

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

**28th June 2017**

**DECISIONS**

<b>Item No:</b>	01		
<b>Application No:</b>	17/01453/FUL		
<b>Site Location:</b>	Parcel 5400, Fosseway South, Midsomer Norton,		
<b>Ward:</b> Midsomer Norton Redfield	<b>Parish:</b> Midsomer Norton	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of 20 no. dwellings, associated infrastructure, vehicular access points from existing estate road network, parking and landscaping		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenfield site, Neighbourhood Plan, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	BDW Trading Ltd		
<b>Expiry Date:</b>	28th September 2017		
<b>Case Officer:</b>	Chris Griggs-Trevarthen		

**DECISION** Delegate to PERMIT subject to applicant entering into S106 agreement.

<b>Item No:</b>	02	
<b>Application No:</b>	17/00847/RES	
<b>Site Location:</b>	Land At Rear Of 161 To 171, Englishcombe Lane, Southdown, Bath	
<b>Ward:</b> Oldfield	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	PI Permission (ApprovalReserved Matters)	
<b>Proposal:</b>	Approval of reserved matters in relation to outline application 16/01018/OUT (Erection of a maximum of 8no. dwellings at Land to Rear of 161-171 Englishcombe Lane) regarding scale, layout, appearance and landscaping of the site.	
<b>Constraints:</b>	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,	
<b>Applicant:</b>	Crossman Land Ltd	
<b>Expiry Date:</b>	30th June 2017	
<b>Case Officer:</b>	Alice Barnes	

**DECISION** REFUSE

1 The proposed development by reason of its height, scale and mass is considered to result in a visually cramped development which is considered to be overdevelopment of the plot. The proposed development is therefore contrary to policy D.2 and D.4 of the Bath and North East Somerset Local plan and policies D.2 and D.5 of the emerging placemaking plan

2 The proposed development by reason of siting, scale and materials will result in a design which does not accord with the character of the surrounding area. The proposed development will encroach into an existing green hillside which is harmful to the character of the World Heritage Site. The proposed development is therefore contrary to Policy B1 of the Core Strategy policies D.2 and D.4 Bath and North East Somerset Local plan and policies D.2, D.5 and HE1 of the emerging placemaking plan

#### **PLANS LIST:**

Site location plan P300  
Detailed Access Plan P301  
Site layout plan 1000 rev B  
Existing site sections P1001 rev B  
Plot 1 P1010 rev D  
Plot 2 1020 rev D  
Plot 3 1030 rev F  
Plot 4 1040 rev D  
Plot 5 1050 rev D  
Plot 6 1060 rev D  
Plot 7 and 8 rev D  
Topographical survey  
Landscape plan P1003 rev C  
Existing and proposed site section 1004 rev A  
Existing and proposed layout plan 1005 rev A

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. The proposal was considered unacceptable by the members of the development management committee for the reasons given and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

<b>Item No:</b>	03		
<b>Application No:</b>	16/06140/FUL		
<b>Site Location:</b>	30 Flatwoods Road, Claverton Down, Bath, Bath And North East Somerset		
<b>Ward:</b> Combe Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of 2 no. dwellings, internal access drive and landscaping at rear of existing dwelling.		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Article 4, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,		
<b>Applicant:</b>	Ashford Homes (South Western) Ltd.		
<b>Expiry Date:</b>	28th July 2017		
<b>Case Officer:</b>	Alice Barnes		

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

<b>Item No:</b>	04		
<b>Application No:</b>	17/01031/OUT		
<b>Site Location:</b>	Chris Madden Cars, 85 Bristol Road, Whitchurch, Bristol		
<b>Ward:</b> Publow And Whitchurch	<b>Parish:</b> Whitchurch	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Outline Application		
<b>Proposal:</b>	Outline application for the erection of 4no terraced 3 storey town houses and 6no semi-detached 2.5 storey houses following demolition of existing car showroom.		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Local Shops, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Tradex Development Ltd		
<b>Expiry Date:</b>	2nd June 2017		
<b>Case Officer:</b>	Chris Gomm		

**DECISION PERMIT**

### **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 Reserved Matters (Pre-commencement)**

Approval of the details of the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development is commenced.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act (as amended) and Parts 1 and 3 of the Development Management Procedure Order 2015.

4 Notwithstanding the approved plans, revised details in respect of the colour applied to the render facing the dwelling houses hereby approved shall be submitted to and approved in writing by the local planning authority prior to the application of any external render to the development hereby approved. The development shall be undertaken in accordance with the details so approved.

Reason: The application of multi-coloured render is not appropriate in this location.

## **5 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.

## **6 Dwelling Access (Compliance)**

Each dwelling shall not be occupied until it is served by a properly bound and compacted footpath and carriageway to at least base course level between the dwelling and the existing adopted highway.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

7 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.

8 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)

9 No development 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:
  - o human health,
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o adjoining land,
  - o groundwaters and surface waters,
  - o ecological systems
  - o 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.

10 No development 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

11 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.

12 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.

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

Reason: To minimise the impact of noise on future occupants.

14 Prior to the installation of any surface water infrastructure within the development site the following information shall be submitted to and approved in writing by the local planning authority:

- o Assessment of infiltration rates ideally from onsite testing to BRE Digest 365 standards. Alternatively an estimate based on desktop study can be used but will need to be proven by onsite testing to BRE Digest 365 standard prior to construction;
- o Soakaway calculations demonstrating the required surface water attenuation volume to accommodate the 1in100+climate change event. If soakaways are designed to the CIRIA standards then an appropriate factor of safety is to be used;
- o Plans showing full details of drainage design demonstrating that the required attenuation volume can be accommodated within the development;
- o Maintenance details (covering the lifetime of the development)

The surface water drainage system shall be installed and subsequently maintained in accordance with the details so approved.

Reason: To ensure that the site is served by an adequate system of surface water drainage.

15 The approved dwellings shall be constructed to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan

16 No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (eg. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

17 Prior to first occupation, all of the dwellings hereby approved shall be provided with superfast broadband (24Mbps+) infrastructure to enable superfast broadband provision. In the event that the provision of such infrastructure would render the development unviable, evidence to that effect shall be submitted to and approved in writing by the local planning authority prior to first occupation. Should that viability evidence be approved in writing by the local planning authority no superfast broadband infrastructure will subsequently be required. Furthermore should said viability evidence be approved in writing by the local planning authority, alternative solutions shall instead be provided in accordance with details which shall be submitted to and approved in writing by the local planning authority prior to first occupation.

Reason: To facilitate the provision of superfast broadband in accordance with Policy LCR7B of the Placemaking Plan. Alternative solutions may include for example mobile broadband infrastructure or Wi-Fi infrastructure.

18 The development hereby approved shall incorporate sufficient renewable energy generation such that carbon emissions from anticipated (regulated) energy use in the development shall be reduced by at least 10%, unless it can be demonstrated to the local planning authority's satisfaction that meeting this requirement would render the development unviable. Should it be accepted by the local planning authority that meeting the 10% reduction is unviable, the maximum percentage that is viable shall instead be achieved.

Details shall be submitted to and approved in writing by the local planning authority, prior to first occupation, demonstrating how the 10% reduction (or agreed lower percentage) will be achieved. The approved renewable energy infrastructure shall be installed and shall be fully operational prior to first occupation of the development hereby approved. Where renewable energy installations will materially affect the external appearance of the development/building, the details submitted pursuant to this condition shall include drawings of said installations.

Reason: To ensure that the development's carbon emissions (from anticipated regulated energy use) are reduced by at least 10% by means of sufficient renewable energy generation, in accordance with Policy SCR1 of the Bath & North East Somerset Placemaking Plan.

### **19 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:**

The following are the plans hereby approved:

- o Proposed Site Plan: Drawing No. 899/101 Revision R03
- o Proposed Ground Floor Plans (Plots 1-6): Drawing No. 899/102 Revision R01
- o Proposed First Floor Plans (Plots 1-6): Drawing No. 899/103 Revision R01
- o Proposed Second Floor Plans (Plots 1-6): Drawing No. 899/104 Revision R01



- o Proposed Roof Plans (Plots 1-6): Drawing No. 899/105 Revision R01
- o Proposed Front Elevations (Plots 1-6): Drawing No. 899/105 Revision R01
- o Proposed Rear Elevations (Plots 1-6): Drawing No. 899/107 Revision R01
- o Proposed Side Elevations (Plots 1-6): Drawing No. 899/108 Revision R01
- o Proposed Ground Floor Plans (Plots 7-10): Drawing No. 899/109 Rev R02
- o Proposed First & Second Floor Plans (Plots 7-10): Drawing No. 899/110 Rev R03
- o Proposed Roof Plan (Plots 7-10): Drawing No. 899/111 Rev R02
- o Proposed Front & Side Elevations (Plots 7-10): Drawing No. 899/112 Rev R03
- o Proposed Rear & Side Elevations (Plots 7-10): Drawing No. 899/113 Rev R03
- o Proposed Street View from Bristol Road: Drawing No. 899/114/ Rev R03

## **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.

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)

<b>Item No:</b>	05	
<b>Application No:</b>	17/01581/FUL	
<b>Site Location:</b>	22 Uplands Road, Saltford, Bristol, Bath And North East Somerset	
<b>Ward:</b> Saltford	<b>Parish:</b> Saltford	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a single storey dwelling & garage	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr David Lamb	
<b>Expiry Date:</b>	30th June 2017	
<b>Case Officer:</b>	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 Tree Protection Plan (Pre-commencement)**

No development shall commence until an annotated Tree Protection Plan following the recommendations contained within BS 5837:2012 identifying measures (fencing and/or ground protection measures) to protect the trees and other vegetation to be retained has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the design of proposed fencing and take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, 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.

### **4 Highways - Bound/Compacted Vehicle Access (Pre-occupation)**

No occupation of the development shall commence until the vehicular access 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.

#### **PLANS LIST:**

This decision is based on the following drawings and information: 1:2500 Site Location Plan, 01 Proposed Plan and Elevations, 01 Existing and Proposed Block Plans and Design and Access Statement received 3/4/2017.

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>	06		
<b>Application No:</b>	17/01411/FUL		
<b>Site Location:</b>	10 Stonehouse Lane, Combe Down, Bath, Bath And North East Somerset		
<b>Ward:</b> Combe Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Three storey side extension and garage to include demolition of existing single story side extension, partial demolition of existing garage, minor changes to rear ground floor fenestration of existing main house and front landscaping.		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,		
<b>Applicant:</b>	Mr & Mrs Cunningham		
<b>Expiry Date:</b>	24th May 2017		
<b>Case Officer:</b>	Rae Mephram		

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

<b>Item No:</b>	07	
<b>Application No:</b>	17/01316/FUL	
<b>Site Location:</b>	Willow Glade , 17 Scobell Rise, High Littleton, Bristol	
<b>Ward:</b> High Littleton	<b>Parish:</b> High Littleton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of detached bungalow on land at 17 Scobell Rise and erection of detached garage for existing dwelling. (Revised Scheme)	
<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>	Mr & Mrs D Hamblin	
<b>Expiry Date:</b>	13th May 2017	
<b>Case Officer:</b>	Chloe Buckingham	

## **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 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.

### **3 Removal of Permitted Development Rights - No Windows (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the side elevations at any time unless a further planning permission has been granted.

Reason: To safeguard the 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.

### **4 Removal of Permitted Development Rights - No extensions or alterations (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority because the site has a reduced plot size when compared to the other dwellings within the street and any further extension would reduce the amenity space for the dwelling further which would need considering in terms of residential amenity.

#### **5 Removal of Permitted Development Rights - No roof extensions/enlargements (Compliance)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of any part of any roof of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

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

#### **6 Highways - Garages (Compliance)**

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with no.17 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.

#### **7 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;

Location Plan and Block Plan (01), Proposed Site Plan (02), Proposed Plans (03), Proposed Sections (04), Proposed Elevations (05), Garage Plans (06) and Streetscene Elevations (07) received 18th March 2017.

#### **DECISION TAKING STATEMENT:**

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, and expanded upon in the delegated report, a positive view of the submitted proposals was taken and planning permission 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>	08
<b>Application No:</b>	17/00163/FUL
<b>Site Location:</b>	Stonedge Cottage, Stoneage Lane, Tunley, Bath
<b>Ward:</b> Bathavon West	<b>Parish:</b> Dunkerton & Tunley Parish Council
<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Alterations to raise the wall to the same level as the neighbour's wall, including the existing panel fence (Resubmission)
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Flood Zone 2, Forest of Avon, Greenbelt, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr Christopher Bramwell-Pearson
<b>Expiry Date:</b>	2nd June 2017
<b>Case Officer:</b>	Chloe Buckingham

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

<b>Item No:</b>	09		
<b>Application No:</b>	17/01436/FUL		
<b>Site Location:</b>	Manor House, Battle Lane, Chew Magna, Bristol		
<b>Ward:</b> Chew Valley North	<b>Parish:</b> Chew Magna	<b>LB Grade:</b> II	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of new security fence on western boundary		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Greenbelt, Listed Building, Neighbourhood Plan, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Dr & Mrs M Watts		
<b>Expiry Date:</b>	29th June 2017		
<b>Case Officer:</b>	Chloe Buckingham		

**DECISION** Permit with conditions.

<b>Item No:</b>	10		
<b>Application No:</b>	17/01965/FUL		
<b>Site Location:</b>	1 Wellow Lane, Peasedown St. John, Bath, Bath And North East Somerset		
<b>Ward:</b>	Peasedown St John	<b>Parish:</b>	Peasedown St John
<b>Grade:</b>	N/A	<b>LB</b>	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of single storey side extension with replacement garage and widened driveway access following demolition of existing garage.		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr P Keating		
<b>Expiry Date:</b>	20th June 2017		
<b>Case Officer:</b>	Samantha Mason		

**DECISION** REFUSE

1 The proposed development of a single storey side extension following demolition of the existing garage is considered to have a detrimental impact on the character and appearance of the host dwelling and locality due to its location, size, and design contrary to Saved Policy D.4 of the Bath and North East Somerset Local Plan including minerals and waste policies adopted 2007, D.2 of the draft Placemaking Plan and section 7 of the National Planning Policy Framework.

**PLANS LIST:**

This decision relates to the following plans:

25 Apr 2017 2016-Keating-07 Location and Block Plan  
25 Apr 2017 2017-Keating-03 Proposed Plans  
25 Apr 2017 2017-Keating-04 Sections and Notes  
25 Apr 2017 2017-Keating-05 Roof Plans  
25 Apr 2017 2017-Keating-06 Proposed Elevations

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.