

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

11th April 2018

DECISIONS

Item No:	01		
Application No:	17/00075/FUL		
Site Location:	Land Between Leamon Cottage And Mendip Villas, The Street, Compton Martin, Bristol		
Ward: Chew Valley South	Parish: Compton Martin	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	The erection of 10no. dwelling houses, including access on to The Street, 26no off-street parking spaces, and associated soft/hard landscaping		
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Neighbourhood Plan, SSSI - Impact Risk Zones, Water Source Areas,		
Applicant:	Freemantle Developments (Compton Martin) Limited		
Expiry Date:	31st October 2017		
Case Officer:	Tessa Hampden		

DECISION REFUSE

1 The proposed development does not comprise an appropriate housing mix to meet the identified needs of the village. The development is therefore contrary to policy CP10 of Bath and North East Somerset Core Strategy and policy HDE5a of the Chew Valley Neighbourhood Plan.

2 The proposed parking layout is not considered to be workable and is therefore likely to result in cars parking on the public highway, in particular the Street. This is considered to prejudice highway safety which is contrary to policy ST7 of the Place Making Plan 2017.

3 The proposed layout which is considered to be an unacceptable design, and results in dwellings with insufficient outdoor amenity space is considered to be an unacceptable and is contrary to policy CP6 of the Core Strategy and policy D1,D2 and D6 of the Placemaking Plan 2017.

PLANS LIST:

5th April 2018	2793/101 E	PROPOSED SITE PLAN
23 Feb 2018	2793/103 B	PROPOSED PLANS: PLOTS 1-4
23 Feb 2018	2793/104 B	PROPOSED SOUTHEAST & NORTHWEST ELEVATIONS
23 Feb 2018	2793/105 B	PROPOSED SOUTHWEST & NORTHEAST ELEVATIONS
23 Feb 2018	2793/107 B	PROPOSED PLANS: PLOTS 7-10
23 Feb 2018	2793/108 B	PROPOSED ELEVATIONS: PLOTS 7-10

23 Feb 2018 2793/109 B PROPOSED ELEVATIONS: PLOTS 7-10
 23 Feb 2018 2793/111 D PROPOSED SITE DRAINAGE PLAN
 23 Feb 2018 2793/112 B PROPOSED STRIP ELEVATION & SECTIONS
 23 Feb 2018 TR16 A SWEPT PATH OF PROPOSED PARKING AREA
 09 Jan 2017 10A EXISTING SITE PLAN
 08 May 2017 2793/01 LOCATION PLAN
 02 May 2017 2793/110 PROPOSED ELEVATIONS: CAR PORTS

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

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 LPA has sought to resolve issues as they have arisen, ultimately however the Council has refused the application for the reasons set out above.

Item No:	02	
Application No:	17/05062/FUL	
Site Location:	148 London Road West, Lower Swainswick, Bath, Bath And North East Somerset	
Ward: Lambridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 4no. dwellings following demolition of 2no. existing run down dwellings.	
Constraints:	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, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,	
Applicant:	New Millennium Developments Ltd	
Expiry Date:	16th April 2018	
Case Officer:	Alice Barnes	

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Materials - Submission of Schedule and Samples (Bespoke Trigger)

The exterior walls of the front elevation shall be constructed in natural Bath Stone Ashlar. 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.

3 Parking (Compliance)

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

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

4 Bound/Compacted Vehicle Access (Pre-occupation)

No occupation of the development shall commence until the vehicular access has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

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

5 Green Wall Details (Bespoke Trigger)

Prior to the installation of the green wall of the approved development shown on drawing 156 rev T a detailed specification of the proposed green wall shall be submitted to and approved in writing by the Local Planning Authority. These details shall include section drawings of the wall, a planting schedule, a timetable for implementation and a maintenance schedule. The green wall shall be implemented in accordance with the approved details prior to the occupation of the development or in accordance with the approved timetable for implementation.

Reason: To ensure the successful implementation of the green roof in the interests of preserving the character and appearance of the 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.

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:

Proposed site- basement 110 rev M
Proposed site - ground floor 111 rev G
Side elevation - east 156 rev J
Proposed elevations 156 rev T
Proposed rear elevations 157 rev D
Proposed section 158
Location plan 101 rev C
Proposed floor plans 150 rev K
Proposed section A-A 160 rev F
Proposed street view 170 rev B
Existing ground floor plan E01
Existing ground floor plan E02
Existing first floor plan E03
Existing first floor plan E04
Existing side elevation E05
Existing rear elevation E06
Existing side elevation E07

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

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.

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.

Item No:	03	
Application No:	15/01802/FUL	
Site Location:	Church Farm Derelict Property, Church Hill, High Littleton, Bristol	
Ward: High Littleton	Parish: High Littleton	LB Grade: II
Application Type:	Full Application	
Proposal:	Construction of new pedestrian and vehicular access to Church Farm, High Littleton from A39 High Street following removal of section of boundary wall.	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	Mr Martin Pera	
Expiry Date:	27th July 2017	
Case Officer:	Laura Batham	

Withdrawn from agenda

Item No:	04	
Application No:	18/00413/FUL	
Site Location:	22 Innox Grove, Englishcombe, Bath, Bath And North East Somerset	
Ward: Bathavon West	Parish: Englishcombe	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of two-storey side extension following demolition of existing conservatory.	
Constraints:	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Miss S A Halladey	
Expiry Date:	13th April 2018	
Case Officer:	Rae Mephram	

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.

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 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:

Proposed elevations and layouts (1)
Site location and block plan (3)

both received 29th Jan 2018

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.

Item No:	05		
Application No:	18/00460/FUL		
Site Location:	35 Hantone Hill, Bathampton, Bath, Bath And North East Somerset		
Ward: Bathavon North	Parish: Bathampton	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of two storey side and single storey rear extension, and external alterations.		
Constraints:	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Neighbourhood Plan, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs Blackburn		
Expiry Date:	29th March 2018		
Case Officer:	Alice Barnes		

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 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.

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:

Existing plans, section and elevations including block and location plans EX01

Proposed plans, section and elevations P01

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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.

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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.

Item No:	06	
Application No:	17/05725/VAR	
Site Location:	Walnut Tree Hill, High Street, Priston, Bath	
Ward: Bathavon West	Parish: Priston	LB Grade: N/A
Application Type:	Application for Variation of Condition	
Proposal:	Variation of condition 6 (landscaping) of application 15/01408/VAR (Variation of condition 8 (landscaping) attached to planning permission 13/05112/FUL (Erection of a dwelling with garage, drive and landscaping. (Revised proposal)).	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Flood Zone 2, Flood Zone 3, Housing Development Boundary, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Mr Rob Kettlety	
Expiry Date:	19th March 2018	
Case Officer:	Robert Warren	

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