

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

21st November 2018

DECISIONS

Item No:	01	
Application No:	18/02898/FUL	
Site Location:	Horseworld, Staunton Lane, Whitchurch, Bristol	
Ward: Publow And Whitchurch	Parish: Whitchurch	LB Grade: II
Application Type:	Full Application	
Proposal:	Erection of 5no. residential units (including affordable housing) together with associated parking, highways and landscaping works.	
Constraints:	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,	
Applicant:	Bellway Homes Ltd (South West)	
Expiry Date:	22nd November 2018	
Case Officer:	Chloe Buckingham	

DECISION REFUSE

1 The proposed development is on land that was originally intended to be developed for an Early Years Nursery in accordance with the Masterplan considered by the Council under application no. 15/03406/CONSLT. The existing Early Years Nursery in Whitchurch is not considered to be an acceptable alternative location for residents living close to the application site as it is in a location that requires a long walk along a road that is considered dangerous and having a polluted environment for children and parents. Furthermore, the removal of the potential on-site nursery provision will mean that the site loses a community space for the new residents which will not be conducive to creating sustainable communities. The proposal is therefore considered contrary to policies D1, D6, ST1, PCS1, PCS3 and LCR1 of the Bath and North East Somerset Placemaking Plan (2017) and Policy RA5 of the Bath and North East Somerset Core Strategy (2014).

PLANS LIST:

This decision relates to plan references;

7850-EYPL01B, 7850-EYPL28B, 7850-EYPL27B, 7850-EYPL26B, 7850-EYPL25B, 7850-EYPL24B, 7850-EYPL23B, 7850-EYPL22B, 7850-EYPL15B, 7850-EYPL12B, 7850-EYPL05B, 7850-EYPL04B, 7850-EYPL02B received 4th July 2018.

478-8301-3B received 29th June 2018.

7850-EYPL03H, 7850-EYPL06, 7850-EYPL20C and 7850-EYPL21C received 4th September 2018.

416.01578.00063.29.017 Rev 2 received 11th September 2018.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Whilst the application was recommended for permission by Officers the Development Management Committee considered the proposal to be unacceptable for the stated reasons.

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

Item No:	02	
Application No:	18/01999/FUL	
Site Location:	40 Bloomfield Park, Bloomfield, Bath, Bath And North East Somerset	
Ward: Lyncombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 8 no. apartments with associated parking and landscaping following demolition of existing detached house and garage (Resubmission).	
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:	Mr J. Morgan on behalf	
Expiry Date:	12th December 2018	
Case Officer:	Chris Griggs-Trevarthen	

DECISION Delegate to PERMIT subject to conditions and a S106 Agreement

Item No:	03
Application No:	18/04233/FUL
Site Location:	14 The Beeches, Odd Down, Bath, Bath And North East Somerset

Ward: Odd Down	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Installation of rear and side dormer windows with two front roof lights. (Resubmission)	
Constraints:	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, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Mr Daniel McIntyre	
Expiry Date:	23rd November 2018	
Case Officer:	Edward Allsop	

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 of the dormer window shall be clad in hanging tiles to match those of the main dwelling; in respect of; type, material, size and colour.

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 the following plans:

- Site location plan-001- 17th September 2018
- Existing site plan- 002- 17th September 2018
- Existing floor plans- 003- 17th September 2018
- Existing loft and roof plan-004- 17th September 2018
- Existing elevations-005- 17th September 2018
- Proposed site plan-006- 17th September 2018
- Proposed floor plans-007- 17th September 2018
- Proposed loft and roof plans-008- 17th September 2018

Proposed elevations-009- 17th September 2018

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 paragraph 38 of the National Planning Policy Framework.