

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

**23rd August 2017**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	17/01466/FUL	
<b>Site Location:</b>	Waterloo Road Open Space, Waterloo Road, Radstock, Bath And North East Somerset	
<b>Ward:</b> Radstock	<b>Parish:</b> Radstock	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Development of a new Healthy Living Centre (1,464 sqm GIA) to provide new health centre and ancillary pharmacy, community kitchen, children's centre and library	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Flood Zone 2, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Hope House Surgery	
<b>Expiry Date:</b>	21st September 2017	
<b>Case Officer:</b>	Tessa Hampden	

**Defer to enable the applicant to make design amendments to the proposal.**

<b>Item No:</b>	02	
<b>Application No:</b>	16/04870/FUL	
<b>Site Location:</b>	Bidwell Metals Ltd, Chapel Road, Clandown, Radstock	
<b>Ward:</b> Radstock	<b>Parish:</b> Radstock	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 28 dwellings, public open space, a community building and ancillary works following the demolition of 2 buildings (REVISED DESCRIPTION)	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Forest of Avon, Housing Development Boundary, Public Right of Way, SSSI - Impact Risk Zones, Tree Preservation Order,	
<b>Applicant:</b>	Bidwell Metals Ltd	
<b>Expiry Date:</b>	25th August 2017	
<b>Case Officer:</b>	Tessa Hampden	

**DECISION** Delegate to Permit subject to an additional condition relating to the size and appearance of retaining walls and subject to a S106.

<b>Item No:</b>	03		
<b>Application No:</b>	17/02364/FUL		
<b>Site Location:</b>	Sawyers Mill , Hunstrete, Marksbury, Bristol		
<b>Ward:</b> Farmborough	<b>Parish:</b> Marksbury	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Demolition of existing commercial buildings, subdivision of land and erection of three new dwellings with associated access and garden.		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Forest of Avon, Greenbelt, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr Tim Warren		
<b>Expiry Date:</b>	25th August 2017		
<b>Case Officer:</b>	Alice Barnes		

## **DECISION PERMIT**

### **1 Standard Time Limit (Compliance)**

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

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

### **2 Drainage (pre-commencement)**

No development shall commence, except ground investigations and remediation, until infiltration testing and soakaway design in accordance with Building regulations Part H, section 3 (3.30) have been undertaken to verify that soakaways will be suitable for the development. If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority and installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy. This is a condition precedent because it is necessary to understand whether soakaways are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

### **3 Investigation and risk assessment (pre-commencement)**

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.

#### **4 Remediation scheme (pre-commencement)**

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

## **5 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.

## **6 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.

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

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

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

## **8 Wildlife protection measures (compliance)**

Site preparation including demolition work and vegetation removal for the development hereby permitted shall be carried out only in accordance with the wildlife protection measures and working methods described section 7.5 of the approved Ecological Survey report by Clarkson and Woods dated Oct 2014 updated June 2017.

Reason: To avoid harm to wildlife and protected species including nesting birds and reptiles

## **9 Wildlife protection and enhancement (pre-occupation)**

1. No occupation of the development hereby approved shall commence until ecological measures

as described in sections 7.5 and 7.6 of the approved Ecological Survey report by Clarkson and

Woods dated Oct 2014 updated June 2017, have been incorporated into the development and installed on site in accordance with advice and specifications provided by a suitably experienced ecologist; and

2. a brief post-completion report and photographs, produced by a suitably experienced ecologist, have been submitted to and approved in writing by the Local Planning Authority, demonstrating completed installation of such ecological features, including the following:

a. provision of new bird nesting sites

b. provision of bat roosting opportunities

c. provision of additional features to benefit wildlife, to include as applicable, hedgehog homes; access points through fencing for wildlife; wildlife friendly-planting and habitat creation;

All such measures and features shall be retained and maintained thereafter for the purposes of providing wildlife habitat

Reason: To avoid net loss to biodiversity and to provide biodiversity gain in accordance with NPPF

## **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 upward light spill and light spill onto trees and boundary 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 Removal of Permitted Development Rights - No means of enclosure (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 fences, gates, walls or other means of enclosure shall be erected or placed on the site without a further planning permission being granted.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and policies D1, D2, D3 and D4 of the Bath and North East Somerset Placemaking Plan and to safeguard the measures for wildlife protection and enhancement required by condition no.9 of this permission.

## **12 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, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

### **13 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.

### **14 Water Efficiency - Rainwater Harvesting (Pre-occupation)**

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. 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.

### **15 Water Efficiency (Compliance)**

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 Bath and North East Somerset Placemaking Plan.

### **16 Housing Accessibility (Compliance)**

The following dwelling hereby approved shall meet the optional technical standards 4(2) in the Building Regulations Approved Document M: Plot 1

Reason: To ensure that the optional technical standards for accessibility are met in accordance with policy H7 of the Bath and North East Somerset Council Placemaking Plan.

### **17 Plans List (Compliance)**

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

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

### **PLANS LIST:**

Site location plan  
Existing site location and layout plan 001  
Existing site sections 003  
Proposed site sections 004  
Site survey 01  
Plot 1 floor plan 03  
Plot 1 elevations 04  
Plot 2 floor plans 05  
Plot 2 elevations 06  
Plot 3 floor plans 07  
Plot 3 elevations 08  
Block plan 09 B  
Plot 1 Garage 09 A

### **Condition Categories**

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

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

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

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

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

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

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, details of the fee can be found on the "what happens

after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at [www.planningportal.co.uk](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto:planning_registration@bathnes.gov.uk). Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: [www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil)

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework.

<b>Item No:</b>	04	
<b>Application No:</b>	17/01775/FUL	
<b>Site Location:</b>	Stanton Drew Village Hall, Sandy Lane, Stanton Drew, Bristol	
<b>Ward:</b> Clutton	<b>Parish:</b> Stanton Drew	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Creation of enlarged access with new wall and increased car parking area	
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Greenbelt, Housing Development Boundary, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Stanton Drew Village Hall	
<b>Expiry Date:</b>	25th August 2017	
<b>Case Officer:</b>	Alice Barnes	

## **DECISION PERMIT**

### **1 Standard Time Limit (Compliance)**

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

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

### **2 Hard and Soft Landscaping (Pre-occupation)**

The car park hereby permitted shall not be brought into use 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, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

### **3 Parking (Compliance)**

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

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

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

No development shall commence until a schedule of materials and finishes for the surface material of the car park 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 Plans List (Compliance)**

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

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

#### **PLANS LIST:**

Site location plan  
Block plan 2217  
Proposed plans 2217/1

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)

#### **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>	05	
<b>Application No:</b>	16/05548/MINW	
<b>Site Location:</b>	Upper Lawn Quarry, St Winifred's Drive, Combe Down, Bath	
<b>Ward:</b> Combe Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Minerals and Waste application	
<b>Proposal:</b>	Extension to quarry	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Existing Mineral Working, Forest of Avon, Hotspring Protection, Preferred Area for Mineral Extraction, MOD Safeguarded Areas, Regionally Important Geological Site RIG, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,	
<b>Applicant:</b>	Messrs Hancock	
<b>Expiry Date:</b>	30th September 2017	
<b>Case Officer:</b>	Tim Pearce	

**Defer for further clarification about the proposal and restoration of the site.**

<b>Item No:</b>	06	
<b>Application No:</b>	17/00329/FUL	
<b>Site Location:</b>	Upper Lawn Quarry, St Winifred's Drive, Combe Down, Bath	
<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>	Change of use of an area of paddock land for use as allotments	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Existing Mineral Working, Forest of Avon, Hotspring Protection, Mineral Construction Area, MOD Safeguarded Areas, Regionally Important Geological Site RIG, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,	
<b>Applicant:</b>	Messrs Hancock	
<b>Expiry Date:</b>	30th September 2017	
<b>Case Officer:</b>	Tim Pearce	

**Defer pending resolution of application no.16/05548/MINW.**

<b>Item No:</b>	07	
<b>Application No:</b>	17/00378/FUL	
<b>Site Location:</b>	Land At Rear Of 69 Haycombe Drive, Whiteway Road, Whiteway, Bath	
<b>Ward:</b> Southdown	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 1no 3 bed dwelling with associated driveway and parking	
<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>	Mr R Jay	
<b>Expiry Date:</b>	7th July 2017	
<b>Case Officer:</b>	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 Arboricultural Method Statement (Pre-commencement)**

Notwithstanding the submission of the Arboricultural Method Statement dated 12th January 2017, no development shall take place until a Detailed Arboricultural Method Statement with scaled 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.

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

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

- (i) Completed pre-commencement reptile survey, carried out in accordance with current published best practice guidance
- (ii) a proposed reptile mitigation scheme with details of all necessary measures that shall be implemented to avoid harm to reptiles and to provide compensatory replacement habitat of equivalent value to habitat that will be removed
- (iii) proposed method statements for the avoidance of harm during site preparation and construction works to nesting birds and other wildlife as applicable
- (iv) Details of proposed measures to enhance the value of the site for wildlife and provide biodiversity gain

All works within the scheme shall be carried out in accordance with the approved details.

Reason: To avoid harm to reptiles and other wildlife, to achieve "no net loss" to biodiversity and provide net gain for biodiversity in accordance with policy NE.3 of the Bath and North East Somerset Placemaking Plan. This is a condition precedent because the commencement of development may result in harm to any reptiles present on the site without appropriate mitigation in place.

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

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

Reason: To ensure that the implementation and success of the Wildlife Protection and Enhancement Scheme to prevent ecological harm and to provide biodiversity gain in accordance with policy NE.3 of the Bath and North East Somerset Placemaking Plan.

#### **6 Arboricultural Compliance (Pre-occupation)**

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 Boundary Fencing (Pre-occupation)**

No occupation shall commence until a fence has been erected along the boundary between the application site and 69 Haycombe Drive in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

#### **8 Water Efficiency - Rainwater Harvesting (Pre-occupation)**

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. 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.

#### **9 Water Efficiency (Compliance)**

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.

#### **10 Obscure Glazing and Non-opening Window(s) (Compliance)**

The proposed first floor rear elevation window serving the workroom, the first floor window on the west elevation serving bedroom 1 and the first floor window on the east elevation serving the bath (as shown on drawing number 3) shall be obscurely glazed and non-opening unless the parts of the windows which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the windows shall be permanently retained as such.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

#### **11 Parking and turning areas (Compliance)**

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

#### **12 Surfacing material (Compliance)**

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 Placemaking Plan.

#### **13 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 (including the insertion of new windows) or enlargement of the dwelling hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: The site is tightly constrained in terms of privacy and amenity. Permitted development rights for extensions and alterations are therefore removed because any further extensions require detailed consideration by the Local Planning Authority to ensure that the amenity of adjoining occupiers is preserved and the character and appearance of the area is maintained in accordance with policies D1, D2, D3, D5 and D6 of the Bath and North East Somerset Placemaking Plan.

#### **14 Visibility splays (Compliance)**

Before the dwelling hereby permitted is first occupied the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge

along the centre line of the access and points on the carriageway edge 43m from and on both sides of the centre line of the access shall be cleared of obstruction to visibility at and above a height of 600mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: To ensure visibility is maintained in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### **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:**

Drawing 1 Existing Site survey  
Drawing 2 Proposed Site Plan / Location Plan  
Drawing 3 A Floor Plans / Elevations  
Drawing 4 Proposed Site Plan / Tree Protection Plan

### **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](http://www.planningportal.co.uk) or send it direct to [planning\\_registration@bathnes.gov.uk](mailto:planning_registration@bathnes.gov.uk). Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: [www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil)

<b>Item No:</b>	08	
<b>Application No:</b>	17/02485/FUL	
<b>Site Location:</b>	Honey Gaston, Featherbed Lane, Clutton, Bristol	
<b>Ward:</b> Clutton	<b>Parish:</b> Clutton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	New barn to replace the original barn which was destroyed by fire. Remedial arboricultural works to fire-damaged trees.	
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Neighbourhood Plan, Public Right of Way, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, Tree Preservation Order,	
<b>Applicant:</b>	Mr Paul May	
<b>Expiry Date:</b>	24th August 2017	
<b>Case Officer:</b>	Chloe Buckingham	

**DECISION** Delegate to PERMIT subject to no objections being raised by council's ecologist and subject to any additional conditions recommended by ecologist.