

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

**26th September 2018**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	18/02499/FUL	
<b>Site Location:</b>	32 - 33 Victoria Buildings, Westmoreland, Bath, BA2 3EH	
<b>Ward:</b> Westmoreland	<b>Parish:</b> N/A	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Provision of new skittle alley, a new community room, provision of new accessible toilets, refurbishment of the public house and the provision of 9 apartments at the Belvoir Castle Bath.	
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Zone, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, District Heating Priority Area, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Rengen Development Limited	
<b>Expiry Date:</b>	28th September 2018	
<b>Case Officer:</b>	Tessa Hampden	

**DECISION** Delegate to PERMIT subject to conditions

<b>Item No:</b>	02	
<b>Application No:</b>	18/02500/LBA	
<b>Site Location:</b>	32 - 33 Victoria Buildings, Westmoreland, Bath, BA2 3EH	
<b>Ward:</b> Westmoreland	<b>Parish:</b> N/A	<b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)	
<b>Proposal:</b>	Provision of new skittle alley, a new community room, provision of new accessible toilets, refurbishment of the public house and the provision of 9no apartments at the Belvior Castle Bath.	
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Zone, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, District Heating Priority Area, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	PJ	
<b>Expiry Date:</b>	28th September 2018	
<b>Case Officer:</b>	Tessa Hampden	

**DECISION** Delegate to CONSENT subject to conditions

<b>Item No:</b>	03
<b>Application No:</b>	18/02831/FUL
<b>Site Location:</b>	The Old Bakery , Jews Lane, Twerton, Bath
<b>Ward:</b> Westmoreland	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Demolition of existing building and redevelopment comprising erection of a student accommodation building (sui generis) and erection of a flexible employment building (class B1).
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Contaminated Land, Policy CP9 Affordable Housing Zones, HMO Stage 1 Test Area (Stage 2 Test Req), MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Railway, Railway, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Deeley Freed Estates
<b>Expiry Date:</b>	5th October 2018
<b>Case Officer:</b>	Tessa Hampden

**DECISION** Delegate to PERMIT subject to a S106 and relevant conditions.

<b>Item No:</b>	04
<b>Application No:</b>	18/02261/FUL
<b>Site Location:</b>	27 Rockliffe Avenue, Bathwick, Bath, Bath And North East Somerset
<b>Ward:</b> Walcot	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of replacement dwelling following demolition of existing (Resubmission of 16/02520/FUL)
<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, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr & Mrs Cockayne
<b>Expiry Date:</b>	28th September 2018
<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 Precautionary working methods and update survey (compliance)**

The development hereby approved shall be carried out only in accordance with the recommendations of section 5.2 of the approved Bat Surveys Report dated July 2018 by Seasons Ecology.

Reason: to avoid harm to wildlife including bats and their roosts, and nesting birds

## **4 Wildlife Protection and Enhancement (Pre-commencement)**

No development shall take place until details of a Wildlife Protection and Enhancement Scheme for the overall site have been submitted to and approved in writing by the local planning authority. These details shall include

(i) details for all necessary protection and mitigation measures during site preparation and construction phases, including, where applicable, proposed pre-commencement checks and update surveys, for the avoidance of harm to reptiles, nesting birds, bats, badger, otter, aquatic life and other wildlife, as applicable;

(ii) proposed biodiversity enhancements to be incorporated into the landscape scheme, to include wildlife-friendly planting and provision of bat and bird boxes, with proposed species, specifications, numbers, models, and positions to be shown on plans as applicable. All works within the scheme shall be carried out in accordance with the approved details and

completed in accordance with specified timescales and prior to the occupation of the development.

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with policy NE3 of the Bath and North East Somerset Local Plan.

## **5 External Lighting (Bespoke Trigger)**

No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the LPA; details to include lamp specifications, positions, numbers and heights; and details of all necessary measures to limit use of lights when not required and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to avoid harm to bat activity and other wildlife. The lighting shall be installed, maintained and operated thereafter in accordance with the approved details.

Reason: to avoid harm to bats and other wildlife

## **6 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, completion and implementation of the approved Wildlife Protection and Enhancement Scheme in accordance with approved details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate the completed implementation of the Wildlife Protection and Enhancement Scheme, to prevent ecological harm and to provide biodiversity gain in accordance with policies NE3 of the Bath and North East Somerset Local Plan.

### **7 Archaeology (bespoke trigger)**

The applicant shall give 14 days' written notice of the date of commencement of works to the Local Planning Authority's archaeological officer. Thereafter the applicant shall afford access at all reasonable times to any archaeologist nominated by the Council and shall allow him/her to observe the excavations and record items of interest and finds.

Reason: The site is within an area of potential archaeological interest and the Council will wish to examine and record items of interest discovered.

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### **Landscaping scheme Precommencement)**

No development shall be commenced until a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure that any hard and soft landscape proposals do not adversely affect the existing trees on the site and in neighbouring properties.

### **9 Arboricultural method statement (Pre commencement)**

No development shall take place until an arboricultural method statement and tree protection plan following the recommendations contained within BS 5837:2012 has been prepared. The statement should identify measures to protect any trees within the development site and the neighbouring properties with the potential to be affected by site facilities, access, parking storage, demolition and construction operations. The statement and plan should be submitted to and approved in writing by the Local Planning Authority prior to the commencement of operations including preliminary site access and set up. The statement shall include proposed tree protection measures during site preparation (including demolition, clearance and level changes) and during construction. The statement should also include the control of potentially harmful operations such as the position of service runs and soakaways, storage, burning, handling and mixing of materials, the location of site office and the 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 within the site and its immediate surroundings.

### **10 Compliance with arboricultural method statement (pre commencement)**

No development activity shall commence until the protective measures as stated in the approved arboricultural method statement and tree protection plan are implemented. The local planning authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place with photographic evidence.

Reason: To ensure that the trees are protected from potentially damaging activities.

### **11 Construction Management Plan (Pre-commencement)**

No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

### **12 No Terrace/Balcony Use (Compliance)**

The roof area of the development hereby approved shall not be used as a balcony, terrace, roof garden or similar amenity area.

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.

### **13 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.

### **14 Roof light details (Bespoke Trigger)**

The building of the external walls of the dwelling hereby permitted shall not commence until full details at a scale of 1:20 of the proposed rooflights 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 D1 and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

### **15 Boundary treatment finish (Bespoke Trigger)**

The building of the external walls of the dwelling hereby permitted shall not commence until full details at a scale of 1:20 of the boundary treatment and path finishes adjacent to number 25 and 29 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 D1 and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

### **16 Green Roof Details (Bespoke Trigger)**

Prior to the construction of the roof of the approved development a detailed specification of the proposed green roof shall be submitted to and approved in writing by the Local Planning Authority. These details shall include section drawings of the roof, a planting schedule, a timetable for implementation and a maintenance schedule. The green roof 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.

### **17 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.

### **18 Water Efficiency - Rainwater Harvesting (Pre-occupation)**

No occupation of the approved dwellings shall commence until a scheme for rainwater harvesting or other methods of capturing rainwater for use by residents (e.g. Water butts) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of water efficiency in accordance with Policy SCR5 of the Placemaking Plan.

### **PLANS LIST:**

This decision relates to drawing nos 100-1599 P-100B,101B,102B,103B,110B,111B,112B,113B,114B,200B,201B,202C,203C,300B,301B,001B, 002B,003B,010B, 011B, 012B,020B,021B,022B,023B,030B and 031B all dated March 18. Construction details/Sections through boundary walls.

### **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.

This permission does not convey or imply any civil or legal consents required to undertake the works.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

<b>Item No:</b>	05	
<b>Application No:</b>	18/02898/FUL	
<b>Site Location:</b>	Horseworld, Staunton Lane, Whitchurch, Bristol	
<b>Ward:</b> Publow And Whitchurch	<b>Parish:</b> Whitchurch	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 5no. residential units (including affordable housing) together with associated parking, highways and landscaping works.	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Policy GDS1 Site Allocations, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Bellway Homes Ltd (South West)	
<b>Expiry Date:</b>	26th October 2018	
<b>Case Officer:</b>	Chloe Buckingham	

**DECISION** Defer for further information and site visit

<b>Item No:</b>	06
<b>Application No:</b>	18/02637/FUL
<b>Site Location:</b>	St Michael's Cottage , Townsend, East Harptree, Bristol
<b>Ward:</b> Mendip	<b>Parish:</b> East Harptree <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Change of use of section of paddock to allow vehicular access to dwelling
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Policy NE2 AONB, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
<b>Applicant:</b>	Mr & Mrs N. Gillingham
<b>Expiry Date:</b>	27th September 2018
<b>Case Officer:</b>	Chloe Buckingham

**DECISION** Delegate to PERMIT subject to conditions

<b>Item No:</b>	7
<b>Application No:</b>	18/03786/FUL
<b>Site Location:</b>	7 Elm Grove, Southdown, Bath, Bath And North East Somerset
<b>Ward:</b> Oldfield	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of single storey front porch and single storey flat roof rear extension
<b>Constraints:</b>	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Ms Lucy Strange
<b>Expiry Date:</b>	17th October 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 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:

22 Aug 2018 Site Location Plan

22 Aug 2018 Proposed Block Plan

23 Aug 2018 A01 (A) Existing and Proposed Floor Plans and Elevations

## **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 paragraph 38 of the National Planning Policy Framework.