

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

26th July 2017

SITE VISIT DECISIONS

Item No:	001		
Application No:	16/06140/FUL		
Site Location:	30 Flatwoods Road, Claverton Down, Bath, Bath And North East Somerset		
Ward: Combe Down	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of 2 no. dwellings, internal access drive and landscaping at rear of existing dwelling.		
Constraints:	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,		
Applicant:	Ashford Homes (South Western) Ltd.		
Expiry Date:	28th July 2017		
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 area allocated for parking 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 ST.7 of the Bath and North East Somerset Placemaking Plan.

3 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking,

traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

4 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 D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

5 Arboriculture (Pre-commencement)

No development shall take place 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 and details within the approved document implemented as appropriate. The final 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 also include the control of potentially harmful operations such as 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.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained in accordance with policy NE.6 of the Placemaking Plan and CP7 of the Core Strategy. 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.

6 Arboriculture (Compliance)

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

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

development.

7 Wildlife Protection and Enhancement (Pre-commencement)

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include all necessary measures to avoid harm to wildlife including nesting birds; a method statement for the protection of retained hedgerows to include fencing specifications and a scale of showing fenced exclusion zones around retained vegetation including hedgerows; specifications for provision of new wildlife-friendly planting and hedgerows; and specifications including numbers heights and positions of features such as hedgehog, bird, and bat boxes to provide biodiversity enhancement. All works within the scheme shall be carried out in accordance with the approved details prior to the occupation of the development.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policy NE.3 of the Bath and North East Somerset Placemaking Plan.

8 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 D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

9 Hard and Soft Landscaping (Compliance)

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

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

10 Sensitive lighting (Compliance)

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

Reason: To avoid harm to bats and other wildlife

11 Refuse Collection (Prior to occupation)

Prior to the occupation of the development details of the proposed refuse collection must be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the details approved.

Reason: In the interests of highway safety.

12 Boundary treatments (Prior to commencement)

Prior to occupation of the development hereby approved the applicant shall submit details of the proposed boundary treatments to be constructed. The proposed boundary treatments shall be constructed on site in accordance with the approved details before development is occupied and retained for the lifetime of the development. Should boundary treatments be replaced then it shall be to a height and design which has first been agreed in writing with the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with policy D.6 of the Bath and North East Somerset Placemaking Plan.

13 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 ST.7 of the Bath and North East Somerset Placemaking Plan

14 Existing and Proposed Levels (Pre-commencement)

No development shall commence until details of the existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: For the avoidance of doubt and to clarify the finished ground levels of the development to accord with Policies D.2, D.5 and D.6 of the Bath and North East Somerset Placemaking Plan. This is a condition precedent because the ground levels have the potential to affect the overall impact of the development. Therefore these details need to be agreed before work commences as they could not easily be amended after.

15 Plans List (Compliance)

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

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

PLANS LIST:

Location plan 0009 rev A
Existing site plan 0013
Site plan 0001 rev K
Plot 1 Ground Floor Plan 0002 rev B
Plot 1 First Floor Plan 0003 rev B
Plot 1 External Elevations 0008-1 rev C
Plot 1 External Elevations 0008-2 rev C
Plot 2 Ground Floor Plan 004 rev C
Plot 2 First Floor Plan 00005 rev C
Plot 2 External elevations 0007-1 rev D
Plot 2 External Elevations 0007-2 rev D
Tree management plan 0011 rev G
Site section A-A B-B 0015 rev B

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

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:	002		
Application No:	17/01411/FUL		
Site Location:	10 Stonehouse Lane, Combe Down, Bath, Bath And North East Somerset		
Ward: Combe Down	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	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.		
Constraints:	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,		
Applicant:	Mr & Mrs Cunningham		
Expiry Date:	24th May 2017		
Case Officer:	Rae Mephram		

DECISION REFUSE

1 The proposed extension does not respect the character and appearance of the host dwelling in terms of the proposed design, size and scale, and fails to respond to the local context in terms of materials and fenestration details. The proposal would therefore be contrary to saved Policy D.4 of the Bath & North East Somerset Local Plan (including Minerals and Waste Policies) adopted October 2007, Policies D2 and D5 of the draft Placemaking Plan and the provisions of the National Planning Policy Framework (2015).

PLANS LIST:

This decision relates to:

23 Mar 2017 02 PROPOSED ELEVATIONS AND PLANS
23 Mar 2017 03 SITE LOCATION PLAN

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	003
Application No:	17/00163/FUL
Site Location:	Stonedge Cottage, Stoneage Lane, Tunley, Bath
Ward: Bathavon West	Parish: Dunkerton & Tunley Parish Council
LB Grade:	N/A
Application Type:	Full Application
Proposal:	Alterations to raise the wall to the same level as the neighbour's wall, including the existing panel fence (Resubmission)
Constraints:	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,
Applicant:	Mr Christopher Bramwell-Pearson
Expiry Date:	2nd June 2017
Case Officer:	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 Materials (Compliance)

All external walling materials to be used shall match those of the existing wall in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

3 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to;

Site Location Plan (no reference) and Front Garden Concept Layout (16 C) received 18th January 2017.

New Boundary Wall Details (16 B) received 23rd January 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.