

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

**11th April 2018**

**SITE VISIT DECISIONS**

<b>Item No:</b>	001
<b>Application No:</b>	17/05621/FUL
<b>Site Location:</b>	9 Henrietta Villas, Bathwick, Bath, Bath And North East Somerset
<b>Ward:</b> Abbey	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of a rear single storey timber conservatory and replacement of the first floor door with a window
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Flood Zone 2, Flood Zone 3, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr & Mrs Whitcroft
<b>Expiry Date:</b>	12th April 2018
<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 Materials (Compliance)**

Materials for the extended outside boundary wall shall match those of the existing wall in respect of type, size, colour and coursing.

Reason:

Reason: To safeguard the character and appearance of the building in accordance with HE1 of the Bath and North East Somerset Placemaking Plan (2017).

**3 Plans List (Compliance)**

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

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

## **PLANS LIST:**

This decision relates to:

Existing Floor Plans (10810-01), Block Plan (10810-04), Site Location Plan (10810-05), Joinery Details (10810-06 and 10810-07) received 17th November 2017.

Proposed Floor Plans (10810-02 Rev A) received 18th December 2017.

Existing and Proposed Elevations (10810-03 Rev B) received 26th January 2018.

Detailed Sections (10810-09 and 10810-10 Rev 1) received 19th February 2018.

## **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.

## Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before development commences, failure to comply with the regulations can result in surcharges and additional payments. 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>	002
<b>Application No:</b>	17/05622/LBA
<b>Site Location:</b>	9 Henrietta Villas, Bathwick, Bath, Bath And North East Somerset
<b>Ward:</b> Abbey	<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 erection of a rear single storey timber conservatory and replacement of the first floor door with a window
<b>Constraints:</b>	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Flood Zone 2, Flood Zone 3, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr & Mrs Whitcroft
<b>Expiry Date:</b>	12th April 2018
<b>Case Officer:</b>	Chloe Buckingham

## DECISION    CONSENT

### 1 Standard Time Limit (Compliance)

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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)**

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Reason:

Reason: To safeguard the character and appearance of the building in accordance with HE1 of the Bath and North East Somerset Placemaking Plan (2017).

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

### **PLANS LIST:**

This decision relates to the Existing Floor Plans (10810-01), Block Plan (10810-04), Site Location Plan (10810-05), Joinery Details (10810-06 and 10810-07) received 17th November 2017, Proposed Floor Plans (10810-02 Rev A) received 18th December 2017, Existing and Proposed Elevations (10810-03 Rev B) received 26th January 2018 and Detailed Sections (10810-09 and 10810-10 Rev 1) received 19th February 2018.

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<b>Item No:</b>	003		
<b>Application No:</b>	17/06106/FUL		
<b>Site Location:</b>	Hinton House, Branch Road, Hinton Charterhouse, Bath		
<b>Ward:</b> Bathavon South	<b>Parish:</b> Hinton Charterhouse	<b>LB</b>	<b>Grade:</b>
	IISTAR		
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Installation of helipad.		
<b>Constraints:</b>	,		
<b>Applicant:</b>	Mr J Dyson		
<b>Expiry Date:</b>	15th March 2018		
<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 Sensitive Lighting (Compliance)

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

Reason: to avoid harm to bats and other wildlife

### **3 Hours of use (compliance)**

The permitted helipad shall not be in operation outside of the hours 0700-2300.

Reason: In the interests of protecting the amenity of neighbours in accordance with policies D6 and PCS2 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.

### **5 Residential Use (Compliance)**

The helipad hereby approved shall be used solely as an ancillary facility pursuant to the residential occupation of Hinton House, and not for commercial purpose.

Reason: to ensure the helipad is operated in the manner proposed and to safeguard the amenities of surrounding occupiers in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

## **PLANS LIST:**

This decision relates to the following plans:

15 Dec 2017 035-1-061 Helipad Site Plan  
15 Dec 2017 035-1-066 P3 Distances To Adjacent Properties  
15 Dec 2017 035-1-414 P3 Helipad Detail  
15 Dec 2017 035-303 P3 Helipad Flight Plan Arrival  
15 Dec 2017 035-304 P3 Helipad Flight Plan Wider Context  
15 Dec 2017 035-305 P3 Helipad Flight Plan Departure  
15 Dec 2017 035-810 P3 Helipad Ga Illustrated Plan

## **Condition Categories**

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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.

## **Informative**

Avoidance Measures:

To ensure that the risk to bats is kept at a negligible level the following parameters should be followed as outlined in the Ecological Technical Guidance Note:

- o Where possible, avoid landing/taking off during the half hour after sunset and half hour before dawn;
- o Always use the "preferred" approach/departure routes unless it is unsafe to do so, and avoid flying directly parallel to the east face of the house if possible; and
- o Ensure that lighting is not left on after landing/take off (managed by the Estate Manager and pilots).

## **Informative**

Operational Statement:

The proposed Helipad will operated in accordance with this Operational Statement:

1. All helicopters arriving and departing from Hinton House will fly according to the Civil Aviation Authority's Code of Conduct.

2. The helicopter crew will endeavor to approach and depart from the Hinton House Helipad site in accordance with the Helipad Arrival and Departure Plans (Plan Refs: 035-1-303 P3; 035-1-305 P3; and 035-1-304 P3).
3. Having regard to the proximity of Hinton House Helipad to the Church of St John the Baptist, the Estate Manager will inform by email to the Reverend and Church any planned Helicopter landing and departure. In the event that arrivals/departures will conflict with planned church services alternative arrangements will be made.
4. Having regard to the proximity of the Hinton House Helipad to Brown Shutters Farm Airfield, the Hinton House Estate Manager will inform Brown Shutters Farm Airfield by email of any scheduled helicopter landing and departure from Hinton House. On approach and departure pilots will also make use of Safety Com 135.475 (used by Brown Shutters Airfield) to ensure any light aircraft in the vicinity are aware of their presence.
5. There are no hanger or refuelling stations at the Hinton House Estate. A typical turnaround timescale for arrival and departure will be generally between 5-10 minutes.
6. The integrated ground level safety lighting will be activated, if required, for the minimum time that is operationally required.

<b>Item No:</b>	004		
<b>Application No:</b>	17/04739/FUL		
<b>Site Location:</b>	6 Madams Paddock, Chew Magna, Bristol, Bath And North East Somerset		
<b>Ward:</b> Chew Valley North	<b>Parish:</b> Chew Magna	<b>LB Grade:</b> N/A	
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Demolition of the existing dwelling, associated garage and greenhouse and erection of a new dwelling and garage. The proposal also includes the associated landscape and drainage works.		
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Policy CP9 Affordable Housing Zones, Flood Zone 2, Flood Zone 3, Greenbelt, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
<b>Applicant:</b>	Mr Andy Bamford		
<b>Expiry Date:</b>	12th April 2018		
<b>Case Officer:</b>	Tessa Hampden		

**DECISION REFUSE**



1 The proposed replacement dwelling, due to it being materially larger in volume and visual terms than the dwelling it replaces, represents inappropriate development within the Green Belt and would have a harmful impact on the openness of the Green Belt. Further the development does not constitute limited infilling or the redevelopment of previously developed land. There are not considered to be very special circumstances to outweigh this harm. The development is therefore contrary to Policy GB2 of the Placemaking Plan and Policy CP8 of the Core Strategy, as well as Section 9 of the National Planning Policy Framework.

2 The design, scale, siting and massing and the use of the zinc cladding are considered to be inappropriate in this context and overall the development is not considered to be sufficiently informed by the context and special landscape character of the site and surrounding area. The proposals fail to preserve important attributes of the character and appearance of the Chew Magna Conservation Area. Any public benefits to the scheme do not outweigh the harm identified. The development is therefore considered to be contrary to policies HE1, NE2, NE6, D1, D2 and D4 of the Placemaking Plan, Core Strategy Policies CP6 and CP7 and HDE2 of the Chew Valley Neighbourhood Plan.

#### **PLANS LIST:**

01 Nov 2017	374.P.300 P2	PROPOSED SOUTH EAST & NORTH WEST ELEVATIONS
01 Nov 2017	374.P.301 P2	PROPOSED NORTH EAST & SOUTH WEST ELEVATIONS
30 Sep 2017	374 P 010	PROPOSED BLOCK PLAN
30 Sep 2017	374 P 100	PROPOSED GROUND FLOOR PLAN
30 Sep 2017	374 P 101	PROPOSED FIRST FLOOR PLAN
30 Sep 2017	374 P 110	PROPOSED ROOF PLAN
30 Sep 2017	374 S 010	EXISTING BLOCK PLAN
30 Sep 2017	374 S 100	EXISTING FLOOR & ROOF PLAN
30 Sep 2017	374 S 300	EXISTING ELEVATIONS
30 Sep 2017	374 S 001	SITE LOCATION PLAN

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

#### **Community Infrastructure Levy**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all relevant 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](http://www.bathnes.gov.uk/cil)