

**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**21st November 2012**

**DECISION LIST**

<b>Item No:</b>	00	
<b>Application No:</b>	12/02848/FUL	
<b>Site Location:</b>	12 High Street, Upper Weston, Bath, Bath And North East Somerset	
<b>Ward:</b> Weston	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of rear ground floor extension (totalling approximately 206 sq metres) to create an enlarged retail unit together with rear first and second floor extensions to create 6no 2-bed apartments and alterations to existing shop fronts at 12-20 High Street, Weston	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Local Shops, World Heritage Site,	
<b>Applicant:</b>	Bathweston One Limited & Bathweston Two Limited	
<b>Expiry Date:</b>	28th August 2012	
<b>Case Officer:</b>	Alice Barnes	

**DECISION**

A. Authorise the Planning and Environmental Law Manager to enter into a Section 106 Agreement to cover the following:-

1) £18,000 for the improvement of local public transport infrastructure.

B. Subject to the prior completion of the above agreement, authorise the Development Manager for Planning and Transport Development to PERMIT subject to the following conditions

1 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 permissions.

2 No 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 details so approved.

Reason: In the interests of the appearance of the development and the surrounding area.

3 No development shall commence until a sample panel of the permitted boundary wall shall be erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed.

Reason: In the interest of the appearance of the surrounding Conservation Area.

4 Prior to the occupation of the development, an operation statement for the retail unit shall be submitted to and approved in writing by the Local Planning Authority and shall include details of opening hours and deliveries. The development shall thereafter be occupied in accordance with the approved operational statement.

Reason: In the interests of residential amenity and highway safety.

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

Reason: In the interests of amenity and highway safety.

6 The area allocated for cycle parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of cycles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

7 Prior to the commencement of the development, a Parking and Service Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of parking enforcement, delivery management (including restricted times as appropriate).

Reason: To ensure the safe operation of the car park and highway.

8 Within two months of occupation of the development the Staff Travel Plan shall have been instigated. The development shall thereafter be operated in accordance with the Travel Plan in liaison with Bath and North East Somerset Council's Transportation Planning Team.

Reason: In the interests of sustainable development.

9 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., together with complimentary bus tickets for each household to encourage residents

to try public transport. The content of such packs shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

10 On completion of the works but prior to any occupation of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise in accordance with BS8233:1999. The following levels shall be achieved: Maximum internal noise levels of 30dBLAeq,T for living rooms and bedrooms. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLAmax.

Reason: To minimise the impact of noise to existing and future occupiers of the property and the amenity of neighbouring occupiers to the site.

11 No development shall take place within the site 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 watching brief during ground works within the previously undeveloped areas of the site, with provision for excavation of any significant deposits or features encountered.

Reason: The site is within an area of potential archaeological interest and the Council will wish to examine and record items of interest discovered.

12 Prior to the commencement of development at the site details of a Construction Management Plan for all works of construction and demolition shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall comply with the guidance contained in the Councils Code of Construction Site Noise practice note and the BRE Code of Practice on the control of dust from construction and demolition activities. The details so approved shall be fully complied with during the construction of the development.

Reason: To protect the amenities of the occupants of adjacent residential properties.

13 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:**

Location plan P\_050  
Exisitign site plan P\_051  
Propsoed site plan P\_052  
Topographical Survey 915/6262/1  
Streetscapes 2

Ground floor plan 4

First floor plan 5

Lower ground floor (High Street) P\_053

Upper ground floor (Crown Road) P\_054

First floor plan P\_055

Roof