

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

14th December 2016

DECISIONS

Item No:	01	
Application No:	16/00850/OUT	
Site Location:	Land Parcel 7200, Bath Road, Keynsham,	
Ward: Keynsham East	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Residential and related development comprising approximately 250 dwellings, new Primary School with associated outdoor playing facilities, means of access thereto, associated open space, landscaping, access roads, footways/cycleways and infrastructure works (Revised Plans)	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, Housing Development Boundary, Strategic Site Allocations, SSSI - Impact Risk Zones,	
Applicant:	Macktaggart And Mickel Homes Ltd	
Expiry Date:	17th December 2016	
Case Officer:	Tessa Hampden	

Delegate to PERMIT – subject to the signing of a S106 Agreement

Item No:	02	
Application No:	16/03306/OUT	
Site Location:	Milland House, Rock Road, Keynsham, Bristol	
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Erection of a building comprising a convenience store, 15 no. flats and 1 no. maisonette following demolition of the existing office building and detached dwelling house. (REVISED PLANS)	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Centres and Retailing, Contaminated Land, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,	
Applicant:	Milands Properties LLP	
Expiry Date:	15th December 2016	
Case Officer:	Tessa Hampden	

DECISION APPROVE

1 Outline Time Limit (Compliance)

The development hereby approved shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

2 Reserved Matters Time Limit (Compliance)

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

3 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.

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 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

6 Site management plan - (Pre-occupation)

Prior to the occupation of the retail development, a Site Management Plan for the retail unit shall be submitted to and approved in writing by the Local Planning Authority and shall include details of waste disposal, and deliveries (including times). The development shall be carried out in accordance with these approved details.

Reason: To ensure the safe operation of the highway and protect residential amenity

7 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.

8 District Heating (Pre-commencement)

No development shall commence until a scheme to show the provision of a district heating compliant system and infrastructure within the approved development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details.

Reason: In the interests of sustainable development and in order to show compliance with Policy CP4 of the Bath and North East Somerset Core Strategy. This is a condition precedent to ensure that the necessary infrastructure is incorporated into the development at its earliest stages.

9 Bicycle Storage (Pre-occupation)

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

Reason: In the interests of sustainable development.

10 Refuse Storage (Pre-occupation)

Prior to the occupation of the development, the refuse store(s) indicated on the approved plans shall be provided and thereafter shall be permanently retained solely for this purpose. No refuse shall be stored outside the building(s) other than in the refuse store(s) hereby approved.

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

11 Archaeology - Watching Brief (Pre-commencement)

No development shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

12 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:

01 Jul 2016	3236-203	EXISTING GROUND FLOOR PLAN
01 Jul 2016	3236-204	EXISTING FIRST FLOOR PLAN
01 Jul 2016	3236-205	EXISTING ELEVATIONS
01 Jul 2016	3236-206A	EXISTING SECTIONS
01 Nov 2016	501 N	GROUND FLOOR PLAN
01 Nov 2016	503 Q	ROOF PLAN
01 Nov 2016	511 K	ROCK ROAD AND CAR PARK ELEVATIONS
01 Nov 2016	512 M	FRONT AND REAR ELEVATIONS
01 Nov 2016	502 K	FIRST AND SECOND FLOOR 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.

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

Item No:	03	
Application No:	16/04512/FUL	
Site Location:	Church Farm, Church Lane, Stanton Drew, Bristol	
Ward: Clutton	Parish: Stanton Drew	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use to convert farm building to provide a farm dwelling.	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Referral Area, Conservation Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs R And Mr James Young	
Expiry Date:	16th December 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 Parking (Compliance)

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose.

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

3 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.

4 Ecology (Compliance)

The development hereby permitted shall be carried out only in accordance with the recommendations of the approved Protected Species Assessment report by Country Contracts dated August 2016.

Reason: To avoid harm to wildlife including protected species

5 Archaeology (pre-commencement)

No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

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 policy Bh.12 of the 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 Agricultural Occupancy (Compliance)

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, within the existing agricultural enterprise of Church Farm, Stanton Drew, or a widow or widower of such a person, and to any resident dependants.

Reason: To accord with the Policies in the Development Plan and to ensure an adequate availability of dwellings to meet agricultural needs in the locality.

8 Plans List (Compliance)

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

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

PLANS LIST:

Existing plans and elevations 01
Proposed plans and elevations 02 rev C

Advice Note;

The applicant should ensure that PROW CL18/8 remains clear of obstruction at all times during and after construction works. Any damage to this road shall be repaired at the applicant's expense.

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:	04	
Application No:	15/03650/OUT	
Site Location:	New Kingdom Hall, Charlton Road, Keynsham, Bristol	
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Erection of a three storey block comprising 8no residential apartments following demolition of the existing buildings (access and layout to be determined with all other matters reserved)	
Constraints:	Agric Land Class 3b,4,5, Centres and Retailing, Conservation Area, Forest of Avon, Sites with Planning Permission, Housing Development Boundary, Public Right of Way, SSSI - Impact Risk Zones,	
Applicant:	Hill Development	
Expiry Date:	4th March 2016	
Case Officer:	Alice Barnes	

Deferred for further information

Item No:	05
Application No:	16/04885/FUL
Site Location:	The Grove, Langridge Lane, Swainswick, Bath
Ward: Bathavon North	Parish: Charlcombe LB Grade: N/A
Application Type:	Full Application
Proposal:	Demolition of existing garage and erection of a replacement building for use as an annex providing ancillary residential accommodation
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Flood Zone 2, Flood Zone 3, Greenbelt, LLFA - Flood Risk Management, MOD Safeguarded Areas, Sites of Nature Conservation Interest, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones,
Applicant:	Mr John Rippin
Expiry Date:	16th December 2016
Case Officer:	Alice Barnes

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

Item No:	06
Application No:	16/04250/FUL
Site Location:	Land East Of Alma Cottage, Charlcombe Lane, Charlcombe, Bath
Ward: Bathavon North	Parish: Charlcombe LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of one dwelling following the demolition of existing stables
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
Applicant:	Julia Morgan
Expiry Date:	16th December 2016
Case Officer:	Emma Hardy

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

Item No:	07
Application No:	16/04549/FUL
Site Location:	186 The Hollow, Southdown, Bath, Bath And North East Somerset
Ward: Southdown	Parish: N/A LB Grade: N/A
Application Type:	Full Application

Proposal:	Installation of a dormer (resubmission)
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:	Mrs Karina Sykes
Expiry Date:	16th December 2016
Case Officer:	Emma Hardy

DECISION PERMIT

PLANS LIST:

This decision relates to the following plans: drawing No. 03 (proposed floor plans) and drawing No. 04 (proposed elevations) received 15/11/2016.

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. 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.

Item No:	08
Application No:	16/03885/LBA
Site Location:	Great Dell, Drive Through Royal Victoria Park, Lower Weston, Bath
Ward: Kingsmead	Parish: N/A LB Grade: N/A
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	External alterations for the cleaning and re-lettering of the Shakespeare Monument
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, Park and Gardens of Historic Importance, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Bath Shakespeare Society
Expiry Date:	26th October 2016
Case Officer:	Laura Batham

Withdrawn from Committee Agenda

Item No:	09		
Application No:	16/04668/FUL		
Site Location:	13 Horsecombe Brow, Combe Down, Bath, Bath And North East Somerset		
Ward:	Combe Down	Parish:	N/A
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Provision of loft conversion with hipped side and rear pitched dormer.		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,		
Applicant:	Mr Matt Cochrane		
Expiry Date:	16th December 2016		
Case Officer:	Christine Moorfield		

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Plans List (Compliance)

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

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

3 Materials (Compliance)

All external roofing materials to be used shall match those of the host dwelling in respect of size, material, colour, texture and profile.

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 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the dormers shall commence until samples of the materials to be used in the construction of the external surface of the dormers 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.

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

The proposed dormer window on the eastern elevation shall be obscurely glazed. 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.

PLANS LIST:

063 02- 01, 06, 03 and 04

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.

Condition Categories

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

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

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

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

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

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

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