

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

**20th September 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 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	

**DECISION** Delegate to Permit subject to the addition of a condition for a sample panel and completion of a S106.

<b>Item No:</b>	02		
<b>Application No:</b>	17/02591/FUL		
<b>Site Location:</b>	143 Calton Road, Lyncombe, Bath, Bath And North East Somerset		
<b>Ward:</b> Widcombe	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of 2no townhouses following demolition of existing 2 bed apartment		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, British Waterways Major and EIA, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, World Heritage Site,		
<b>Applicant:</b>	Mr Jim Rees		
<b>Expiry Date:</b>	22nd September 2017		
<b>Case Officer:</b>	Tessa Hampden		

**Withdrawn from agenda**

<b>Item No:</b>	03	
<b>Application No:</b>	17/01708/FUL	
<b>Site Location:</b>	2 Manor Farm Cottages, Anchor Lane, Combe Hay, Bath	
<b>Ward:</b> Bathavon West	<b>Parish:</b> Combe Hay	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Interior and exterior alterations, including a two-storey extension and creation of new vehicle access.	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building, Neighbourhood Plan, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Lacroix	
<b>Expiry Date:</b>	14th July 2017	
<b>Case Officer:</b>	Emma Hardy	

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

<b>Item No:</b>	04		
<b>Application No:</b>	17/01709/LBA		
<b>Site Location:</b>	2 Manor Farm Cottages, Anchor Lane, Combe Hay, Bath		
<b>Ward:</b> Bathavon West	<b>Parish:</b> Combe Hay	<b>LB Grade:</b> II	
<b>Application Type:</b>	Listed Building Consent (Alts/exts)		
<b>Proposal:</b>	Interior and exterior alterations (part retrospective), including a two-storey extension and partial demolition of rear boundary wall to create a vehicle access.		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building, Neighbourhood Plan, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Lacroix		
<b>Expiry Date:</b>	14th July 2017		
<b>Case Officer:</b>	Emma Hardy		

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

<b>Item No:</b>	05
<b>Application No:</b>	17/01542/FUL
<b>Site Location:</b>	Cedar Park Care Centre, 27 - 28 Oldfield Road, Oldfield Park, Bath
<b>Ward:</b> Oldfield	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of replacement two storey block and additional two storey extensions to the south and east with retained buildings to be refurbished and augmented following demolition of existing central link building.
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
<b>Applicant:</b>	Cedar Care Homes
<b>Expiry Date:</b>	27th September 2017
<b>Case Officer:</b>	Anna Jotcham

**DECISION** Delegate to PERMIT subject to conditions

<b>Item No:</b>	06
<b>Application No:</b>	17/01543/LBA
<b>Site Location:</b>	Cedar Park Care Centre, 27 - 28 Oldfield Road, Oldfield Park, Bath
<b>Ward:</b> Oldfield	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)
<b>Proposal:</b>	Internal and external alterations to erect 1no. replacement two storey block and 2no. additional two storey extensions to the south and east with retained buildings to be refurbished and augmented following demolition of existing central link building.
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
<b>Applicant:</b>	Cedar Care Homes
<b>Expiry Date:</b>	27th September 2017
<b>Case Officer:</b>	Anna Jotcham

**DECISION** Delegate to CONSENT subject to conditions

<b>Item No:</b>	07		
<b>Application No:</b>	17/00147/FUL		
<b>Site Location:</b>	Land Adjacent To Kingswell, Eckweek Lane, Peasedown St. John, Bath		
<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 3 no. detached dwellings and garages on land adjacent to Kingswell		
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr & Mrs Diana and Bryan Connor		
<b>Expiry Date:</b>	27th September 2017		
<b>Case Officer:</b>	Anna Jotcham		

## 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 Garages (Compliance)

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

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

### 3 Parking (Compliance)

The areas allocated for parking and turning on the submitted plans 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 Visibility Splay (Pre-occupation)

No occupation of the development shall commence until the visibility splay shown on drawing number 2100K and coloured blue has been provided. There shall be no on-site obstruction exceeding 600mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

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

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

No occupation of a dwelling shall commence until the vehicular access to that dwelling has been constructed with a bound and compacted surfacing material (not loose stone or gravel). Provision should be made within the site for the disposal of any surface water from the accesses to ensure it is not discharged onto the highway.

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

#### **6 Contaminated Land - Unexpected Contamination (Compliance)**

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, work must be ceased and 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 Flood Risk and Drainage - Infiltration Testing (Pre-commencement)**

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

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy and Policy SU1 of the Bath and North East Somerset Placemaking Plan. 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.

#### **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, D4 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 Material Samples (Bespoke Trigger)**

No construction of the external walls of the development shall commence until samples of the materials to be used in the construction of the external surfaces, including roofs and boundary walls, 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. In the case of the external stone walling materials the samples should be provided in the form of in situ panels, which are to be approved by the Local Planning Authority and retained on site for reference until the works are completed. The works shall be carried out in accordance with the approved detail.

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.

### **11 Precautionary Working Methods (Compliance)**

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

- A careful visual check for signs of active bird nests and bats shall be made of the interior and exterior of the existing building and its roof, and any crevices and concealed spaces, prior to its demolition or any works affecting these areas
- Active nests shall be protected undisturbed until the young have fledged
- 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.
- If bats are encountered works shall cease and the Bat Helpline (Tel 0345 1300 228) or a licenced bat worker shall be contacted for advice before proceeding.

Reason: To avoid harm to protected species (bats and nesting birds) in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

## **12 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:

- (i) pre-commencement inspection for protected species and notification to the LPA of findings;
- (ii) details of proposed working methods, timing of works, and precautionary measures to avoid harm to wildlife including nesting birds;
- (iii) specifications for proposed replacement planting of equivalent or greater ecological value to that being removed, and specifications for additional features to benefit wildlife for example bird, bat and hedgehog boxes and habitat creation, with details incorporated into the scheme and shown on relevant plans and drawings

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 CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

## **13 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, implementation of the recommendations 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 CP6 of the Bath and North East Somerset Core Strategy and policy NE.3 of the Bath and North East Somerset Placemaking Plan.

## **14 Archaeology - Watching Brief (Pre-commencement)**

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

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath and North East Somerset Placemaking Plan. This is a condition

precedent because archaeological remains and features may be damaged by the initial development works.

#### **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 Broadband (Pre-occupation)**

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 Bath and North East Somerset Placemaking Plan. Alternative solutions may include for example mobile broadband infrastructure or Wi-Fi infrastructure.

#### **17 Housing Accessibility (Compliance)**

Plot 1 shall be constructed to meet the optional technical standard 4(2) in the Building Regulations Approved Document M.

Reason: To satisfy Policy H7 of the Bath and North East Somerset Placemaking Plan.

#### **18 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 the following plans:

SITE LOCATION PLAN - 1634 2 001 A - 13/01/2017  
EXISTING SITE PLAN - 1634 2 040 A - 13/01/2017  
PROPOSED SITE PLAN - 1634 2 100 K - 29/08/2017  
PROPOSED SITE ROOF PLAN - 1634 2 101 K - 29/08/2017  
PROPOSED PLOT 1 - 1634 2 111 H - 29/08/2017  
PROPOSED PLOT 2 (PLOT 3 HANDED) - 1634 2 121 H - 29/08/2017  
VEHICLE TRACKING - PLOT 1 PARKING - 1634 2 150 B - 29/08/2017  
VEHICLE TRACKING - PLOT 1 GARAGE - 1634 2 151 B - 29/08/2017



VEHICLE TRACKING - PLOT 2 GARAGE - 1634 2 152 B - 29/08/2017  
VEHICLE TRACKING - PLOT 3 GARAGE - 1634 2 153 B - 29/08/2017

#### **ADVISORY NOTE - DESK STUDY AND WALKOVER**

Where development is proposed, the developer is responsible for ensuring that the development is safe and suitable for use for the purpose for which it is intended. The developer is therefore responsible for determining whether land is suitable for a particular development. It is advised that a Desk Study and Site Reconnaissance (Phase 1 Investigation) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment. A Phase I investigation should provide a preliminary qualitative assessment of risk by interpreting information on a site's history considering the likelihood of pollutant linkages being present. The Phase I investigation typically consists of a desk study, site walkover, development of a conceptual model and preliminary risk assessment. The site walkover survey should be conducted to identify if there are any obvious signs of contamination at the surface, within the property or along the boundary of neighbouring properties. Should the Phase 1 investigation identify potential pollutant linkages then further investigation and assessment will be required.

#### **ADVISORY NOTE - CIL**

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>	08		
<b>Application No:</b>	17/01307/FUL		
<b>Site Location:</b>	Mendip House, Lower Bristol Road, 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>	Erection of dwelling with attached garage following demolition of existing property		
<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, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr & Mrs Richard and Ceri Mapstone		
<b>Expiry Date:</b>	22nd September 2017		
<b>Case Officer:</b>	Christine Moorfield		

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

<b>Item No:</b>	09		
<b>Application No:</b>	17/02238/FUL		
<b>Site Location:</b>	Parcel 8932, Greenhouse Lane, Nempnett Thrubwell, Bristol		
<b>Ward:</b> Chew Valley South	<b>Parish:</b> Nempnett Thrubwell	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of an agricultural building		
<b>Constraints:</b>	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones, Water Source Areas,		
<b>Applicant:</b>	Ms Brenda Wear		
<b>Expiry Date:</b>	22nd September 2017		
<b>Case Officer:</b>	Christine Moorfield		

## **DECISION PERMIT**

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

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

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

### **2 Plans List (Compliance)**

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

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

### **3 Soft Landscaping (Pre-occupation)**

Notwithstanding the plans submitted no use shall commence until a soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained, a planting specification to include numbers, size, species and positions of all new trees and shrubs to be planted within the existing site boundary adjacent to the development 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.

### **4 Soft Landscaping (Compliance)**

All 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.

## **PLANS LIST:**

PLANS 1445 17 01A, 02A, 03 and 2017/42/01.

## **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.

As the proposal is within a Water Source Protection Area the applicant should consult the Environment Agency prior to the commencement of development.

<b>Item No:</b>	10	
<b>Application No:</b>	17/02944/FUL	
<b>Site Location:</b>	1 Chapel Row, City Centre, Bath, Bath And North East Somerset	
<b>Ward:</b> Kingsmead	<b>Parish:</b> N/A	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Internal and external alterations for the creation of a new dwelling including change of use from Use Class BA1 Offices to Use Class C3 dwelling.	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Bath Core Office Area, Centres and Retailing, Conservation Area, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
<b>Applicant:</b>	Minster Square Ltd	
<b>Expiry Date:</b>	31st August 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 Joinery Details (Bespoke Trigger)

No installation of the window and door in the front elevation shall commence until full details comprising the joinery details have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies 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.

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

The rear ground floor windows serving the proposed sitting room shall be obscurely glazed and thereafter the window 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.

#### **5 Archaeology - Historic Building Recording (Pre-commencement)**

No development or demolition shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a record of those parts of the building(s), which are to be demolished, disturbed or concealed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

#### **6 Rooflights (Bespoke Trigger)**

The rooflights proposed shall be conservation style and flush fitting.

Reason: To be in-keeping with the character and appearance of the listed building and this part of the Bath Conservation Area in accordance with policies D5 and HE1 of the Bath and North East Somerset Placemaking Plan (2017) and the provisions of the National Planning Policy Framework.

#### **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;

Block Plan (CR13), Existing Floor Plans (CR17 A), Proposed Floor Plans (CR18 A), Detailed Drawing (CR19) and Existing Elevations (CR19 A) received 21st June 2017.

Proposed Elevations (CR15 G) received 18th August 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>	11	
<b>Application No:</b>	17/02945/LBA	
<b>Site Location:</b>	1 Chapel Row, City Centre, Bath, Bath And North East Somerset	
<b>Ward:</b> Kingsmead	<b>Parish:</b> N/A	<b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)	
<b>Proposal:</b>	Internal and external alterations for the creation of a new dwelling.	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Bath Core Office Area, Centres and Retailing, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
<b>Applicant:</b>	Minster Square Ltd	
<b>Expiry Date:</b>	16th August 2017	
<b>Case Officer:</b>	Chloe Buckingham	

## **DECISION    CONSENT**

### **1 Time Limit - Listed Building Consent (Compliance)**

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

### **2 Joinery Details (Bespoke Trigger)**

No installation of the window and door in the front elevation shall commence until full details comprising the joinery details have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

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

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies 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.

### **4 Rooflights (Bespoke Trigger)**

The rooflights proposed shall be conservation style and flush fitting.

Reason: To be in-keeping with the character and appearance of the listed building and this part of the Bath Conservation Area in accordance with policies D5 and HE1 of the Bath and North East Somerset Placemaking Plan (2017) and the provisions of the National Planning Policy Framework.

### **5 Archaeology - Historic Building Recording (Pre-commencement)**

No development or demolition shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a record of those parts of the building(s), which are to be demolished, disturbed or concealed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

### **6 Plans List (Compliance)**

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

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

### **PLANS LIST:**

This decision relates to;

Block Plan (CR13), Existing Floor Plans (CR17 A), Proposed Floor Plans (CR18 A), Detailed Drawing (CR19) and Existing Elevations (CR19 A) received 21st June 2017.

Proposed Elevations (CR15 G) received 18th August 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.