

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

18th October 2017

DECISIONS

Item No:	01	
Application No:	17/02607/FUL	
Site Location:	University Of Bath, University Of Bath Campus, Claverton Down, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Works to refurbish existing waste compound with the erection of raised canopy to cover plant, erection of new welfare unit following demolition of existing, relocation of confidential waste shed and alterations to entrance roadway.	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Sites with Planning Permission, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Tree Preservation Order, World Heritage Site,	
Applicant:	University Of Bath	
Expiry Date:	20th October 2017	
Case Officer:	Chris Gomm	

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 The rating level of noise emitted from any fixed plant and /or machinery associated with the development hereby approved shall not exceed background sound levels determined as 38dB (LA90). The rating level shall be determined by measurement or calculation at the boundary of the nearest noise sensitive premises as identified in the submitted acoustic report.

Reason: To protect local residents from unacceptable levels of noise disturbance.

3 There shall be no operation of the hereby approved compactors or bailers other than between the hours of 8am and 6pm on Mondays to Fridays (inclusive) and at no other times.

Reason: To protect local residents from unacceptable levels of noise disturbance.

4 There shall be no vehicular deliveries nor vehicular collections to/from the site other than between the hours of 10am to 4pm on Monday to Fridays (inclusive).

Reason: To reduce the risk of conflicts with other users of the site during peak traffic times in the interests of highway safety and in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

5 No demolition or 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, 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 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 There shall be no shredding within the application site.

Reason: To protect local residents from unacceptable levels of noise disturbance.

8 Lighting for the development hereby permitted shall be installed and operated thereafter in accordance with the approved "External Lighting Statement" reference UOB-HYD-WC-XX-RP-ME-0002 dated 29th September 2017 and "proposed lighting layout" drawing number UOB-HYD-WC-00-DR-E-2002 P01 dated 14th Sept 2017 and shall be installed and operated so that lux levels fall within the predicted light spill levels. Prior to operation of the development, full details of proposed measures to further minimise light spill onto adjacent land and vegetation must be first submitted to and approved in writing by the Local Planning Authority. These details shall include, as applicable, use of directional lighting, tilting and orientation of lamps; fitting of hoods or baffles onto lamps; screening; and specified times and durations of use of lighting, to include, as appropriate, use of automated systems; dimming regimes and remote sensors. Upon approval in writing, the details shall be implemented and thereafter the development shall be operated in accordance with the approved details. No new external lighting or changes to the

approved scheme of lighting shall be installed thereafter without full details of proposed lighting design being first submitted to and approved in writing by the LPA.

Reason: to provide a sensitive lighting scheme that avoids harm to bat activity and other wildlife

9 The fixed plant hereby approved (compactors and bailers) shall not be installed or operated until such time that the building within which they will be sited is constructed in accordance with the details shown on Drawing No. 170275_L(0)4-

Reason: To protect local residents from undue noise and disturbance.

10 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:

Plans List:

- o Site Plan (Existing): Drawing No. 170275_L(0)1-A-
- o Site Location Plan: Drawing No. 170275_L(0)2-
- o Proposed Welfare Building: Drawing No. 170275_L(0)3-
- o Proposed Canopy Elevations: Drawing No. 170275_L(0)4-
- o Site Plan (Proposed): 170275_L(0)5-A-
- o Section A-A & B-B: Drawing No. 170275_L(0)6-
- o Drainage Works: Drawing No. 8131_003_P3
- o Proposed External Services Layout: Drawing No. UOB-HYD-WC-00-DR-M-1001-P03
- o Proposed External Services Layout2: Drawing No. UOB-HYD-WC-00-DR-M-1002-P02
- o M&E Services Concept Layout: Drawing No. UOB-HYD-WC-00-DR-M-1003-P01

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.

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

Item No:	02	
Application No:	16/04499/FUL	
Site Location:	17 Station Road, Welton, Midsomer Norton, BA3 2AZ	
Ward: Midsomer Norton North	Parish: Midsomer Norton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 6no. new dwellings following demolition of existing dwelling and outbuildings (resubmission) - revised plans	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Flower And Hayes Ltd	
Expiry Date:	20th July 2017	
Case Officer:	Tessa Hampden	

DECISION REFUSE

1 The development results in the demolition of 17 Station Road and associated outbuildings which are considered to be non designated heritage assets. This loss has not been justified and whilst the development is considered to result in less than substantial harm to the Conservation Area the public benefits resulting from the scheme do not

outweigh the harm identified. The development is therefore considered to be contrary to Placemaking Plan policies HE1, D1, and D2 and Core Strategy Policy SV1 and CP6.

PLANS LIST:

15 Nov 2016 F1123/100F PROPOSED SITE PLANS AND SECTION
15 Nov 2016 F1123/101E PROPOSED SITE SECTION AND SCHEDULES
15 Nov 2016 F1123/112D PROPOSED PLANS AND ELEVATIONS PLOT
15 Nov 2016 F1123/115D PROPOSED PLANS AND SECTIONS PLOTS 5 AND
15 Nov 2016 F1123/116D PROPOSED SITE PLAN SHOWING VEHICULAR
MOVEMENTS

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.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule comes into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	03		
Application No:	17/02826/FUL		
Site Location:	Matfen House, Packhorse Lane, South Stoke, Bath		
Ward:	Bathavon South	Parish:	South Stoke
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of single storey garden room extension and first floor bedroom extension over garage		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, Public Right of Way, SSSI - Impact Risk Zones,		
Applicant:	Mr Stephen Ruddock		
Expiry Date:	19th October 2017		
Case Officer:	Nikki Honan		

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 host dwelling 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 D1 and D2 of The Placemaking Plan for Bath and North East Somerset Council (2017) and Policy CP6 of the Bath and North East Somerset Core Strategy (2014).

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:

The development shall be carried out strictly in accordance with the details shown on the following drawings/documents:

591/P/01, 591/P/02, 591/P/03, 591/S/01, 591/S/02, 591/S/03, all received 14 June 2017

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.

If Wales & West Utilities apparatus may be at risk during construction works the promoter of these works is required to contact Wales & West Utilities directly to discuss requirements in detail.

Item No:	04
Application No:	17/03041/FUL
Site Location:	28 Meadlands, Corston, Bath, Bath And North East Somerset
Ward: Farmborough	Parish: Corston LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of single storey rear extension.
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones,
Applicant:	Mr Jason Kean
Expiry Date:	19th October 2017
Case Officer:	Nikki Honan

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

Item No:	05
Application No:	17/03012/LBA
Site Location:	The Clock House, Bathford Hill, Bathford, Bath
Ward: Bathavon North	Parish: Bathford LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Replacement front door (Retrospective)
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Conservation Area, Forest of Avon, Greenbelt, Housing Development Boundary, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
Applicant:	Mr Michael Brady & Mrs Sandra Milner
Expiry Date:	29th August 2017
Case Officer:	Caroline Waldron

DECISION REFUSE

1 The unauthorised replacement front door by reason of its detailed design harms the intrinsic character and significance of the listed former coach house contrary to Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and relevant Historic England advice.

PLANS LIST:

Drawings site location plan, Design and Access Statement, photographs of doors date stamped: 22nd June 2017

Drawing elevation of replacement door, additional statement dated the 20th January 2017 and date stamped: 4th July 2017

Drawings 1:50 existing elevation, 1:50 proposed elevation (Right hand door only. Any other alterations do not form part of the current application).

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

Item No:	06	
Application No:	16/04872/FUL	
Site Location:	Church Hall, School Lane, Batheaston, Bath	
Ward: Bathavon North	Parish: Batheaston	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of new single storey Church Hall, activity rooms, kitchen, toilets, stores and associated car park/landscaping and external works following demolition of existing Church Hall.	
Constraints:	Agric Land Class 3b,4,5, Conservation Area, Forest of Avon, Hotspring Protection, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Batheaston Shared Vision (BSVG)	
Expiry Date:	27th July 2017	
Case Officer:	Sarah James	

Members resolved that they would have approved the application if it had not been subject to an appeal against non-determination.