to questions as follows:

- The vertical sky component has been used to provide the sunlight assessment for the neighbouring properties in Parsonage Lane. This considers vertical light and daylight distribution. This assessment does not consider reflected light or the particular materials that light is reflected from. The amount of reflected light would vary depending on the location within the property.
- Great weight must be given to the harm to a heritage asset. This could include harm to the historic fabric of the building, harm to the setting and loss of open space. This would then have to be weighed against the public benefits such as the continued long-term use of the building, replacement roof, open ground floor windows and the opportunity for the public to view the mosaics contained within the building. The proposed spa has links to the historic use of the building. There would also be public realm improvements in Parsonage Lane.
- Members were reminded about the importance of considering the public sector equality duty, particularly with regard to the impact on the outlook of some neighbours with the protected characteristics of age or disability.
- Access to the building would normally only be for users of the spa or restaurant. The Section 106 Agreement would include a clause to secure heritage open days to enable groups to view the building and mosaic.
- There has been no independent test of viability for the use of the building. If the building was converted into private apartments there would be no public use of the building. There is no requirement for a viability assessment for this type of development as it is for the developer to decide whether a project is viable.
- The Local Plan does not specify a cap for the number of hotel rooms to be provided in Bath. The principle of development in this case is acceptable as a town centre use and is not contrary to the Local Plan.
- If the extension is not built, then the business may not be viable.
- Four trees would be lost but five replacements are proposed. The ecologist is satisfied that, subject to enhancements, for example, the provision of bird and bat boxes, that there would not be loss of biodiversity. This is in accordance with the Development Plan.
- The Agent submission relating to the ecological enhancements is robust and a wildlife friendly space can be secured by condition along with the retention of some trees.
- There is some parking directly outside of the site. At the eastern end of the Lower Borough Walls there is a loading bay and blue badge parking. Adjacent to the site there is further blue badge parking. The ambulance bay will become redundant and can be used for loading.
- There is no allocated parking space for users of the hotel, however, two to three spaces would be available outside.
- There would be less vehicle movement with this development than with the previous use as a hospital.

Cllr Craig stated that the Mineral Hospital is a much-loved building in the centre of Bath and must not fall into disrepair. She welcomed the plans to allow some public access to the building and noted that compromises have been made by the agent. However, she had concerns around the size and mass of the proposed extension.

She stated that trees are very important in urban areas and noted that some large trees would be lost. She also had concerns about the reduction in open space and loss of wildlife habitat. She did not feel that the proposal would enhance the listed building as the extension would be overbearing and contrary to Policy D6. She also raised concerns about harm to the amenity of local residents due to loss of light and the height of the extension; plus the impact upon the Scheduled Ancient Monument.

Cllr Craig then moved that the planning application be refused as it was contrary to policies D6, NE5, D7 and D4 (relating to backland development, unacceptable scale and mass, impact on biodiversity and ecological networks, adverse effect on amenity and impact on the surrounding townscape).

Cllr Rigby seconded the motion. She stated that the Council owed a duty of care to local residents in Parsonage Lane and Bridewell Lane as their residential amenity would be adversely affected to a great extent.

Cllr MacFie stated that the main issue was the height of the extension and that if the six bedrooms on the top floor of the extension were removed then this would cause less harm to local residents. He would also like to see a positive gain on green space.

Cllr Hounsell, on balance, supported the officer recommendation and stressed the need for the Committee to consider the proposal that was being put forward.

Cllr Hodge stated that she had concerns regarding the bulk of the extension, loss of amenity for residents in Parsonage Lane and the loss of green space.

Cllr Davis stated that she felt, overall, that the benefits do outweigh the potential harm.

Cllr McCabe stated that the footprint of the new building was an issue and he had concerns about the impact on local residents.

Cllr Jackson stated that it was a considerable gain to preserve the building. However, the extension was a concern.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 3 votes against to REFUSE the planning application for the following reasons:

- The proposal is contrary to policies NE5, D4, D6 and D7 (relating to backland development, impact on biodiversity and ecological networks, adverse effect on amenity and impact on the surrounding townscape).
- The size, bulk and massing of the proposed extension.

The Committee then went on to discuss the Listed Building application. The legal advisor advised members that they should apply s16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and focus upon the impact upon the listed building. Cllr Craig moved that the application be refused due to the harm to the setting and special character of the listed building. This was seconded by Cllr Rigby.

Cllr Jackson stated that the impact of the extension would cause visual harm to the listed building.

Cllr Hodge stated that the scale and bulk of the extension was her main concern.

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 2 votes against and 2 abstentions to REFUSE listed building consent for the following reason:

- The proposal would cause harm to the setting and special character of the listed building, which is not outweighed by the public benefits, contrary to Policies HE1, D4 and D7.

Item No. 3

Application No. 20/01893/LBA

Site Location: Cleveland Bridge, Bathwick, Bath – The refurbishment, repair and strengthening of a Grade II* listed structure

This item was withdrawn.

Item No. 4

Application No. 19/05204/FUL

Site Location: Parish's House, Hook, Timsbury, Bath – Change of use and extension of gardener's store/workshop into a conference/function centre and retrospective permission for the erection of a gazebo

This item was withdrawn.

Item No. 5

Application No. 20/02333/FUL

Site Location: 231 Wellsway, Bath, BA2 4RZ – Hip-to-gable loft conversion with dormer windows to front and back, replace windows and a new roof to the front bay windows

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

The applicant spoke in favour of the application.

Cllr Alison Born, local ward member, spoke against the application. She stated that local residents were concerned at the lack of consultation by the applicant. They also had concerns about additional pressure on parking in the area, lack of privacy and increased noise. She stated that the application represented overdevelopment of the site and that the occupancy should be restricted to four. There were also concerns about the effect on the visual character of the area due to the dormer windows.

The Case Officer responded to questions as follows:

- The new roof would be visible from Wellsway.
- The veranda would no longer be attached to a bedroom but would form part of the main living area which would open onto the terrace.

- This is not an application for change of use and the existing use class C4 allows for 4 to 6 unrelated occupants. There are no planning policy guidelines that refer to the Covid-19 “rule of six” and so this would not be a material consideration.
- The property is large enough to contain three upstairs bedrooms. There is no policy on room sizes for HMO properties. The proposed room sizes exceed the requirements for an HMO licence.
- There is no parking with the curtilage of the property.
- Due to the layout of the site the property has two storeys at the rear.
- There are various roof types in the locality.
- There is a condition requiring the provision of a bike store for two bikes.

Cllr Craig had concerns about the views of the property from the other side of the valley and did not like the design of the roof.

Cllr Hodge had concerns regarding the balcony and rooms in the roof. She felt that the impact on the residential amenity would be adversely affected by the change in the orientation of the living space. She then moved that the application be refused due to the adverse effect on residential amenity. This was seconded by Cllr Craig.

Cllrs Jackson and Davis did not feel that there were policy grounds for refusal.

Cllr Rigby suggested that a further reason for refusal should be added relating to the design, including the long flat roof which would be visible from the other side of the valley. This was agreed by the mover and seconder of the motion.

Cllr McCabe felt that the proposal would mean that the property would no longer be subservient to the original and was concerned that the number of occupants could increase.

The motion was put to the vote and it was RESOLVED by 6 votes in favour and 4 votes against to REFUSE the application for the following reasons:

- The adverse effect on residential amenity.
- Poor design which would impact on views from the other side of the valley.

Item No. 6

Application No. 20/01688/FUL

**Site Location: Inglescombe Cottage, Church Lane, Englishcombe, Bath –
Garage conversion for additional living accommodation as an annex to the
existing house**

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

A representative from Englishcombe Parish Council spoke regarding the application.

The Case Officer then responded to questions as follows:

- There would not be a window in the wall of the bedroom and the only natural light would be from the windows in the roof.
- The annex is intended to be used for additional living accommodation and not

- a holiday let.
- A condition could be included that the roof lights should be heritage lights, but members were advised that it was not possible to impose a condition reducing the number of roofs lights to two.
 - There was a possibility that the annex could be used for AirBNB. However, there is case law regarding the use of ancillary accommodation and appeal decisions concerning residential holiday lets; it depends on how the accommodation is used as a matter of fact and degree and the frequency of use.
 - A separate dwelling in its own right would require further consent. However, no further planning application would be required to make internal changes such as the addition of a kitchenette.
 - The parking requirement for this property is 3 parking spaces and it is proposed that the existing 4 spaces be retained. There were no highway concerns regarding the proposal.

Cllr McCabe then moved that the Committee delegate to permit the application and that a condition be included to require the use of heritage roof lights. This was seconded by Cllr Davis.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application subject to the conditions set out in the report and the inclusion of an additional condition to require the use of heritage roof lights.

Item No. 7

Application No. 20/01999/FUL

Site Location: 88 The Oval, Southdown, Bath, BA2 2HE – Change of use from dwelling (Use Class C3) to 6-bed house in multiple occupation (HMO) (Use Class C4)

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

A local resident spoke against the application.

The applicant spoke in favour of the application.

Cllr Jess David, local ward member, spoke against the application. She expressed concern about the loss of family housing due to conversions to HMO properties. She felt that the application represented the over-extension of the property in this 1930s housing estate. She also raised concerns regarding car parking, traffic congestion and harm to the residential amenity.

The Case Officer responded to questions as follows:

- The property already has permission to be used as an HMO and this application is for the removal of the occupancy limit of no more than 5.
- The car parking spaces do not overlap and can be accommodated in the space available.
- A change from C3 to C4 use would usually allow up to 6 occupants.

Cllr Jackson stated that she did not feel that there were policy reasons to refuse the

application. She noted that there is a good bus service in this area and that car use cannot be conditioned.

Cllr Craig felt that the parking arrangements were unrealistic and that there was only space for 3 cars rather than 4 to park on the driveway.

Cllr Hodge expressed concern at the loss of a family residence and the detrimental effect on residential amenity. She noted that the original restriction of the HMO to 5 residents was made on the grounds of residential amenity and queried the rationale for overturning this.

Members noted that the Supplementary Planning Document relating to HMO properties is currently under review. Officers agreed to feed back to the policy team the concerns of members about their inability to control the increase in HMO properties in the Bath area and the subsequent loss of family homes.

Cllr Davis stated that there were no grounds on which to refuse the application and moved the officer recommendation to permit. This was seconded by Cllr Jackson.

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

Item No. 8

Application No. 20/02340/FUL

Site Location: 94 The Oval, Southdown, Bath, BA2 2HF – Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4)

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

A local resident spoke against the application.

Cllr Jess David, local ward member, spoke against the application. She expressed concern at the increasing loss of family homes as they become HMO properties. She stated that the area is ideal for families being within walking distance of two primary schools and that the proposal is incompatible with the character and amenity of the area.

Officers then responded to questions as follows:

- The Team Manager, Planning and Enforcement, stated that the Policy H2 consideration is to have regard to the Supplementary Planning Document and whether the area is saturated with HMOs. However, when one area becomes saturated this can lead to HMO applications being submitted in peripheral areas such as this.
- Although a case could be made regarding the unacceptable loss of family accommodation, the Local Authority has lost all appeals regarding HMO properties outside of the saturation areas.
- The Council's declaration of a climate emergency cannot be used as a reason for refusal in its own right as it is not adopted planning policy. Developments affecting climate can be a material planning consideration, but the application needs to be considered in line with adopted policy.

- 6.73% of properties within a 100-metre radius are HMO properties and so this is below the 10% threshold referred to in the HMO Supplementary Planning Document.

Cllr McCabe expressed concern that, having declared a climate emergency, families are now being pushed out of the area. This would lead to children needing to travel further to school rather than being able to walk to local schools. These issues would be covered in the policy review.

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

- The application is contrary to Policy H2 – Point 5 – unacceptable loss of property-mix in the light of the declared climate emergency and the proximity of local schools.

This was seconded by Cllr Craig.

Cllr Davis stated that the application was policy compliant.

Cllr Jackson stated that there was no evidence that people would send their children to their local school. She felt that a refusal would be unreasonable.

Cllr Clarke stated that, although he had sympathy with local residents concerned at the increasing loss of family homes, he felt that it would be irresponsible to vote in favour of refusal knowing that it was likely to be lost at appeal and could potentially incur costs to the Council.

The motion was put to the vote and there were 4 votes in favour, 5 votes against and 1 abstention. The motion was therefore LOST.

Cllr Davis 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 6 votes in favour and 4 votes against to PERMIT the application subject to the conditions set out in the report.

43 **TREE PRESERVATION ORDER 2020 - LAND TO THE NORTH OF THE ORCHARD, HIGH STREET, PENSFORD NO. 3**

The Committee considered a report regarding the making of a Tree Preservation Order (TPO) because an objection had been received from the landowner following the making of the Order. The Order had been supported by Publow and Pensford Parish Council and representations from three residents.

A local resident spoke in favour of the TPO.

The Chair read out a statement from Cllr Paul May, local ward member, in favour of the TPO. This stated that the prominent site was a valued natural area unsuitable for development. If the trees were removed without any care for the environment this would seriously harm the visual amenity of the site in the greenbelt.

The Case Officer confirmed that there were no obvious problems with the health of the trees and that a recent arboricultural report stated that no work was required at this time.

Cllr Rigby noted the prominent position of the trees.

Cllr Jackson moved the officer recommendation stating that the trees should be preserved for both ecological and aesthetical reasons.

Cllr Clarke seconded the motion and stated that a sign should be erected on the site stating that the trees are protected.

The motion was put to the vote and it was RESOLVED unanimously to confirm the Tree Preservation Order without modification.

44 **PROPOSAL TO EXTEND THE MEMBER CALL-IN PERIOD**

The Committee considered a report regarding the consultation period for members to call a planning application to committee.

Members discussed the advantages and disadvantages of making a change to the scheme of delegation. Disadvantages included transparency, and the risk of a reduction in performance levels relating to timescales. Advantages included the ability to engage with Parish Councils before calling in a decision and less chance of missing an important application.

It was pointed out that the Council had recently changed the scheme of delegation to extend the consultation period for members to call an application to committee to five weeks. Some members felt the Council should wait to see the impact of this change before making another. It was pointed out that members can call-in an application and then withdraw this if necessary.

It was noted that the majority of agents were in favour of a change and it was felt that it would be an easy process with only a small number of applications falling into this category.

RESOLVED: To recommend to Council to change the planning scheme of delegation, for a trial period of one year, to allow members to call applications to the Planning Committee up to two days after the closure of the public consultation period.

(Moved by Cllr McCabe and seconded by Cllr Hodge – 8 for and 2 abstentions).

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

The Committee considered the appeals report.

RESOLVED to NOTE the report.

46 **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That, having been satisfied that the public interest would be better served by not disclosing relevant information, in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item and that the reporting of that part of the meeting shall be prevented under Section 100A(5A), because of the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Act, as amended.

47 **COMMITTEE ENFORCEMENT UPDATE**

The Committee received an update regarding an ongoing enforcement case.

RESOLVED: To note the update report.

The meeting ended at 7.13 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

23 September 2020

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

ITEM

Item No.	Application No.	Address
03.	20/01893/LBA	Cleveland Bridge, Bathwick.

The following further comments, in summary, have been received Pulteney Residents Association maintaining their objection to the proposals:

- Repositioning of the kerbs is not like for like repair. The reason given in the application for repositioning of the kerbs is a design fault leading to water ingress which is causing decay. The Departure from Standards document sets out a different reason relating to weight limits and to enable an Assessment Live Loading of 40 Tonnes to be achieved. The application therefore relates to traffic considerations.
- It is questioned whether Historic England were properly consulted.
- The true impact of the extension of the kerbs in front of the tollhouses is not shown.
- Neither the application nor the Departure from Standards mentions the question of whether repositioning of the kerbs would impact on their function of preventing vehicles striking the historically valuable but structurally weak parapets. If the repositioning of the kerbs exposes the original parapets to greater risk of destruction this should be addressed in the application.
- None of the technical assessment documents include anything beyond a superficial examination of the structural condition of the original abutments (which are subject to the same loading as the road slab).

ITEM

Item No.	Application No.	Address
04.	19/05204/FUL	Parish's House, Timsbury, BA2 0ND.

Application withdrawn.

Item No.	Application No.	Address
06	20/01688/FUL	Inglescombe Cottage Church Lane Englishcombe

Further comments have been received from the applicant. These are available to view on the public website under "Background Papers – Applicant Statement and Photos" dated 16th September.

The emails contain photographs of the site and surrounding properties within the village. The comments detail properties within the village which have roof lights and the viewpoints of these sites from the church.

In addition, the Committee Report states that following: "*There has been some confusion within the highways comments that the proposal will be a separate holiday let and therefore is not parking policy compliant.*" Highways DC were originally consulted on the planning application, when the Design & Access Statement wrongly suggested the proposal was going to be a holiday let. This has formed the basis of their comments. The Design & Access Statement was subsequently amended. Highways DC were not re-consulted on the amendments as the parking arrangement was considered policy compliant by the Case Officer.

**Bath and North East Somerset Council (Land To North Of The Orchard,
High Street, Pensford No.3) Tree Preservation Order 2020**

20/02420/FUL has since been refused planning permission on 8th September.

Two of the three reasons for refusal relate to the loss of trees and green infrastructure and are reproduced below.

1 The proposed development would result in an unavoidable permanent net loss of vegetation and the associated permanent net loss of biodiversity, and is not capable of avoiding, minimising, or compensating for these impacts. It also reduces the existing contribution made by the site to local Green Infrastructure. The proposal therefore does not demonstrate compliance with Policies NE3 or NE1 of the Placemaking Plan and Environment & Leisure Community Action Policy 2 of the Publow and Pensford Neighbourhood Plan 2016-2035.

2 The proposed development will result in the loss of protected trees for which adequate compensatory provision has not been demonstrated. The proposal therefore does not demonstrate compliance with Policies NE6 or NE1 of the Placemaking Plan and Environment & Leisure Community Action Policy 2 of the Publow and Pensford Neighbourhood Plan 2016-2035.

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BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES SUBMITTING A WRITTEN STATEMENT AT THE VIRTUAL MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 23 SEPTEMBER 2020

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1 & 2	Royal National Hospital for Rheumatic Diseases, Upper Borough Walls, Bath	Jane Samson Margaret Townley Helen Wilmot	Against (To share 10 minutes)
		Sandra Tuck (Agent) Joanna Robinson (Bath Preservation Trust)	For (To share 10 minutes)
5	231 Wellsway, Bath	Lee Wadsworth (Applicant)	For
		Cllr Alison Born (Local Ward Member)	Against
6	Inglescombe Cottage, Church Lane, Englishcombe, Bath	Cllr Robert Law (Englishcombe Parish Council)	N/A
7	88 The Oval, Bath	Hannah Cameron McKenna	Against
		Jason Glassick (Applicant)	For
		Cllr Jess David (Local Ward Member)	Against
8	94 The Oval, Bath	Hannah Cameron McKenna	Against

		Cllr Jess David (Local Ward Member)	Against
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TREE PRESERVATION ORDER			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
6a	Land to the North of The Orchard, High Street, Pensford	Simon Tabberer	For
		Cllr Paul May (Local Ward Member)	For

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
23rd September 2020
DECISIONS

Item No:	01	
Application No:	19/04933/FUL	
Site Location:	Royal National Hospital For Rheumatic Diseases, Upper Borough Walls, City Centre, Bath	
Ward: Kingsmead	Parish: N/A	LB Grade: IISTAR
Application Type:	Full Application	
Proposal:	Change of use from hospital (Use Class D1) to 164 -bedroom hotel (Use Class C1) and 66 sq m of restaurant/café (Use Class A3); to include publicly accessible restaurant, health spa, bar, lounge/meeting spaces at ground and first floor; external alterations to East Wing roof including removal of lift room and flu, demolition and replacement of roof top plant area and extension to existing pitched roof; demolition and replacement of modern infill development to south elevation and new infill development to north elevation of the East Wing internal courtyard and new glazed roof to spa area; removal of modern external staircase to rear of West Wing and replacement infill development and glazed link to new extension; demolition and replacement of 3rd storey extension to West Wing; alterations to the roof of West Wing including new lift shaft and plant screen; erection of 3.5-storey extension to rear of West Wing with glazed link/conservatory space; removal of two trees and replacement tree planting; landscaping and associated works.	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agricultural Land Classification, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre Boundary, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,	
Applicant:	Frangrance UK (Bath) Ltd	
Expiry Date:	25th September 2020	
Case Officer:	Tessa Hampden	

DECISION REFUSE

1 The proposed rear extension in this backland location, due to the unacceptable scale and mass of the development results in a development that fails to respond to the character and quality of the surrounding townscape. The development is therefore considered to be contrary to Policy D4 and D7 of the Bath and North East Somerset Placemaking Plan.

2 The proposed development, due to the unacceptable scale and bulk of the proposed rear extension is considered to result in unacceptable harm to the residential amenity of the neighbouring residential properties at Parsonage Lane. The development is therefore contrary to Policy D6 of the Bath and North East Somerset Placemaking Plan.

3 The proposed rear extension, due to the loss of the trees and the development within the garden area, fails to contribute positively to biodiversity gain. The development is therefore contrary to policy D4 and NE5 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

12 Jun 2020	LL 351 002 REV B	COURTYARD LAYOUT AND SECTIONS
12 Jun 2020	LL-351-001 REV E	LANDSCAPE LAYOUT
11 Jun 2020	02001 PL05	PROPOSED ELEVATION - EAST AND WEST WING
11 Jun 2020	02002 PL05	PROPOSED ELEVATION - WEST WING
11 Jun 2020	10007 PL05	PROPOSED ROOF PLAN
11 Jun 2020	20004 PL05	PROPOSED ELEVATIONS - EXTENSION FACADE DETAIL
11 Jun 2020	20101 PL05	PROPOSED DETAIL ELEVATIONS - NORTH EAST
11 Jun 2020	20102 PL05	PROPOSED DETAIL ELEVATIONS - SOUTH WEST
11 Jun 2020	30301 PL05	PROPOSED EXTENSION SECTION
11 Jun 2020	30402 PL05	PRIVACY LOUVRES
05 Jun 2020	02003 PL01	PROPOSED ELEVATION EAST WING
04 Jun 2020	10001 PL03	PROPOSED BASEMENT FLOOR PLAN
04 Jun 2020	10002 PL03	PROPOSED GROUND FLOOR PLAN
04 Jun 2020	10003 PL04	PROPOSED MEZZANINE FLOOR PLAN
04 Jun 2020	10004 PL04	PROPOSED FIRST FLOOR PLAN
04 Jun 2020	10005 PL04	PROPOSED SECOND FLOOR PLAN
04 Jun 2020	10006 PL04	PROPOSED THIRD FLOOR PLAN
04 Jun 2020	12001 PL02	TYPICAL WINDOW, WALL AND COLUMN DETAILS
04 Jun 2020	13006 PL03	PROPOSED BASEMENT LIGHTWELL WORKS
04 Jun 2020	13012 PL02	PROPOSED LIGHTWELL AND WINDOW
04 Jun 2020	30403 PL04	STREET CONTEXT SECTIONS
31 Mar 2020	02004 PL02	PROPOSED & EXISTING COURTYARD ELEVATION
31 Mar 2020	12011 PL02	PROPOSED LIFT SHAFT OPENING TYPICAL DETAIL
31 Mar 2020	12013 PL02	PROPOSED SERVICE RISERS (WEST WING)
31 Mar 2020	12012 PL02	PROPOSED RISER REINSTATED (EAST WING)
31 Mar 2020	12014 PL02	PROPOSED RECONSTRUCTION OF SOUTH RANGE
31 Mar 2020	12016 PL02	NEW LINK RELATED ALTERATIONS 1 OF 2
31 Mar 2020	12017 PL02	NEW LINK RELATED ALTERATIONS 2 OF 2
31 Mar 2020	13002 PL02	PROPOSED RAISED FLOOR (BASEMENT)
31 Mar 2020	18002 PL02	TYPICAL ELEVATION NEW CLADDING PROPOSALS
31 Mar 2020	30302 PL02	PROPOSED SECTION - WEST WING COURTYARD
31 Mar 2020	D1001 PL02	DEMOLITION PLAN BASEMENT FLOOR
31 Mar 2020	D1002 PL02	DEMOLITION PLAN GROUND FLOOR
31 Mar 2020	D1003 PL02	DEMOLITION PLAN MEZZANINE FLOOR
31 Mar 2020	D1004 PL02	DEMOLITION PLAN FIRST FLOOR
31 Mar 2020	D1005 PL02	DEMOLITION PLAN SECOND FLOOR

31 Mar 2020	D1006 PL02	DEMOLITION PLAN THIRD FLOOR
31 Mar 2020	D1007 PL02	DEMOLITION PLAN ROOF
31 Mar 2020		WINDOWS AND DOORS SCHEDULE
13 Nov 2019	1000	EXISTING BASEMENT FLOOR PLAN
13 Nov 2019	1001	EXISTING GROUND FLOOR PLAN
13 Nov 2019	1002	EXISTING MEZZANINE FLOOR PLAN
13 Nov 2019	1003	EXISTING FIRST FLOOR PLAN
13 Nov 2019	1004	EXISTING SECOND FLOOR PLAN
13 Nov 2019	1005	EXISTING THIRD FLOOR PLAN
13 Nov 2019	10058	EXISTING SITE PLAN
13 Nov 2019	13001	PROPOSED GLAZED BALUSTRADE SURROUNDING MOSAIC
13 Nov 2019	13005	PROPOSED REINSTATED FIREPLACE AND WALL INFILL
13 Nov 2019	13007	PROPOSED STEEL STAIR AND LIFT
13 Nov 2019	13011	PROPOSED MINERAL WATER POOL AND GLAZED ROOF
13 Nov 2019	14001	PROPOSED ARCHED GLAZED SCREENS AND DOORS
13 Nov 2019	14002	PROPOSED ENTRY DOOR
13 Nov 2019	14005	PROPOSED ACCESSIBILITY MODIFICATIONS
13 Nov 2019	14008	PROPOSED MODIFICATIONS TO APSE
13 Nov 2019	14013	PROPOSED POOL INFILL AND FLOOR WORKS
13 Nov 2019	15002	PROPOSED WORKS WITHIN CHAPEL VAULTS
13 Nov 2019	16001	PROPOSED OPENINGS IN FIRE RATED WALL
13 Nov 2019	17006	KINGS WARD POD BEDROOM
13 Nov 2019	2000	EXISTING BASEMENT FLOOR PLAN
13 Nov 2019	2001	EXISTING GROUND FLOOR PLAN
13 Nov 2019	2002	EXISTING FIRST FLOOR PLAN
13 Nov 2019	2003	EXISTING SECOND FLOOR PLAN
13 Nov 2019	3000	EXISTING ANNEX PANS AND ELEVATIONS
13 Nov 2019	E2001	EXISTING ELEVATION EAST WING WEST WING
13 Nov 2019	E2002	EXISTING ELEVATION WEST WING
13 Nov 2019	E2003	EXISTING ELEVATION EAST WING
13 Nov 2019	1000	SITE LOCATION PLAN

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

Community Infrastructure Levy

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

Item No:	02
Application No:	19/04934/LBA
Site Location:	Royal National Hospital For Rheumatic Diseases, Upper Borough Walls, City Centre, Bath
Ward: Kingsmead	Parish: N/A LB Grade: IISTAR
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Listed Building Consent: Internal and external alterations associated with proposed conversion to hotel (Use Class C1); demolition and replacement of modern infill extension, new glazed roof and new infill development of northern elevation to internal courtyard of East Wing; alterations to the roof of east and West Wings; removal of external staircase to West Wing and replacement with glazed link to new extension and replacement infill development; abutment of new glazed structure with West Wing chapel south wall; demolition and replacement of 3rd floor extension to West Wing and additional plant screen and lift overrun to West Wing roof; partial demolition of the boundary wall on Parsonage Lane; construction of replacement glass screen to main internal ground floor lobby of West Wing; changes to internal layout and consequential changes to internal partitions and other fabric.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre Boundary, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,
Applicant:	Frangrance UK (Bath) Ltd
Expiry Date:	25th September 2020
Case Officer:	Tessa Hampden

DECISION REFUSE

1 The proposed development, due to the scale and bulk of the proposed rear extension is considered to result in visual harm to the setting and significance of the host Grade II * listed building. The public benefits identified would not outweigh the harm identified. As such the proposal is considered contrary policies D4, D7 and HE1 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

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

12 Jun 2020	LL 351 002 REV B	COURTYARD LAYOUT AND SECTIONS
12 Jun 2020	LL-351-001 REV E	LANDSCAPE LAYOUT
11 Jun 2020	02001 PL05	PROPOSED ELEVATION - EAST AND WEST WING
11 Jun 2020	02002 PL05	PROPOSED ELEVATION - WEST WING
11 Jun 2020	10007 PL05	PROPOSED ROOF PLAN
11 Jun 2020	20004 PL05	PROPOSED ELEVATIONS - EXTENSION FACADE DETAIL
11 Jun 2020	20101 PL05	PROPOSED DETAIL ELEVATIONS - NORTH EAST
11 Jun 2020	20102 PL05	PROPOSED DETAIL ELEVATIONS - SOUTH WEST
11 Jun 2020	30301 PL05	PROPOSED EXTENSION SECTION
11 Jun 2020	30402 PL05	PRIVACY LOUVRES
05 Jun 2020	02003 PL01	PROPOSED ELEVATION EAST WING
04 Jun 2020	10001 PL03	PROPOSED BASEMENT FLOOR PLAN
04 Jun 2020	10002 PL03	PROPOSED GROUND FLOOR PLAN
04 Jun 2020	10003 PL04	PROPOSED MEZZANINE FLOOR PLAN
04 Jun 2020	10004 PL04	PROPOSED FIRST FLOOR PLAN
04 Jun 2020	10005 PL04	PROPOSED SECOND FLOOR PLAN
04 Jun 2020	10006 PL04	PROPOSED THIRD FLOOR PLAN
04 Jun 2020	12001 PL02	TYPICAL WINDOW, WALL AND COLUMN DETAILS
04 Jun 2020	13006 PL03	PROPOSED BASEMENT LIGHTWELL WORKS
04 Jun 2020	13012 PL02	PROPOSED LIGHTWELL AND WINDOW
04 Jun 2020	30403 PL04	STREET CONTEXT SECTIONS
31 Mar 2020	02004 PL02	PROPOSED & EXISTING COURTYARD ELEVATION
31 Mar 2020	12011 PL02	PROPOSED LIFT SHAFT OPENING TYPICAL DETAIL
31 Mar 2020	12013 PL02	PROPOSED SERVICE RISERS (WEST WING)
31 Mar 2020	12012 PL02	PROPOSED RISER REINSTATED (EAST WING)
31 Mar 2020	12014 PL02	PROPOSED RECONSTRUCTION OF SOUTH RANGE
31 Mar 2020	12016 PL02	NEW LINK RELATED ALTERATIONS 1 OF 2
31 Mar 2020	12017 PL02	NEW LINK RELATED ALTERATIONS 2 OF 2
31 Mar 2020	13002 PL02	PROPOSED RAISED FLOOR (BASEMENT)
31 Mar 2020	18002 PL02	TYPICAL ELEVATION NEW CLADDING PROPOSALS
31 Mar 2020	30302 PL02	PROPOSED SECTION - WEST WING COURTYARD
31 Mar 2020	D1001 PL02	DEMOLITION PLAN BASEMENT FLOOR
31 Mar 2020	D1002 PL02	DEMOLITION PLAN GROUND FLOOR
31 Mar 2020	D1003 PL02	DEMOLITION PLAN MEZZANINE FLOOR
31 Mar 2020	D1004 PL02	DEMOLITION PLAN FIRST FLOOR
31 Mar 2020	D1005 PL02	DEMOLITION PLAN SECOND FLOOR
31 Mar 2020	D1006 PL02	DEMOLITION PLAN THIRD FLOOR

31 Mar 2020 D1007 PL02 DEMOLITION PLAN ROOF
31 Mar 2020 WINDOWS AND DOORS SCHEDULE
13 Nov 2019 1000 EXISTING BASEMENT FLOOR PLAN
13 Nov 2019 1001 EXISTING GROUND FLOOR PLAN
13 Nov 2019 1002 EXISTING MEZZANINE FLOOR PLAN
13 Nov 2019 1003 EXISTING FIRST FLOOR PLAN
13 Nov 2019 1004 EXISTING SECOND FLOOR PLAN
13 Nov 2019 1005 EXISTING THIRD FLOOR PLAN
13 Nov 2019 10058 EXISTING SITE PLAN
13 Nov 2019 13001 PROPOSED GLAZED BALUSTRADE SURROUNDING MOSAIC
13 Nov 2019 13005 PROPOSED REINSTATED FIREPLACE AND WALL INFILL
13 Nov 2019 13007 PROPOSED STEEL STAIR AND LIFT
13 Nov 2019 13011 PROPOSED MINERAL WATER POOL AND GLAZED ROOF
13 Nov 2019 14001 PROPOSED ARCHED GLAZED SCREENS AND DOORS
13 Nov 2019 14002 PROPOSED ENTRY DOOR
13 Nov 2019 14005 PROPOSED ACCESSIBILITY MODIFICATIONS
13 Nov 2019 14008 PROPOSED MODIFICATIONS TO APSE
13 Nov 2019 14013 PROPOSED POOL INFILL AND FLOOR WORKS
13 Nov 2019 15002 PROPOSED WORKS WITHIN CHAPEL VAULTS
13 Nov 2019 16001 PROPOSED OPENINGS IN FIRE RATED WALL
13 Nov 2019 17006 KINGS WARD POD BEDROOM
13 Nov 2019 2000 EXISTING BASEMENT FLOOR PLAN
13 Nov 2019 2001 EXISTING GROUND FLOOR PLAN
13 Nov 2019 2002 EXISTING FIRST FLOOR PLAN
13 Nov 2019 2003 EXISTING SECOND FLOOR PLAN
13 Nov 2019 3000 EXISTING ANNEX PANS AND ELEVATIONS
13 Nov 2019 E2001 EXISTING ELEVATION EAST WING WEST WING
13 Nov 2019 E2002 EXISTING ELEVATION WEST WING
13 Nov 2019 E2003 EXISTING ELEVATION EAST WING
13 Nov 2019 1000 SITE LOCATION PLAN

Item No:	03
Application No:	20/01893/LBA
Site Location:	Cleveland Bridge, Cleveland Bridge, Bathwick, Bath
Ward: Bathwick	Parish: N/A LB Grade: IISTAR
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	The refurbishment, repair and strengthening of a Grade II* listed structure.
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 1,2,3a, Air Quality Management Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Flood

Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,

Applicant: WSP
Expiry Date: 2nd September 2020
Case Officer: Caroline Power

DECISION Withdrawn from agenda prior to meeting pending clarification on an outstanding matter of detail. Item deferred to October Committee

PLANS LIST:

Drawing	05 Jun 2020	0001 T03	LOCATION PLAN AND GENERAL ARRANGEMENT PL...
Drawing	05 Jun 2020	0007 T03	EXISTING STEEL PORTAL BEAM DETAILS
Drawing	05 Jun 2020	0008 T03	EXISTING CAST IRON ARCH DETAILS
Drawing	05 Jun 2020	0009 T03	ABUTMENT GALLERY DETAILS
Drawing	05 Jun 2020	0010 T03	PROPOSED LONGITUDINAL JOINT
Drawing	05 Jun 2020	0011 T03	INDICATIVE STEEL AND CAST IRON REPAIR DE...
Drawing	05 Jun 2020	0012 T03	CONCRETE REPAIR DETAILS
Drawing	05 Jun 2020	0013 T03	TESTING RESULTS SUMMARY CHLORIDE ION CON...
Drawing	05 Jun 2020	0015 T03	PROPOSED DECK JOINTS, DRAINAGE AND WATER...
Drawing	05 Jun 2020	0017 T03	RESURFACING DETAILS
Drawing	05 Jun 2020	0018 T03	TRANSVERSE METALWORK AND CONCRETE DEFECT...
Drawing	05 Jun 2020	0019 T03	LOCATION OF CONCRETE DEFECTS - TRUSSES 1...
Drawing	05 Jun 2020	0020 T03	LOCATION OF CAST IRON DEFECTS - ARCHES 1...
Drawing	05 Jun 2020	0021 T03	LOCATION OF CAST IRON DEFECTS - ARCHES 5...
Drawing	05 Jun 2020	0022 T03	MAINTENANCE OF PAINTWORK
Drawing	05 Jun 2020	0023 T04	PAINT SYSTEM FOR STEELWORK ELEMENTS
Drawing	05 Jun 2020	0024 T03	PAINT SYSTEM FOR CAST IRON ELEMENTS
Drawing	05 Jun 2020	0027 T03	SCHEDULE OF DEFECTS AND REMEDIAL ACTIONS...
Drawing	05 Jun 2020	0028 T03	SCHEDULE OF DEFECTS AND REMEDIAL ACTIONS...
Drawing	05 Jun 2020	0029 T03	EXISTING GENERAL ATTANGEMENT AND SITE CL...

Drawing	05 Jun 2020	0030 T03	ABUTMENT DEFECT LOCATIONS, SCHEDULE OF D...
Drawing	05 Jun 2020	0033 T03	LOCATION OF CONCRETE DEFECT CONSTRAINT: ...
Drawing	05 Jun 2020	0034 T03	LOCATION OF CONCRETE DEFECT CONSTRAINTS:...
Drawing	05 Jun 2020	0035 T03	LOCATION OF CONCRETE DEFECT CONSTRAINTS:...
Drawing	05 Jun 2020	0036 T03	GENERAL BREAKOUT CONSTRAINTS FOR TRUSS M...
Drawing	05 Jun 2020	0037 T03	GENERAL BREAKOUT CONSTRAINTS FOR TRUSS M...
Drawing	05 Jun 2020	0038 T03	BAR BENDING SCHEDULE MEMBER REFERENCES A...
Drawing	05 Jun 2020	0039 T03	METHODOLOGIES FOR THE REPLACEMENT OF LIN...
Drawing	05 Jun 2020	0040 T03	DECK AND SOFFITT GALVANIC ANODE ARRANGEM...
Drawing	05 Jun 2020	0041 T03	TRUSS GALVANIC ANODES: GENERAL ARRANGEME...
Drawing	05 Jun 2020	0042 T04	TRUSS GALVANIC ANODES: DETAIL Public
Drawing	05 Jun 2020	0043 T04	HANGER BAR PROTECTION AND AUXILIARY DETA...
Drawing	05 Jun 2020	0050 T04	DECK STRENGTHENING: GENERAL
Drawing	05 Jun 2020	SIG1 T03	LOCATION PLAN AND DECK REINFORCEMENT ARR...
Drawing	05 Jun 2020	SIG2 T03	ABUTMENT GALLERY - CONCRETE REPAIRS AND ...
OS Extract	05 Jun 2020		LOCATION PLAN
Revised Drawing	31 JULY 2020		76007-WSP-DWG-BR-00P1P02-PROPOSED GENERAL ARRANGEMENT
Revised Drawing	31 JULY 2020		KERB DETAILS

Condition Categories

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

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

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

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

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

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

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

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.

Submission of Samples

Any samples required by condition should not be delivered to the Council's offices. Please can you ensure that samples are instead available for inspection on site - as soon as the discharge of condition application has been submitted. If you wish to make alternative arrangements please contact the case officer direct and also please make this clear in your discharge of condition application.

If the works of the proposal contained within the application require access scaffolding to be erected it is incumbent on all interested parties to ensure that it is undertaken adopting conservation best practice. Methods of erection which entail bolting scaffolding to the building using anchor ties will require listed building consent and are unlikely to be acceptable.

Item No:	04
Application No:	19/05204/FUL
Site Location:	Parish's House, Hook, Timsbury, Bath
Ward: Timsbury	Parish: Timsbury LB Grade: IISTAR
Application Type:	Full Application
Proposal:	Change of use and extension of gardener's store/workshop into a conference/function centre and retrospective permission for the erection of a gazebo
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Policy NE2A Landscapes and the green set, SSSI - Impact Risk Zones, Tree Preservation Order,
Applicant:	Ms Aisha Bangura
Expiry Date:	18th May 2020
Case Officer:	Emily Smithers

DECISION Application Withdrawn

PLANS LIST:

Revised Drawing	13/08/2020	PH.10.G	CONFERENCE CENTRE
Revised Drawing	13/08/2020	PH.14.E	SITE PLAN
Revised Drawing	13/08/2020	PH.18.C	FIELD PARKING
Revised Drawing	08/07/2020	PH 11 J	CONFERENCE CENTRE ELEVATIONS
Revised Drawing	21/02/2020	PH.12.D	ENTRANCE AND PARKING
Drawing	29/11/2019	PH.15	PARISHES HOUSE
Revised Drawing	27/03/2020	PH16C	ACCESS AND LIGHTING
Revised Drawing	19/02/2020	PH.17.A	TERRACE RAILINGS
Revised Drawing	13/08/2020	PH.18.C	FIELD PARKING

Environmental Protection Act 1990

Under the environmental protection act 1990, the local authority has a duty to investigate complaints of nuisance and should a complaint be received, irrespective of planning consent, the local authority may on determination of a statutory nuisance serve a legal notice requiring any said nuisance to be abated and failure to comply may result in prosecution.

Food premises Please be aware that all food business must be registered with the food safety team at Bath and North East Somerset Council at least 28 days prior to operation

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.

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Community Infrastructure Levy

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Civil or legal consents

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

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.

Informative:

When the venue is operational there shall be a members of staff present at all times to ensure effective management of the activities hereby approved and to ensure compliance with the amenity conditions

Item No:	05	
Application No:	20/02333/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:	Hip-to-gable loft conversion with dormer windows to front and back, replace windows and a new roof to the front bay windows.	
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, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Mrs Clare WADSWORTH	
Expiry Date:	6th October 2020	
Case Officer:	Isabel Daone	

DECISION REFUSE

1 The proposed development, by virtue of its design and appearance, fails to respect the character of the host dwelling and the setting of the wider area including views from across Entry Hill. The proposal is therefore contrary to policies D2 and D5 of the Bath and North East Somerset Council Placemaking Plan.

2 The proposed internal layout, in conjunction with the existing balcony, would result in additional overlooking, noise and disturbance to the detriment of residential amenity. The proposal is therefore contrary to policy D6 of the Placemaking Plan.

PLANS LIST:

This decision relates to the following plans:

Site Plan. Received 7th July 2020
Proposed First Floor Plan. Received 2nd September 2020
Proposed Front Elevation. Received 2nd September 2020
Proposed Ground Floor Plan. Received 2nd September 2020
Proposed Left Elevation. Received 2nd September 2020

Proposed Lower Ground Floor Plan. Received 2nd September 2020
 Proposed Rear Elevation. Received 2nd September 2020
 Proposed Right Elevation. Received 2nd September 2020

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 39-43 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

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

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:	06
Application No:	20/01688/FUL
Site Location:	Inglescombe Cottage, Church Lane, Englishcombe, Bath
Ward: Bathavon South	Parish: Englishcombe LB Grade: N/A
Application Type:	Full Application
Proposal:	Garage conversion for additional living accommodation as an annex to the existing house.
Constraints:	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Conservation Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy HE2 Somersetshire Coal Canal & Wa, Housing Development Boundary, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Sian Jones
Expiry Date:	25th September 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 Ancillary Use (Compliance)

The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Inglescombe Cottage, Church Lane, Englishcombe, Bath and North East Somerset BA2 9DU; and shall not be occupied as an independent dwelling unit.

Reason: The accommodation hereby approved is not capable of independent occupation without adverse impact on the amenities of existing or future residential occupiers contrary to Policy D6 of the Bath and North East Somerset Placemaking Plan.

3 Removal of Permitted Development Rights - No Windows (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) no windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the north (rear) elevation at any time unless a further planning permission has been granted.

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 Roof Lights (Bespoke Trigger)

Notwithstanding the approved plans, prior to their installation details of the proposed roof lights will be submitted to and approved in writing by the Local Planning Authority to demonstrate that they are to be Conservation Style. The development shall be carried out in accordance with the approved details.

Reason: To protect the visual amenities of this part of the Conservation Area in accordance with policy HE1 of the Bath and North East Somerset Placemaking Plan.

5 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:

004. Proposed Elevations. Received 15th May 2020
001A. Location and Block Plans. Received 6th August 2020
003C. Proposed Ground Floor Plan. Received 24th July 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.

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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:	07	
Application No:	20/01999/FUL	
Site Location:	88 The Oval, Southdown, Bath, Bath And North East Somerset	
Ward: Moorlands	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from dwelling (Use Class C3) to 6-bed house in multiple occupation (HMO) (Use Class C4).	
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Jak Homes Ltd	
Expiry Date:	28th August 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 Bicycle Storage (Compliance)

No occupation of the development shall commence until bicycle storage for at least two bicycles has been provided in accordance with the Site Plan, drawing number 147-20, received 1st September 2020. 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 Policies ST1 and ST7 of the Bath and North East Somerset Placemaking Plan.

3 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following plans:

Site Location Plan - 140-00
Existing Ground Floor Layout Plan - 147-01A
Existing First Floor Layout Plan - 147-02A
Existing Elevations - 147-03A
Proposed Ground Floor Layout Plan - 147-04A
Proposed First Floor Layout Plan - 147-05A
Proposed Elevations Plan - 147-06A
All received 11/06/2020.

Site Plan - 147-20 - received 01/09/2020.

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.

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Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

Permit/Consent Decision Making Statement

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

Item No:	08	
Application No:	20/02340/FUL	
Site Location:	94 The Oval, Southdown, Bath, Bath And North East Somerset	
Ward: Moorlands	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from dwellinghouse (use class C3) to house in multiple occupation (use class C4).	
Constraints:	Article 4 HMO, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Miss Lois Lee	
Expiry Date:	2nd September 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 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 Policies ST1 and ST7 of the Bath and North East Somerset Placemaking Plan.

3 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following plans:

Site Location Plan - received 07/07/2020

Site Plan - received 07/07/2020

Existing and Proposed Floor Plans - received 08/07/2020

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.

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Notice which you will receive shortly. Further details are available here:
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Permit/Consent Decision Making Statement

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