BATH AND NORTH EAST SOMERSET COUNCIL DEVELOPMENT MANAGEMENT COMMITTEE 21st September 2016 DECISIONS

Item No:	01
Application No:	16/01016/RES
Site Location:	Former Gwr Railway Line, Frome Road, Radstock,
Ward: Radstock	Parish: Radstock LB Grade: N/A
Application Type:	PI Permission (ApprovalReserved Matters)
Proposal:	Approval of reserved matters in relation to outline application 13/02436/EOUT for access, appearance, layout, scale and landscaping for area 1 (phase 3 of the development).
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Centres and Retailing, Coal - Standing Advice Area, Conservation Area, Flood Zone 2, Forest of Avon, Sites with Planning Permission, Housing Development Boundary, LLFA - Flood Risk Management, Public Right of Way, SSSI - Impact Risk Zones,
Applicant:	Linden Limited
Expiry Date:	27th September 2016
Case Officer:	Chris Gomm

DECISION APPROVE

1 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls of Blocks A-D inclusive shall commence until a sample panel of all natural stone walling to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

2 Materials - Sample of Render (Bespoke Trigger)

No external walls of the development shall be rendered until a sample of the colour and texture of the render to be used 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 materials.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

3 Roofing Materials (Bespoke Trigger)

No construction of the roof of the development shall commence until a sample of all external roofing materials 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: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

4 The central pedestrian square between Frome Road and Fortescue Road shall, unless otherwise agreed in writing by the local planning authority, be completed either:

(i) in accordance with the following drawings: Hard Works Proposals: Drawing No. 4930_100_D; Soft Works Proposals: Drawing No. 4930_200_D; Lighting Plan: Drawing No. 12638-1-B and Proposed Site Layout: Drawing No. (05) 02 Rev S or;

(ii) if the land identified by red hatch in drawing no. 15043 (05) 008 Rev C becomes available to the developer of the scheme for development prior to first occupation of the development, in accordance with the 'Church Square Option Plan': Drawing No. (05) 009 Rev A as supplemented by additional detail required by Condition 5 below

Reason: To ensure that best endeavours are taken to provide a fully functional public square incorporating a pedestrian link to Fortescue Road.

5 In the event that the hatched area referred to in Condition 4 forms part of the public square, prior to work commencing on that element of the square the following supplemental information shall be submitted for the local planning authority's written approval:

- o details of softworks/planting within the hatched area;
- o details of hardworks within the hatched area;
- o detail of any lighting within the hatched area and;

o details of how vehicles will be prevented from entering the square from Fortescue Road

The square shall be constructed in accordance with the details so approved:

Reason: To ensure high quality design.

6 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:

- o Site Location Plan: Drawing No. (05) 001 Rev B
- o Proposed Site Layout: Drawing No. (05) 02 Rev T
- o Block A Proposed Elevations: Drawing No. (05) 101 Rev A

- o Block A Proposed Floor and Roof Plans: Drawing No. (05) 100 Rev C
- o Block B Proposed Elevations: Drawing No. (05) 103 Rev B
- o Block B Proposed Floor and Roof Plans: Drawing No. (05) 102 Rev B
- o Block C Proposed Elevations: Drawing No. (05) 105 Rev B
- o Block C Proposed Floor and Roof Plans: Drawing No. (05) 104 Rev C
- o Block D Proposed Elevations: Drawing No. (05) 108 Rev J
- o Block D Proposed Ground and First Floor Plan: Drawing No. (05) 106 Rev D
- o Block D Proposed Second Floor and Roof Plan: Drawing No. (05) 107 Rev D
- o Material Finishes Plan: Drawing No. (05) 007 Rev G
- o Soft Works Proposals: Drawing No. 4930_200_D
- o Hard Works Proposals: Drawing No. 4930_100_D
- o Lighting Plan: Drawing No. 12638-1-B
- o Bin and Cycle Storage Plan and Elevations: Drawing No (05) 109 Rev A
- o Proposed Levels: Drawing No. 110 Rev P3
- o Pavement Construction and Kerbing: Drawing No. 700 Rev P4
- o Drainage Layout: Drawing No. 500 Rev P4
- o Church Square Option Plan: Drawing No. (05) 009 Rev A
- o Hatched Area Plan: Drawing No. 15043 (05) 008 Rev C

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted/revised proposals was taken and consent was granted.

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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to

planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

BATH & NORTH EAST SOMERSET COUNCIL TOWN AND COUNTRY PLANNING ACT 1990

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011

REGULATION 24 STATEMENT

SITE: Former Gwr Railway Line, Frome Road, Radstock

PLANNING APPLICATION REF: 16/01016/RES

DEVELOPMENT PERMITTED: Approval of reserved matters in relation to outline application 13/02436/EOUT for access, appearance, layout, scale and landscaping for area 1 (phase 3 of the development).

PLANNING PERMISSION PERMITTED ON: 23rd September 2016

This statement is made pursuant to Regulation 24(1)(c) of The Town and County Planning (Environmental Impact Assessment) Regulations 2011 and contains:-

(i) the content of the decision and any conditions attached to it;

(ii) the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;

(iii) a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development; and

(iv) information regarding the right to challenge the validity of the decision and the procedures for doing so.

(i) the content of the decision and any conditions attached to it

The application was considered at Development Management Committee on 21st September 2016 where Members resolved to grant approval of reserved matters (pursuant to outline planning permission 13/02436/EOUT) subject to conditions

A copy of the decision notice is attached to this statement.

(ii) the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public

Following consideration of the environmental information submitted and also contained within the Environmental Statement submitted in connection with the outline permission, reserved matters approval was granted.

The full extent of the considerations, including representations from members of the public and external organisations are set out in the report to the Development Management Committee 21 September 2016 which is available to view on the Council's website: www.bathnes.gov.uk.

(iii) a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development

The proposals have been the subject of an Environmental Impact Assessment submitted at the Outline stage. Any necessary mitigation has been secured by planning conditions.

(iv) information regarding the right to challenge the validity of the decision and the procedures for doing so.

This decision can be challenged by way of bringing a claim in judicial review. Any person wishing to do so must bring a claim within six weeks of the date of the decision notice.

This statement is made available for public inspection at the place where the planning register is kept.

Item No:	02
Application No:	16/03359/FUL
Site Location:	Bath Sea Cadet Corps, St John's Road, Bathwick, Bath
Ward: Abbey	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Mixed use development comprising replacement accommodation for the Sea Cadets with Student Accommodation (18 No. Studios) following demolition of existing buildings
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, LLFA - Flood Risk Management, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Bath Sea Cadets
Expiry Date:	6th September 2016
Case Officer:	Chris Griggs-Trevarthen

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 Detail of window reveals (Bespoke Trigger)

The construction of the external walls shall not commence until large scale details of the proposed windows (1:20), including details of the reveals, have been submitted to and approved in writing by the Local Planning Authority. The windows shall thereafter be installed in accordance with the approved details.

Reason: In the interests of the character and appearance of the development and the surrounding Conservation Area in accordance with policies D.2, D.4 and BH.6 of the Bath and North East Somerset Local Plan and policy CP6 of the Bath and North East Somerset Core Strategy.

3 Construction Environmental Management Plan (Compliance)

The development shall be carried out only in accordance with the approved document named 'C.E.M.P and C.M.P' (lesis Ltd, received 19th September 2016).

Reason: To ensure the safe operation of the highway, in the interests of protecting residential amenity, to avoid harm to bats and the River Avon during site preparation demolition and construction in accordance with Policies T.24, D.2, NE.9, NE.10, NE.11 and ES.15 of the Bath and North East Somerset Local Plan.

4 Surface Water Drainage Strategy (Compliance)

The development shall be undertaken only in accordance with the Surface Water Drainage Strategy (Clive Onions, dated 19th September 2016)).

Reason: To ensure that there is a satisfactory strategy for surface water drainage in the interest of flood risk management and highway safety in accordance with policy CP5 of the Bath and North East Somerset Core Strategy.

5 Archaeology (Compliance)

The development shall be carried out only in accordance with the approved 'Written Scheme of Investigation for the Recording of Bath Sea Cadets HQ, St Johns Road, Bath prior to demolition and for a Controlled Archaeological Watching Brief during development groundworks' (Bristol & West Archaeology, dated 11 September 2016).

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with policies BH.12 and BH.13 of the Bath and North East Somerset Local Plan.

6 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls of the development shall commence until a sample panel of all external walling and roofing materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

7 Student Management Plan (Pre-occupation)

No occupation of the development shall commence until a student management plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of:

The arrangements for student drop off / pick up at the start and end of each University semester;

refuse storage, management and collection; and, site security.

The student accommodation use shall thereafter operate only in accordance with the approved student management plan.

Reason: In the interests of highways safety, residential amenity, to reduce potential noise and disturbance and to ensure the good management of the building in accordance with policies T.24, D.2 and ES.12 of the Bath and North East Somerset Local Plan.

8 Flood Warning Evacuation Plan (Pre-occupation)

No occupation of the development shall commence until a Flood Warning Evacuation Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall address the matters required pursuant to section 10 of the National Planning Policy Framework and the National Planning Practice Guidance. Thereafter the approved Flood Warning Evacuation Plan shall be implemented in perpetuity.

Reason: To limit the risk of flooding by ensuring the provision of satisfactory means of flood management and incident response on the site in accordance with paragraph 17 and section 10 of the National Planning Policy Framework.

9 Light assessment (Bespoke Trigger)

Within 12 months of occupation of the approved building a light level assessment shall be submitted containing a methodology for light level sampling that shall have previously been agreed in writing with the LPA, together with the lux level measurement data. This shall include preconstruction lux levels and post occupation lux levels taken from the riverside at a variety of heights at a time of year and time of evening when lights are in use and maximum typical usage of internal and external lights would be considered likely. The details shall demonstrate zero lux light spill onto the river Avon and the river bank, above pre-construction lux levels. Detailed proposals of any necessary remediation measures and further monitoring and reporting of lux levels shall also be provided if applicable.

Reason: To ensure the avoidance of increased light levels onto the River Avon and associated harm to wildlife including bats using the River Avon in accordance with policy NE.10 of the Bath and North East Somerset Local Plan.

10 Finished Floor Levels (Compliance)

The development hereby permitted shall be constructed with Finished floor levels of the residential accommodation on the first floor set at a minimum 23.64mAOD.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with policy CP5 of the Core Strategy and the National Planning Policy Framework.

11 Flood Resilience Measures (Compliance)

The development permitted by this planning permission shall be carried out in full accordance with the Flood Risk Assessment (FRA) dated 26 June 2016 by Clive Onions Consulting Civil Engineer and the following mitigation measures detailed in section 9:

Flood resilient materials up to a height of 2m on the ground floor e.g. hard floors; and, Services such as the electrical consumer board, boiler and IT equipment will be located above the 2039 climate change level.

The measures shall be implemented prior to occupation and maintained as such for the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

12 Obscure Glazing Window(s) (Compliance)

The proposed first floor window in the south elevation and the first and second floor windows in the north elevation shall be obscurely glazed and non-opening. Thereafter the window shall be permanently retained as such.

Reason: To safeguard the residential amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

13 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:

- P001 Site Location Plan
- P002 Existing Site Plan
- P003 Existing Elevations 1 of 2
- P004 Existing Elevations 2 of 2
- P005 Proposed Site Plan
- P006 Rev A Proposed Ground Floor Plan
- P007 Proposed First Floor Plan
- P008 Proposed Second Floor Plan
- P009 Proposed Roof Plan
- P010 Proposed Elevations 1 of 2
- P011 Proposed Elevations 2 of 2
- P012 Proposed Sections
- P015 Existing Site Plan Enlarged
- P016 Existing Building Section

DECISION MAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons

given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. 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

The applicant should note that the site is located within a Controlled Parking Zone where existing permits exceed the supply of parking spaces. As such, in accordance with Single Executive Member Decision E1176, dated 14th August 2006, residents of this proposed development will not be entitled to apply for additional Residents Parking Permits. This, however, is considered to be at the developers risk given the sustainable location of this development proposal.

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Avon, designated a 'main river'. This was formerly called a Flood Defence Consent. Some

activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

The proposal includes an area of flat roof which may provide a nesting area for urban gulls. The applicants are advised to read and follow advice within the Council's 'Urban Gulls: How to stop them nesting on your roof' document which is available here: http://www.bathnes.gov.uk/sites/default/files/urban_gulls_-

_how_to_stop_them_nesting_on_your_roof_2014.pdf

Item No:	03
Application No:	16/03047/FUL
Site Location:	12 Junction Road, Oldfield Park, Bath, Bath And North East Somerset
Ward: Oldfield	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of single storey rear and side extension following demolition of existing outbuilding and conservatory to increase occupancy of HMO from 5 to 6.
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, HMO Stage 2 test required, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Mr Martin Thomas
Expiry Date:	1st September 2016
Case Officer:	Jessica Robinson

DECISION REFUSE

1 The proposed development fails to display the high quality of design that is required to both complement the existing dwelling and to maintain or enhance the character and appearance of the surrounding Conservation Area. Furthermore the proposed development would cause harm to the residential amenities of the neighbouring dwelling. The proposal is therefore contrary to saved Policies BH.6, D.2 and D.4 of the Bath and North East Somerset Local Plan including minerals and waste policies (2007), and the guidance within the NPPF.

PLANS LIST:

- 01 EXISTING AND PROPOSED GROUND FLOOR AND ROOF PLANS
- 02 EXISTING AND PROPOSED REAR AND EAST ELEVATION
- 03 EXISTING AND PROPOSED WEST ELEVATION
- 04 SITE AND LOCATION PLAN

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 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.

Item No:	04
Application No:	16/02631/FUL
Site Location:	39 High Street, Keynsham, BS31 1DS,
Ward: Keynsham N	North Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of two storey building to the rear of no.39 High Street to facilitate 2no. self contained flats. (Resubmission)
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Centres and Retailing, Conservation Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,
Applicant:	Dr Wasfy Yanny
Expiry Date:	23rd September 2016
Case Officer:	Alice Barnes

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 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details. Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policies T.24 and D.2 of the Bath and North East Somerset Local 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.

3 Residents Welcome Pack (Pre-occupation)

No occupation of the approved development shall commence until a new resident's welcome pack has been issued to the first occupier/purchaser of each residential unit of accommodation. The new resident's welcome pack shall have previously been submitted to and approved in writing by the Local Planning Authority and shall 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., to encourage residents to try public transport.

Reason: To encourage the use of public transport in the interests of sustainable development in accordance with Policy T.1 of the Bath and North East Somerset Local Plan

4 Archaeology (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.

5 Archaeology (Pre-commencement)

No development shall commence until the applicant, or their agents or successors in title, has presented the results of the archaeological field evaluation to the Local Planning Authority, and has secured the implementation of a subsequent programme of archaeological work in accordance with a written scheme of investigation which has first been agreed and approved in writing by the Local Planning Authority. The agreed programme of archaeological work 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 record and protect any archaeological remains.

6 Archaeology (Prior to occupation)

The development shall not be brought into use or occupied 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 postexcavation 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 may produce significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

7 Flood Risk and Drainage - Infiltration Testing (Pre-commencement)

No development shall commence, except ground investigations and remediation, until infiltration testing and soakaway design in accordance with Building regulations Part H, section 3 (3.30) have been undertaken to verify that soakaways will be suitable for the development. 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 and 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. This is a condition precedent because it is necessary to understand whether soakaways are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

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. 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 D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

9 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:

Location plan P-100 Site massing plan P-200 Proposed ground floor plan P-600 Proposed first floor plan P-700 Proposed west and north elevations P-900 Proposed east and south elevations P-1000 Proposed roof plan P-800

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Item No:	05
Application No:	16/03168/FUL
Site Location:	1 Magdalen Avenue, Lyncombe, Bath, Bath And North East Somerset
Ward: Widcombe	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of first floor rear extension and rendering of the existing ground floor rear extension (Revised Proposal) (Amended Description)

Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Ms Zoe Jones
Expiry Date:	22nd September 2016
Case Officer:	Kate Whitfield

DECISION REFUSE

1 The proposed first floor rear extension, specifically the use of timber cladding on the external elevations, would be an unsympathetic and incongruous addition to the property which will have a detrimental impact upon the character and appearance of the Bath Conservation Area. As such the proposal is contrary to saved policies D.2, D.4 and BH.6 of the Bath and North East Somerset Local Plan (including minerals & waste policies) adopted 2007.

PLANS LIST:

This decision relates to the following plans dated 23 June 2016 : Location and Block Plans, drawing reference 039 1000 Ground, First and Roof plans as existing, drawing reference 039 1010 South and East elevations as existing, drawing reference 039 1011 Ground, First and Roof Plans as proposed, drawing reference 039 3010 revision D South, East and West Elevations as proposed, drawing reference 039 3011 revision E

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. 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. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

Item No:	06
Application No:	16/02998/FUL
Site Location:	The Chapel, Argyle Terrace, Twerton, Bath
Ward: Westmorela	nd Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Conversion from existing offices (Class B1) to 4 No. residential maisonettes (Class C3) including external alterations
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, British Waterways Major and EIA, Forest of Avon, HMO Stage 2 test required, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,
Applicant:	Mr Paul Haskins and John White
Expiry Date:	9th August 2016
Case Officer:	Emma Watts

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 Highways - Construction Management Plan (Pre-commencement)

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

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policies T.24 and D.2 of the Bath and North East Somerset Local 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 Details of Materials (Bespoke Trigger)

No external works shall commence until details of the materials of the proposed windows, doors, powder coated metal panels and perforated aluminium bin store screen have 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: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

5 Conservation Style Rooflights (Compliance)

The rooflights hereby approved shall be conservation style with a central glazing bar.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

6 Cycle Storage Provision (Compliance)

No occupation of the development shall commence until bicycle storage for at least 4 bicycles (one per unit) has been provided in accordance with the approved plans. The bicycle storage shall be retained permanently thereafter.

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

7 Highways - Residents Welcome Pack (Pre-occupation)

No occupation of the approved development shall commence until a new resident's welcome pack has been issued to the first occupier/purchaser of each residential unit of accommodation. The new resident's welcome pack shall have previously been submitted to and approved in writing by the Local Planning Authority and shall 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., to encourage residents to try public transport.

Reason: To encourage the use of public transport in the interests of sustainable development in accordance with Policy T.1 of the Bath and North East Somerset Local Plan

8 Noise Mitigation (Pre-occupation)

On completion of the works but prior to any occupation of the approved development, an assessment from a competent person shall be submitted and approved in writing by the Local Planning Authority to demonstrate that the development has been constructed to provide sound attenuation against external noise in accordance with BS8233:2014. The following levels shall be achieved: Maximum internal noise levels of 35dBLAeq, 16hr and 30dBLAeq, 8hr for living rooms and bedrooms during the daytime and night time respectively. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLAmax.

Reason: To protect future occupants from exposure to road traffic noise in accordance with Policy HG.12 of the Bath and North East Somerset Local Plan.

9 The proposed roof lights on the western roof slope shall be obscurely glazed and shall be permanently retained as such.

Reason: To safeguard the residential amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

PLANS LIST:

This decision relates to the following drawings and information: 1609 AL(0)01,1609 AL(0)05, 1609 AL(0)15, 1609 AL(0)16, 1609 AL(0)36, Design and Access Statement, Appendix to Design and Access Statement, Transport Stateemnt and External Noise Control Report received 14/06/2016, 1609 AL(0)20 and 1609 AL(0)035 received 16/08/2016.

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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, 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. 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

Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted/revised proposals was taken and consent was granted.

Item No:	07
Application No:	16/03172/FUL
Site Location: Corston, Bath	Land Between Barton House And Laburnum Cottage, The Barton,
Ward: Farmboroug	h Parish: Corston LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a single family dwelling with parking for two vehicles
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Conservation Area, Forest of Avon, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
Applicant:	Mr & Mrs Davis
Expiry Date:	23rd September 2016
Case Officer:	Emma Watts

DECISION REFUSE

1 The proposed detached dwelling does not fall within the definition of infilling and therefore represents inappropriate development within the Green Belt and would be harmful by definition. In the absence of very special circumstances to outweigh this harm, the proposed development is contrary to saved Policy HG.6 of the Bath and North East Somerset Local Plan (including minerals and waste policies) adopted October 2007, Policy CP8 of the Core Strategy and the aims of the National Planning Policy Framework.

2 By reason of the first floor windows to the front elevation, the proposed detached dwelling would result in increased overlooking to the garden of Barton House to the detriment of the residential amenities of the occupiers of that dwelling. The proposed development is therefore contrary to Policy D.2 of the Bath and North East Somerset Local Plan (including minerals and waste policies) adopted October 2007 and the aims of the National Planning Policy Framework.

PLANS LIST:

This decision is based on the following drawings and information: PI-10, PI-90-1, PI-100 Revision A, DB1722-TOPO and Design and Access Statement received 27/06/2016 and PI-90-2 Revision A received 14/07/2016.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. 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. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule comes into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all 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:	08
Application No:	16/03427/FUL
Site Location:	7 Hornbeam Walk, Keynsham, Bristol, Bath And North East Somerset
Ward: Keynsham S	South Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of three bedroomed semi-detached house within existing garden area of no. 7 Hornbeam Walk, Keynsham.
Constraints:	Affordable Housing, Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,
Applicant:	Mr & Mrs David And Claire Woolcock
Expiry Date:	19th October 2016
Case Officer:	Emma Watts

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 Materials (Compliance)

All external walling and roofing materials to be used shall match those of the existing building known as 7 Hornbeam Walk in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

4 Obscure Glazing and Non-opening Window(s) (Compliance)

The proposed first floor side window in the south elevation shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window shall be permanently retained as such.

Reason: To safeguard the residential amenity of any future development of the neighbouring site in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

5 Highways - Construction Management Plan (Pre-commencement)

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

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policies T.24 and D.2 of the Bath and North East Somerset Local 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.

PLANS LIST:

This decision relates to the following drawings: un-numbered Front Elevation East and Rear Elevation West, un-numbered Ground Floor Plan and First Floor Plan, un-numbered Side Elevation South and un-numbered Side Elevation North received 07/07/2016 and un-numbered OS Site Location Plan and un-numbered Block Plan received 24/08/2016.

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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Community Infrastructure Levy Advisory

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. 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

Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted/revised proposals was taken and consent was granted.

Item No:	09
Application No:	16/03488/FUL
Site Location: Somerset	63 Purlewent Drive, Upper Weston, Bath, Bath And North East
Ward: Weston	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use from a residential dwelling (use class C3) to a 4 bedroom HMO (use class C4).
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Ms Anna Keen
Expiry Date:	23rd September 2016
Case Officer:	Martin Almond

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 4 bicycles 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 T.6 of the Bath and North East Somerset Local 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 drawings first floor plans and ground floor plans dated as received 8th July 2016 and site location plan dated as received 12th July 2016.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

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 a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Item No:	10
Application No:	15/01802/FUL
Site Location:	Church Farm Derelict Property, Church Hill, High Littleton, Bristol
Ward: High Littletor	n Parish: High Littleton LB Grade: II
Application Type:	Full Application
Proposal:	Construction of new pedestrian and vehicular access to Church Farm, High Littleton from A39 High Street following removal of section of boundary wall.
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, Tree Preservation Order,

Applicant:	Mr Martin Pera
Expiry Date:	16th December 2015
Case Officer:	Laura Batham

Withdrawn from Agenda

Item No:	11
Application No:	16/02692/LBA
Site Location:	Maisonette 2 3 Floor S, 4 Princes Buildings, City Centre, Bath
Ward: Abbey	Parish: N/A LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Internal alterations to include the removal of stud wall between kitchen and reception room and installation of stud wall and door in corridor to create a laundry cupboard.
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Centres and Retailing, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Powell & Powell Ltd
Expiry Date:	19th August 2016
Case Officer:	Adrian Neilson

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

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

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

2 Plans List (Compliance)

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

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

PLANS LIST:

5362-16-01, 5362-16-02, 5362-16-03, 5362-16-04 and Design, Access and Heritage Statement date stamped 27 May 2016 and photographs 24 June 2016.

DECISION TAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Item No:	12
Application No:	16/02441/FUL
Site Location:	St Nicholas Church, Church Road, Whitchurch, Bristol
Ward: Publow And	Whitchurch Parish: Whitchurch LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of disabled WC to front elevation.
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Housing Development Boundary, Listed Building, Local Shops, SSSI - Impact Risk Zones,
Applicant:	PCC of St Nicholas Church Care of Mrs A Sealy
Expiry Date:	14th July 2016
Case Officer:	Adrian Neilson

Defer for site visit – to allow Members to view the site