

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

8th March 2017

DECISIONS

Item No:	01	
Application No:	16/05348/REG03	
Site Location:	Bath Quays Bridge, Green Park Road, City Centre, Bath	
Ward: Kingsmead	Parish: N/A	LB Grade: N/A
Application Type:	Regulation 3 Application	
Proposal:	Demolition of existing building (Boiler House) and two (2) no. associated arches and provision of new bridge crossing of the river Avon for pedestrian and cycle use, including new public realm on the North and South river banks, landscaping, a new river wall and links to the existing highway network.	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Bath Enterprise Area, British Waterways Major and EIA, British Waterways Minor and Householders, Centres and Retailing, Conservation Area, Contaminated Land, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Bath And North East Somerset Council	
Expiry Date:	10th March 2017	
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 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, and site compound arrangements. The management plan shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. 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 Construction Phase Plan (Pre-commencement)

No development permitted by this planning permission shall commence until such time as a Construction phase plan has been submitted to, and approved in writing by the local planning authority in consultation with the Environment Agency. The scheme shall thereafter proceed in accordance with the approved details.

Reason: To ensure no increased flood risk during the construction period in accordance with policy CP5 of the Core Strategy. This is a condition precedent because the incorrect phasing of works has the potential to increase flood risk, so these details are required before the start of works.

4 Bridge Materials (Bespoke Trigger)

Prior to the construction of the approved bridge structure samples of the materials to be used for the steel frame and natural stone decking shall be 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 Wildlife Protection and Enhancement (Pre-commencement)

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

- (i) All necessary ecological protection measures to be implemented prior to and during construction phase;
- (ii) A timetable of delivery to show provision of the otter holt and habitat enhancements prior to demolition of the existing resting site;
- (iii) Details of habitat replacement and enhancement;
- (iii) Proposed conservation management objectives for the otter holt site, replacement habitat and enhanced habitat and prescriptions and timescale for their on-going management;

All works within the scheme shall be carried out in accordance with the approved details and prior to the approved bridge being opened to the public.

Reason: To safeguard local species and their habitats in accordance with policy NE.9 and NE.10 of the Bath and North East Somerset Local Plan and policy NE3 of the emerging Placemaking Plan. This must be done prior to development as any works have the potential to harm wildlife.

6 Hard Landscaping (Bespoke Trigger)

The approved bridge shall not be opened to the public until a hard landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of existing and proposed walls, fences, ground levels, other boundary treatment and surface treatment of the open parts of the site, the position and details of any bollards or street furniture 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.

7 Landscaping Implementation (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 approved bridge being opened to the public 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.

8 Archaeology - Controlled Excavation (Bespoke Trigger)

No excavation within the location of the bridge piers 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 excavation of all significant deposits and features which are to be disturbed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation. Thereafter the building works shall incorporate any building techniques and measures necessary to mitigate the loss or destruction of any further archaeological remains.

Reason: The site is within an area of major 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.

9 Archaeology - Historic Building Recording (Pre-commencement)

No development or demolition 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 record of those parts of the building(s), which are to be demolished, disturbed or concealed by the proposed

development, 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.

10 Archaeology - Post Excavation and Publication (Bespoke Trigger)

The approved bridge shall not be opened to the public 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 post-excavation 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 has produced significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

11 Arboricultural Method Statement and Tree Protection Plan (Bespoke Trigger)

No works to the north bank shall commence until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

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.

12 Lighting Strategy (Bespoke Trigger)

No lighting shall be installed as part of the development until a lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following:

The approach and design of the bridge lighting;
Detailed light spill calculations (including lux contour plans) to achieve the levels shown on drawing number 12905-1-E or lower;
Details of light control systems and regimes.

Any lighting installed shall accord with the details of the approved lighting strategy.

Reason: To prevent harm to ecology and bat activity arising from increased light levels above the river.

13 Review of installed lighting (Bespoke Trigger)

a. Within 3 months of the first operation of any installed lighting, a technical review of the lighting shall be carried out by a competent person to confirm compliance of the installed scheme with the approved lighting strategy. The review and report shall include an assessment of the operational light spill onto the river and bankside and shall confirm that it falls within the predicted and acceptable limits set out in the approved lighting strategy.

Should the review conclude that the lighting scheme is not in compliance, the report shall detail the modifications required to the lighting scheme to achieve compliance. If the installed lighting scheme is not in compliance with the lighting strategy, then the lighting shall be switched off or dimmed to a complaint level until the modifications referred to in part (b) below have been carried out.

b. Where modifications are required to secure compliance, these shall be carried out within 6 months of the first operation of the completed lights and the report from (a) shall be updated to confirm compliance and shall be submitted to and approved in writing by the Local Planning Authority.

The lighting shall thereafter be maintained in full accordance with the details agreed.

Reason: To ensure that the predicted light levels are achieved and to prevent harm to ecology and bat activity arising from increased light levels above the river.

14 Bridge ramp run-off (Compliance)

The approved bridge shall not be opened to the public until a level area extending 5m to the west from the end of the bridge ramp has been paved and made available to members of the public. This area shall be kept clear of any obstructions, except for any features forming part of the approved landscape scheme.

Reason: In the interests of pedestrian safety in order to allow those who are unable to use the direct route to/from Lower Bristol via the proposed steps to do so safely via the ramp and in accordance with policy T.24 of the Bath and North East Somerset Local Plan and policy ST7 of the emerging Placemaking Plan.

15 Off-site highways works (Bespoke Trigger)

The approved bridge shall not be opened to the public until a scheme of off-site highways works for the Lower Bristol Road adjacent to the site has been completed in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the detail and implementation of a scheme of off-site highways works in the interests of highways safety in accordance with policy T.24 of the Bath and North East Somerset Local Plan and policy ST7 of the emerging Placemaking Plan.

16 Flood Management Plan (Bespoke Trigger)

The approved bridge shall not be opened to the public until a Flood Management Plan has been submitted to and approved in writing by the Local Planning Authority. This should

include details to ensure that the bridge is not used during times of flood where there could be potential risk to life. 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 measures within the approved Flood Management Plan shall be implemented in perpetuity.

Reason: To reduce flood risk and the risk to the public during a flood event in accordance with policy CP5 of the Core Strategy.

17 Bridge Deck Height (Compliance)

The development hereby permitted shall be constructed with the Bridge deck set no lower than 19.9m AOD at any part of the span.

Reason: To reduce flood risk and the potential for debris to be trapped under the bridge during times of high flows and in accordance with policy CP5 of the Core Strategy.

18 Flood Defence Line (Compliance)

There must be a continuous defence line maintained along the south bank of the river of 20.25m AOD at all times

Reason: To reduce flood risk and to maintain flood defence at all times in accordance with policy CP5 of the Core Strategy.

19 Contaminated Land - Investigation and Risk Assessment (Pre-commencement)

No development, except for demolition (excluding the breaking of any ground slab) and above ground works, shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National

Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

20 Contaminated Land - Remediation Scheme (Pre-commencement)

No development, except for demolition (excluding the breaking of any ground slab) and above ground works, shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

21 Contaminated Land - Verification Report (Pre-occupation)

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

22 Contaminated Land - Unexpected Contamination (Compliance)

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be

undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

23 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:

J2571_S_001_PO EXISTING SITE PLAN
J2571_S_101_PO PROPOSED SITE PLAN
J2571_S_102_PO PROPOSED SITE PLAN WITHOUT SOUTH PROJECT
J2571_S_103_PO PROPOSED BRIDGE DECK PLAN
J2571_S_104_PO PROPOSED SURFACE FINISHES - NORTH BANK
J2571_S_105_PO PROPOSED SURFACE FINISHES - SOUTH BANK
J2571_S_106_PO PROPOSED BELOW BRIDGE DECK PLANTING PLAN
J2571_S_107_PO REFLECTED SOFFIT PLAN
J2571_S_109_PO DEMOLITION PLAN
J2571_S_201_PO GEOMETRY AND PROPOSED LONG SECTION
J2571_S_201_PO GEOMETRY AND PROPOSED LONG SECTION
J2571_S_202_PO SPAN DECK SECTION
J2571_S_203_PO PIER SECTION
J2571_S_204_PO RIVER SPAN DECK
J2571_S_301_PO PROPOSED PROJECT ELEVATIONS AT BRIDGE
J2571_S_302_PO ELEVATION FLOOD DEFENCE WALL
J2571_S_401_PO SOUTH ABUTMENT SECTION AND ELEVATION
J2571_S_402_PO SOUTH ABUTMENT SECTION AND ELEVATION
J2571_S_403_PO PROPOSED BALUSTRADE
J2571_S_501_PO SITE LOCATION PLAN
12905-1-E LUX CONTOURS (WATER LEVEL)
12905-1-E LUX CONTOURS (1M ABOVE WATER LEVEL)
12905-1-E LUX CONTOURS (2M ABOVE WATER LEVEL)
12905-1-E LUX CONTOURS (3M ABOVE WATER LEVEL)

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.

INFORMATIVES

1. Public footpath AQ91a crosses the application site. A TTRO must be applied for an in force for the duration of the development in the interests of public safety. The surface of the footpath must be reinstated to a suitable condition for use by the public once the works have been completed.

2. Wales & West Utilities has pipes in the area. Their apparatus may be affected and at risk during construction works. The promoter of these works should contact Wales and West Utilities directly to discuss their requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable

3. As part of the Bath Quays Waterside project flap valves are to be fitted to existing surface water outfalls, one of which is located on the south bank within the red line area of this development. Rationalisation of the existing drainage within the Bayer Building car park has been suggested by the Bath Quays Waterside Project Team as being desirable. It is however noted that such works may well be delivered by the Bath Quays South development at this location.

4. The applicant should contact the Canal & River Trust Waterway Engineer on 0303 040 4040 to ensure that the Work complies with their 'Code of practice for work adjacent to the waterway' and that the appropriate agreements are in place.

5. Under the Environmental Permitting (England and Wales) Regulations 2010 permission from the Environment Agency may be required should any site/site infrastructure works take place in, under, over or within 8 metres of the bank top of a designated 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>.

Item No:	02
Application No:	16/05349/REG13
Site Location:	Bath Quays Bridge, Green Park Road, City Centre, Bath
Ward: Kingsmead	Parish: N/A LB Grade: N/A
Application Type:	Regulation 13 Application
Proposal:	Demolition of building (Boiler House) within curtilage of listed building (Newark Works and associated arch structures).
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Bath Enterprise Area, British Waterways Major and EIA, British Waterways Minor and Householders, Centres and Retailing, Conservation Area, Contaminated Land, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Bath & North East Somerset Council
Expiry Date:	10th March 2017
Case Officer:	Chris Griggs-Trevarthen

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 Archaeology - Controlled Excavation (Bespoke Trigger)

No excavation within the location of the bridge piers 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 excavation of all significant deposits and features which are to be disturbed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation. Thereafter the building works shall incorporate any building techniques and measures necessary to mitigate the loss or destruction of any further archaeological remains.

Reason: The site is within an area of major 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.

3 Archaeology - Historic Building Recording (Pre-commencement)

No development or demolition 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 record of those parts of the building(s), which are to be demolished, disturbed or concealed by the proposed development, 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.

4 Archaeology - Post Excavation and Publication (Bespoke Trigger)

The approved bridge shall not be opened to the public 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 post-excavation 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 has produced significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

5 Plans List (Compliance)

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

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

PLANS LIST:

J2571_S_001_PO EXISTING SITE PLAN
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J2571_S_102_PO PROPOSED SITE PLAN WITHOUT SOUTH PROJECT
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J2571_S_104_PO PROPOSED SURFACE FINISHES - NORTH BANK
J2571_S_105_PO PROPOSED SURFACE FINISHES - SOUTH BANK
J2571_S_106_PO PROPOSED BELOW BRIDGE DECK PLANTING PLAN
J2571_S_107_PO REFLECTED SOFFIT PLAN
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J2571_S_202_PO SPAN DECK SECTION
J2571_S_203_PO PIER SECTION
J2571_S_204_PO RIVER SPAN DECK
J2571_S_301_PO PROPOSED PROJECT ELEVATIONS AT BRIDGE
J2571_S_302_PO ELEVATION FLOOD DEFENCE WALL
J2571_S_401_PO SOUTH ABUTMENT SECTION AND ELEVATION
J2571_S_402_PO NORTH ABUTMENT SECTION AND ELEVATION
J2571_S_403_PO PROPOSED BALUSTRADE
J2571_S_501_PO SITE LOCATION PLAN
12905-1-E LUX CONTOURS (WATER LEVEL)
12905-1-E LUX CONTOURS (1M ABOVE WATER LEVEL)
12905-1-E LUX CONTOURS (2M ABOVE WATER LEVEL)
12905-1-E LUX CONTOURS (3M ABOVE WATER LEVEL)

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.

Item No:	03		
Application No:	16/06188/FUL		
Site Location:	Hinton Garage Bath Ltd Hinton Garage, Albion Place, Kingsmead, Bath		
Ward: Kingsmead	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Demolition of the former Hinton Garage Showroom and Workshop and erection of an Assisted Living Development comprising apartments and integrated communal and support facilities; landscaped resident's gardens; staff areas; basement residents car and bicycle parking; refuse storage and associated infrastructure and services. (Resubmission of application 15/05367/FUL).		

Constraints:	Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Flood Zone 2, Flood Zone 3, Flood Zone 8m from centre of river, Hotspring Protection, Listed Building, MOD Safeguarded Areas, Site Of Special Scientific Interest (SI), SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	PegasusLife Ltd
Expiry Date:	23rd March 2017
Case Officer:	Chris Gomm

DECISION Delegate to permit subject to applicant entering into S106 Agreement.

Item No:	04		
Application No:	16/05520/FUL		
Site Location:	57 Warminster Road, Bathampton, Bath, Bath And North East Somerset		
Ward:	Bathavon North	Parish:	Bathampton
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Addition of first floor and raising of roof to create two storey dwelling, two storey side and rear infill extension, erection of front porch and erection of single garage with terrace above following demolition of existing garage.		
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs Simon Darnton		
Expiry Date:	10th March 2017		
Case Officer:	Emma Hardy		

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 - 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.

4 Soft Landscaping (Pre-occupation)

No occupation shall commence until a 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 and planting; details of existing and proposed walls, fences, other boundary treatment; 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.

5 Highways - Bound/Compacted Vehicle Access (Pre-occupation)

No occupation of the development shall commence until the vehicular access, parking and turning space has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

6 Precautionary Ecology Measures (Compliance)

Works must proceed only in accordance with the following measures for the protection of bats and birds:

- o a careful visual check for signs of active bird nests and bats shall be made of the interior and exterior of the building and its roof, and any crevices and concealed spaces, prior to any works affecting these areas
- o active nests shall be protected undisturbed until the young have fledged
- o works to the roof and any areas with concealed spaces or crevices shall be carried out by hand, lifting tiles (not sliding) to remove them, and checking beneath each one.
- o If bats are encountered works shall cease and the Bat Helpline (Tel 0345 1300 228) or a licenced bat worker shall be contacted for advice before proceeding.

Reason: To avoid harm to protected species (bats and nesting birds) in accordance with Policy NE.10 and NE.11 of the Bath and North East Somerset Local Plan.

7 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 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.

PLANS LIST:

This decision relates to the following drawings and information:

Existing Photographs 2350/P, un-numbered Existing Floor Plan, 2350/2 Existing Street View, 2350/3 Existing Elevations, 2350/4 Existing Section, 2350/5 Existing Garden and Parking Area and Design and Access Statement received 11/11/2016, 2350/1 Rev A Location & Block Plan, 2350/6 Rev A, 2350/8 Rev A, 2350/9 Rev A, 2350/10 Rev 10, 2350/13 Bridge Views Photographs to E & W, 2350/14 Terrace View Photographs to NE & NW and 2350/11 Proposed Street View received 23/1/2017 and 2350/7 Rev B received 6/2/17.

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.

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.

Item No:	05		
Application No:	16/06124/FUL		
Site Location:	14 Audley Grove, Lower Weston, Bath, Bath And North East Somerset		
Ward: Kingsmead	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of 1 no. dwelling, car parking and associated landscaping in rear garden of existing dwelling.		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,		
Applicant:	Mrs A Chippendale		
Expiry Date:	10th March 2017		
Case Officer:	Emma Hardy		

Defer for site visit - to allow Members to understand the context of the site

Item No:	06		
Application No:	16/05888/FUL		
Site Location:	3 Streamside, Chew Magna, Bristol, Bath And North East Somerset		
Ward: Chew Valley North	Parish: Chew Magna	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of front and side extension to create house access from road level, rear single storey extension and associated works		
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,		
Applicant:	Mr Geoff Jones		
Expiry Date:	27th January 2017		
Case Officer:	Samantha Mason		

Defer for site visit - to allow Members to understand the context of the site

Item No:	07	
Application No:	16/06118/FUL	
Site Location:	46 High Street, Saltford, Bristol, Bath And North East Somerset	
Ward: Saltford	Parish: Saltford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Addition of pitched roof and rear dormer to existing single storey side extension. Minor alterations to existing windows. Reinstatement of front boundary wall. Provision of deck to front. Improvements to off-street car parking.	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, British Waterways Major and EIA, Conservation Area, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Mr Vaughan Thompson	
Expiry Date:	17th March 2017	
Case Officer:	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 Gable Extension - Matching Stonework (Compliance)

The external stone walling of the new gable shall match that of the main gable of the existing building in respect of type, size, colour, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies BH.6, 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 Boundary Wall - Matching materials (Compliance)

The reinstatement of the boundary wall shall be carried out to match the existing adjoining boundary wall in materials and coursing.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies BH.6, 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 Restricted-opening Window(s) (Compliance)

The proposed First Floor window on the west side elevation shall be obscurely glazed and have restricted opening as indicated on the drawing No 1603/PD.111 received 08/02/2017. Thereafter the window specification 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.

5 Bound/Compacted Vehicle Access (Compliance)

The leveled vehicular access hereby approved shall be constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy T.24 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:

OS Extract	20 Dec 2016	1603/LP.001	LOCATION PLAN
Drawing	20 Dec 2016	1603/BP.005	BLOCK PLAN
Drawing	20 Dec 2016	1603/BP.105	BLOCK PLAN - PROPOSED
Revised Drawing	27 Feb 2017	1603/SE.003	SURVEY ELEVATIONS & SECTION
Revised Drawing	27 Feb 2017	1603/SP.002	SURVEY PLANS
Revised Drawing	15 Feb 2017	1603 / DE.103	PROPOSED ELEVATIONS & SECTION
Revised Drawing	15 Feb 2017	1603 / DP.102	PROPOSED PLANS
Revised Drawing	08 Feb 2017	1603/PD.107	CLERESTORY DETAILS
Revised Drawing	08 Feb 2017	1603/PD.108	DORMER DETAILS
Revised Drawing	08 Feb 2017	1603/PD.109	DORMER DETAILS
Revised Drawing	08 Feb 2017	1603/PD.110	FRONT GARDEN DOORS
Revised Drawing	08 Feb 2017	1603/PD.111	LOW LEVEL WINDOW TO SIDE ELEVATION
Drawing	09 Jan 2017	1603/PP.006	PARKING AREA - EXISTING
Drawing	09 Jan 2017	1603/PP.106	PARKING AREA - 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:

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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.

NOTE TO APPLICANT:

In addition to this consent, the proposed development will require separate Local Highway Authority Section 171 licence for the construction of works in/or adjacent the highway. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact the Street Works Team in this respect as soon as possible.