

**BATH AND NORTH EAST SOMERSET COUNCIL**  
**DEVELOPMENT MANAGEMENT COMMITTEE**

**16th November 2016**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	16/03114/ERES	
<b>Site Location:</b>	Proposed Development Site, Roseberry Road, Twerton, Bath	
<b>Ward:</b> Westmoreland	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Reserved Matters App with an EIA	
<b>Proposal:</b>	Approval of Reserved Matters in relation to outline application 15/01932/EOUT (Phase 1 of the development comprising 171 flats, local needs shopping unit, and associated development)	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Enterprise Area, British Waterways Major and EIA, British Waterways Minor and Householders, Contaminated Land, Flood Zone 2, Flood Zone 3, Forest of Avon, Sites with Planning Permission, Hotspring Protection, LLFA - Flood Risk Management, MOD Safeguarded Areas, Railway, River Avon and Kennet & Avon Canal, Site Of Special Scientific Interest (SI), SSSI - Impact Risk Zones, World Heritage Site,	
<b>Applicant:</b>	Deeley Freed (Penhalt) Limited	
<b>Expiry Date:</b>	30th November 2016	
<b>Case Officer:</b>	Tessa Hampden	

**DECISION** APPROVE subject to conditions.

<b>Item No:</b>	02	
<b>Application No:</b>	16/01435/FUL	
<b>Site Location:</b>	Parking Area Rear Of 4A, York Place, London Road, Walcot	
<b>Ward:</b> Walcot	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a building comprising 4no. residential apartments.	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, LLFA - Flood Risk Management, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Tree Preservation Order, World Heritage Site,	
<b>Applicant:</b>	J R Properties Ltd	
<b>Expiry Date:</b>	31st May 2016	
<b>Case Officer:</b>	Tessa Hampden	

## **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 Floor levels (Compliance)**

The development hereby permitted shall be constructed with Finished Floor Levels set at a minimum 22.81mAOD.

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

### **3 Flood resilience measures (Pre-commencement)**

No development approved by this planning permission shall take place until such time as a scheme detailing flood resilience measures to be incorporated in the construction of the development has been submitted to, and approved in writing by, the local planning authority in consultation with the Environment Agency.

The scheme shall be fully implemented prior to occupation and subsequently maintained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

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

### **4 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.

### **5 Drainage strategy (Pre-commencement)**

No development shall commence, except ground investigations and remediation, until a complete surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority.

Details of what to include in the drainage strategy can be found on page 37 onwards of the West of England Sustainable Drainage Developer Guide. This Guide also specifies the required surface water flood risk standards.

[http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/LDFGeneral/bd6457\\_woe\\_developer\\_guide\\_complete\\_72dpi.pdf](http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/LDFGeneral/bd6457_woe_developer_guide_complete_72dpi.pdf)

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 establish a viable method of surface water drainage prior to any initial construction works which may prejudice the surface water drainage strategy

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies 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 Hard and Soft Landscaping (Pre-occupation)**

No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

#### **8 Hard and Soft Landscaping (Compliance)**

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

#### **9 Highways - Parking (Compliance)**

The areas allocated for parking and turning on the submitted plan for the residential and retail unit shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

#### **10 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.

#### **11 Refuse storage (Bespoke trigger)**

No development of the external refuse storage shall commence until details 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 and shall be carried out prior to the occupation of the development hereby approved.

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.

#### **12 Screening (Pre occupation)**

The development hereby approved shall not be occupied until the details of the external screening on the proposed raised surfaces have been submitted to and approved in writing. The development shall thereafter be undertaken in accordance with the approved details and shall be carried out prior to the occupation of the development hereby approved. The screening shall be retained through the life of the development.

Reason: In the interests of the appearance of the development and the surrounding area, and the residential amenity of the neighbouring occupiers 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.

#### **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:**

## PLANS

29 Sep 2016 Existing site and site location plan  
27 Jul 2016 14-040-20 Site plan and section  
27 Jul 2016 14-040-10 Proposed plans  
27 Jul 2016 14-040-11 Elevations as proposed

### **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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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](http://www.bathnes.gov.uk/cil)

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.

<b>Item No:</b> 03
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<b>Application No:</b>	16/01436/LBA
<b>Site Location:</b>	Parking Area Rear Of 4A, York Place, London Road, Walcot
<b>Ward:</b> Walcot	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Listed Building Consent (Alts/exts)
<b>Proposal:</b>	External alterations to include the erection of a building comprising 4no. residential apartments.
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, LLFA - Flood Risk Management, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Tree Preservation Order, World Heritage Site,
<b>Applicant:</b>	J R Properties Ltd
<b>Expiry Date:</b>	19th May 2016
<b>Case Officer:</b>	Tessa Hampden

## 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:

### PLANS

29 Sep 2016	Existing site and site location plan
27 Jul 2016	14-040-20      Site plan and section
27 Jul 2016	14-040-10      Proposed plans
27 Jul 2016	14-040-11      Elevations as proposed

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

## 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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

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.

<b>Item No:</b>	04	
<b>Application No:</b>	15/04085/FUL	
<b>Site Location:</b>	Holly Farm, The Green, Farmborough, Bath	
<b>Ward:</b> Farmborough	<b>Parish:</b> Farmborough	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 2 no. new dwellings to the rear of the plot and conversion of existing barn and cowshed to create 2 no. dwellings with associated works. (Resubmission)	
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenfield site, Housing Development Boundary, Listed Building, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr Vernon Stokes	
<b>Expiry Date:</b>	18th November 2016	
<b>Case Officer:</b>	Sasha Berezina	

## **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 Arboricultural Method Statement and Tree Protection Plan (Pre-commencement)**

No development shall take place until a detailed arboricultural method statement with tree protection plan identifying measures to protect the trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records to the Local Planning Authority. The statement should also include the control of potentially harmful operations such as the position of service runs and soakaways, storage, handling and mixing of materials on site, burning, location of site office and movement of people and machinery.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with policy NE.4 of the Bath and North East Somerset Local Plan. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

### **3 Arboricultural Method Statement and Tree Protection Plan(Compliance)**

No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority. A signed certificate of compliance shall be provided by the appointed arboriculturalist to the local planning authority on completion and prior to the first occupation of the dwelling.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

### **4 Hard Landscaping Samples (Bespoke Trigger)**

No hard landscaping works shall commence until samples of surfacing materials and a sample panel of all paving 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, the setting of listed buildings and the surrounding area in accordance with Policies BH.2, 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 Implementation of Soft and Hard Landscaping (Pre-occupation)**

All hard and soft landscape works shall be carried out in accordance with the approved details (Drawing No63 (Proposed Landscape Plan) received 10 December 2015) or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. The works shall be carried out prior to the occupation of the relevant part of the development. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained.

### **6 Sample Panel - Walling and Roofing (Bespoke Trigger)**

No construction of the external walls of the development shall commence until a sample of roofing materials and a sample panel of all external walling 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 Bin storage details (Bespoke Trigger)**

Detailed drawings of the proposed bin collection area for plots 1-4 shall be submitted to and approved by the Local Planning Authority prior to occupation of the development.

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.

### **8 Retention of Parking (Compliance)**

The areas allocated for parking on submitted Drawing No 55 Rev D shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

### **9 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.

### **10 Wildlife Protection and Enhancement (Pre-commencement)**

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

- (i) the final details of the bat mitigation scheme (which can take the form of an EPS licence application method statement if appropriate), which shall be in accordance with the mitigation and compensation proposals and recommendations contained in section 5 of the approved Bat Surveys report dated 8th August 2016 by Johns Associates;
- (ii) proposed method statements and all other necessary measures for the avoidance of harm during site preparation and construction works to nesting birds, reptiles and hedgehog and retained and adjacent habitats including prevention of harm to the nearby Conygre Brook SNCI;
- (iii) findings of any necessary further pre-commencement protected species survey or checks, or proposed submission of these in writing to the LPA when available;
- (iv) Details of proposed wildlife friendly planting including replacement fruit tree and habitat provision;
- (v) Details of proposed measures to enhance the value of the site for wildlife and provide biodiversity gain.

All works within the scheme shall be carried out in accordance with the approved details prior to the occupation of the development.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policies NE.10 and NE.11 of the Bath and North East Somerset Local Plan.

### **11 Implementation of Wildlife Scheme (Pre-occupation)**

No occupation of the development hereby approved shall commence until a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs where appropriate, implementation of the recommendations of the Wildlife Protection and Enhancement Scheme shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with policies NE.10 and NE.11 of the Bath and North East Somerset Local Plan.

### **12 Implementation of bat mitigation (Pre-occupation)**

No occupation of the development hereby approved shall commence until a copy of the EPS licence in relation to works affecting bats and their roosts, together with a copy of a report produced by a suitably experienced ecologist (licenced bat worker) confirming and demonstrating, using photographs where appropriate, satisfactory implementation of all necessary bat mitigation and compensation measures as detailed in the approved Bat Mitigation and Compensation scheme, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure satisfactory implementation of the approved bat mitigation and compensation scheme

### **13 External Lighting (Bespoke Trigger)**

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

Reason: To avoid harm to bats and wildlife in accordance with policies NE.10 and NE.11 of the Bath and North East Somerset Local Plan.

### **14 Drainage (Pre-construction)**

Prior to construction drainage strategy for the site detailing how the surface water will be managed shall be submitted to and approved in writing by the local planning authority. The strategy needs to ensure that no flow of water from the development can flow out on to the highway or neighbouring land.

Reason: To prevent an increase in flood risk away from the development.

### **15 Plans List (Compliance)**

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

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

### **PLANS LIST:**

Revised Drawing 03 Nov 2016 11 REV E PROPOSED BARN FLOOR PLANS AND ELEVATIONS

Revised Drawing 03 Nov 2016 12 REV F PROPOSED BARN ELEVATIONS AND SECTION

Drawing 10 Sep 2015 13 DETAIL SHEET 1 BARNS 1 AND 2

Revised Drawing 03 Nov 2016 14 REV B PROPOSED BARN DETAIL SHEET 2

Revised Drawing 03 Nov 2016 15 REV B PROPOSED BARN DETAIL SHEET 3

Revised Drawing 18 Oct 2016 16 A PROPOSED BARN DETAIL SHEET 4

Revised Drawing 03 Nov 2016 54 REV E PROPOSED SITE PLAN AND SECTION

Drawing 10 Sep 2015 55D PROPOSED SITE PLAN

Drawing 10 Sep 2015 56 SITE SURVEY

Drawing 24 Sep 2015 57 REV C BARN SURVEY AS EXISTING ELEVATIONS

Drawing 10 Sep 2015 58B BARNS 1 AND 2 EXISTING FLOOR PLANS AND SECTION

OS Extract 10 Sep 2015 59 SITE LOCATION PLAN

Revised Drawing 30 Jun 2016 60 E PROPOSED FLOOR PLANS PLOTS 3 & 4

Revised Drawing 30 Jun 2016 61 E PROPOSED ELEVATIONS PLOTS 3 & 4

Revised Drawing 10 Dec 2015 63 PROPOSED LANDSCAPE PLAN

## NOTES TO APPLICANT

### **Noise and dust control from construction of development - informative**

The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Protection Team at Bath and North East Somerset Council.

### **Highways works**

The applicant is advised to contact the Highway Maintenance Team on 01225 394337 with regard to securing a licence under Section 184 of the Highways Act 1980 for the widening of the existing vehicular crossing as proposed. The new dwellings shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

### **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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

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.

<b>Item No:</b>	05	
<b>Application No:</b>	15/04179/LBA	
<b>Site Location:</b>	Holly Farm, The Green, Farmborough, Bath	
<b>Ward:</b> Farmborough	<b>Parish:</b> Farmborough	<b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)	
<b>Proposal:</b>	Internal and external alterations to include erection of 2 no. new dwellings to the rear of the plot and conversion of existing barn and cowshed to 2 no. dwellings with associated works.	
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenfield site, Housing Development Boundary, Listed Building, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr Vernon Stokes	
<b>Expiry Date:</b>	18th November 2016	
<b>Case Officer:</b>	Sasha Berezina	

**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 Repair of the roof and floor structures of the Barn (Bespoke Trigger)**

A full survey and detailed schedule of works and method statement for the repair of the roof and floor structures of the Barn including rafters, trusses, purlins and floor joists shall be submitted to and approved in writing by the Local Planning Authority prior to these works commencing.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

## **3 Mortar Mix (Bespoke Trigger)**

No re-pointing shall be carried out until areas of repointing have been identified and details of the proposed works and specification for the mortar mix and a sample area of pointing demonstrating colour, texture, jointing and finish have been provided in situ for the inspection and approval in writing by the Local Planning Authority and retained for reference until the work has been completed. Once approved the works shall be completed in accordance with the approved details.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

## **4 Joinery External Finishes (Bespoke Trigger)**

No installation of the new external doors and windows shall commence until external joinery finishes for all doors, windows and sun room frame have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

## **5 Materials (Compliance)**

The external stonework to be used in the infill shall match that of the existing walling in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: To safeguard the character and appearance of the building in accordance with Policy BH.2 of the Bath and North East Somerset Local Plan.

## **6 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:**

Revised Drawing 03 Nov 2016 11 REV E PROPOSED BARN FLOOR PLANS AND ELEVATIONS Public  
Revised Drawing 03 Nov 2016 12 REV F PROPOSED BARN ELEVATIONS AND SECTION  
Drawing 16 Sep 2015 13 DETAIL SHEET 1 OF 3  
Revised Drawing 03 Nov 2016 14 REV B PROPOSED BARN DETAIL SHEET 2  
Revised Drawing 03 Nov 2016 15 REV B PROPOSED BARN DETAIL SHEET 3  
Revised Drawing 18 Oct 2016 16 A PROPOSED BARN DETAIL SHEET 4

Revised Drawing 03 Nov 2016 54 REV E PROPOSED SITE PLAN AND SECTION  
Drawing 16 Sep 2015 55 D PROPOSED SITE PLAN  
Drawing 16 Sep 2015 56 SITE SURVEY  
Drawing 24 Sep 2015 57 REV C BARN SURVEY AS EXISTING ELEVATIONS  
Drawing 14 Oct 2015 58 B EXISTING PLANS AND SECTION  
OS Extract 16 Sep 2015 59 LOCATION PLAN  
Revised Drawing 30 Jun 2016 60 E PROPOSED FLOOR PLANS PLOTS 3 & 4  
Revised Drawing 30 Jun 2016 61 E PROPOSED ELEVATIONS PLOTS 3 & 4  
Revised Drawing 10 Dec 2015 63 PROPOSED LANDSCAPE PLAN

### **Condition Categories**

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

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

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

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

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

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

Where approval of further information is required you will need to submit 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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

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.

<b>Item No:</b>	06	
<b>Application No:</b>	16/04284/FUL	
<b>Site Location:</b>	Farmborough Memorial Hall, Little Lane, Farmborough, Bath	
<b>Ward:</b> Farmborough	<b>Parish:</b> Farmborough	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of community shop	
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Farmborough Community Shop Management Committee	
<b>Expiry Date:</b>	28th October 2016	
<b>Case Officer:</b>	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 Parking (Compliance)**

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

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

### **3 Construction Management Plan (Pre-commencement)**

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, 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 Arboriculture (Pre-commencement)**

No development shall commence until tree protective fencing has been erected in the location indicated on the Proposed Site Layout. Unless otherwise agreed in writing with the local planning authority the fencing shall be 1.2m high and consist of fencing supported by a rigid framework braced or driven into the ground to resist impacts. This fencing shall remain in place during site works.

Reason: To ensure that the trees are protected from potentially damaging activities in accordance with policy NE.4 of the Bath and North East Somerset Local Plan

#### **5 Refuse store (Prior to operation)**

Prior to the operation of the proposed shop details of the proposed refuse store should be submitted to an approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: In the interests of residential amenity and in accordance with policy D.2 of the Bath and North East Somerset Local Plan

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies 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 Hard and Soft Landscaping (Pre-occupation)**

No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

### **8 Hard and Soft Landscaping (Compliance)**

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

### **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:**

Site location plan L001 rev C  
Existing site layout L002 rev B  
Existing elevations L003 rev A  
Proposed site layout L012 rev B  
Proposed plans and elevations L020 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 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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto: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.

<b>Item No:</b>	07	
<b>Application No:</b>	16/03652/FUL	
<b>Site Location:</b>	Applegate Stables , Shockerwick Lane, Bathford, Bath	
<b>Ward:</b> Bathavon North	<b>Parish:</b> Bathford	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of additional livery stables and a rural workers accommodation unit	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mrs R Dymond-Hall	
<b>Expiry Date:</b>	26th October 2016	
<b>Case Officer:</b>	Nicola Little	

**Withdrawn from agenda**

<b>Item No:</b>	08
<b>Application No:</b>	16/04282/FUL
<b>Site Location:</b>	101 Wellsway, Keynsham, Bristol, Bath And North East Somerset
<b>Ward:</b> Keynsham East	<b>Parish:</b> Keynsham Town Council <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of an extension to form 2no 1 bedroom flats.
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Forest of Avon, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Ms Lynette Porter
<b>Expiry Date:</b>	28th October 2016
<b>Case Officer:</b>	Nicola Little

## DECISION PERMIT

### 1 Standard Time Limit (Compliance)

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

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

### 2 Materials (Compliance)

Notwithstanding the details provided on the submitted plans, all external walling and roofing materials to be used shall match those of the existing neighbouring terrace houses 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.

### 3 Closure of Access (Bespoke Trigger)

The development hereby approved shall not occupied until the existing vehicular access has been permanently closed and a footway crossing constructed, including the raising of dropped kerbs, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is served by a safe access in the interests of highway safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

### 4 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.

#### **5 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 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

#### **6 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 submitted Transport Statement dated August 2016, Design and Access Statement, and drawings 2748 002 EXISTING AND PROPOSED PLANS - REV A, submitted to the Council 20 October 2016; 2748/003 PROPOSED FLOOR & ROOF PLANS - APARTMENTS; 2748/004 PROPOSED ELEVATIONS; and 2748/001 SITE LOCATION AND BLOCK PLAN submitted to the Council 26 August 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.