

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

**13th December 2017**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	17/03341/FUL	
<b>Site Location:</b>	St John's Ambulance Hall, North Road, Timsbury, Bath	
<b>Ward:</b> Timsbury	<b>Parish:</b> Timsbury	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Conversion of former hall to 2 no. dwellings	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr Christopher Williams	
<b>Expiry Date:</b>	20th December 2017	
<b>Case Officer:</b>	Samantha Mason	

**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 Bicycle Storage (Pre-occupation)**

No occupation of the development shall commence until bicycle storage for at least 4 no. bicycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

**3 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.

#### **4 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.

#### **5 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.

#### **6 Materials (Compliance)**

All work to form new openings or make good of existing openings shall be finished in natural stone to match the existing building 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, 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.

#### **7 Noise Mitigation (Pre-occupation)**

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

Reason: To prevent excessive noise and protect the residential amenity of occupiers in accordance with policy PCS2 of the Bath and North East Somerset Placemaking Plan.

### **8 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 - received 12/07/2017  
EXISTING GROUND FLOOR PLAN - received 12/07/2017  
EXISTING FIRST FLOOR PLAN - received 28/09/2017  
EXISTING ELEVATIONS - received 28/09/2017  
PROPOSED GROUND FLOOR PLAN - received 28/09/2017  
PROPOSED FIRST FLOOR PLAN - received 28/09/2017  
PROPOSED ELEVATIONS - received 28/09/2017

### **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](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.

### **ADVICE NOTE: Desk Study and Walkover Survey**

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.

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>	02	
<b>Application No:</b>	17/04236/FUL	
<b>Site Location:</b>	30 Woodcroft, Bishop Sutton, Bristol, Bath And North East Somerset	
<b>Ward:</b> Chew Valley South	<b>Parish:</b> Stowey Sutton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of first floor side extension to form bedroom with en-suite	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr K N Scammell	
<b>Expiry Date:</b>	30th October 2017	
<b>Case Officer:</b>	Hayden Foster	

**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 and roofing materials to be used shall match those of the existing building 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, 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.

### **3 Ancillary Use (Compliance)**

The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 30 Woodcroft and shall not be occupied as an independent dwelling unit.

Reason: The accommodation hereby approved is not capable of independent occupation without adverse impact on the amenities of existing or future residential occupiers contrary to Policy D6 of the Bath and North East Somerset Placemaking Plan.

### **4 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 received 4th September 2017:

Drawing Number: 1725/02- Existing and Proposed Ground Floor Plan  
Drawing Number: 1725/03- Existing and Proposed First Floor Plan  
Drawing Number: 1725/04- Existing and Proposed Roof Plan  
Drawing Number: 1725/05- North and East Elevations  
Drawing Number: 1725/06- West and South Elevations  
Drawing Number: 1725/07- Proposed Ground Floor Plan  
Drawing Number: 1725/08- Proposed First Floor Plan  
Drawing Number: 1725/09- Proposed Front and Rear Perspectives

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.

<b>Item No:</b>	03	
<b>Application No:</b>	17/04541/FUL	
<b>Site Location:</b>	104 High Street, Bathford, Bath, Bath And North East Somerset	
<b>Ward:</b> Bathavon North	<b>Parish:</b> Bathford	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of single and double storey rear extension.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Listed Building, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr And Mrs Costanza	
<b>Expiry Date:</b>	1st December 2017	
<b>Case Officer:</b>	Caroline Power	

**DECISION** Delegate to PERMIT

#### **PLANS LIST:**

Drawing 20 Sep 2017 DWG/01 SITE PLAN AND LOCATION PLAN  
Drawing 20 Sep 2017 DWG/02 FLOOR PLANS AS EXISTING  
Drawing 20 Sep 2017 DWG/03 ELEVATIONS AS EXISTING  
Drawing 21 Sep 2017 SIDE ELEVATIONS  
Revised Drawing 30 Nov 2017 AMENDMENTS  
Revised Drawing 30 Nov 2017 AMENDMENTS

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.

<b>Item No:</b>	04
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<b>Application No:</b>	17/04542/LBA
<b>Site Location:</b>	104 High Street, Bathford, Bath, Bath And North East Somerset
<b>Ward:</b>	Bathavon North
<b>Parish:</b>	Bathford
<b>LB Grade:</b>	II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)
<b>Proposal:</b>	Internal and external alterations for the erection of single and double storey rear extension.
<b>Constraints:</b>	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Listed Building, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
<b>Applicant:</b>	Mr And Mrs Costanza
<b>Expiry Date:</b>	1st December 2017
<b>Case Officer:</b>	Caroline Power

**DECISION** Delegate to CONSENT

#### **PLANS LIST:**

Drawing	20 Sep 2017	DWG/01	SITE PLAN AND LOCATION PLAN
Drawing	20 Sep 2017	DWG/02	FLOOR PLANS AS EXISTING
Drawing	20 Sep 2017	DWG/03	ELEVATIONS AS EXISTING
Drawing	21 Sep 2017		SIDE ELEVATIONS
Revised Drawing	30 Nov 2017		AMENDMENTS
Revised Drawing	30 Nov 2017		AMENDMENTS

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.