

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

**16th January 2019**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	16/04870/FUL	
<b>Site Location:</b>	Bidwell Metals Ltd, Chapel Road, Clandown, Radstock	
<b>Ward:</b> Radstock	<b>Parish:</b> Radstock	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 28 dwellings, public open space, a community building and ancillary works following the demolition of 2 buildings (REVISED DESCRIPTION)	
<b>Constraints:</b>	Affordable Housing, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Forest of Avon, Housing Development Boundary, Public Right of Way, SSSI - Impact Risk Zones, Tree Preservation Order,	
<b>Applicant:</b>	Bidwell Metals Ltd	
<b>Expiry Date:</b>	21st January 2019	
<b>Case Officer:</b>	Tessa Hampden	

**DECISION REFUSE**

1 The absence of a completed Section 106 Agreement to secure on site affordable housing; targeted training and recruitment method statement and financial contributions; Chapel Road pedestrian works; financial contributions for the installation of fire hydrants; provision of parks and open spaces/amenity area and management mechanisms, and the provision of a community building results in the scheme being unacceptable and contrary to Policy CP13, ST7, LCR1, NE1 of the Bath and North East Somerset Placemaking Plan, Policy CP9 of the Core Strategy and the adopted Planning Obligations - Supplementary Planning Document 2015

**PLANS LIST:**

04 Aug 2017 13074/HTA\_3 REV B HOUSE TYPE A PLANS  
04 Aug 2017 13074/HTS\_1 HOUSE TYPE S ELEVATIONS  
04 Aug 2017 13074/HTS\_2 HOUSE TYPE S PLANS  
04 Aug 2017 13074/002 REV H SITE LAYOUT  
04 Aug 2017 13074/AFF REV B AFFORDABLE HOUSING LOCATIONS  
04 Aug 2017 13074/HTC\_2 REV B HOUSE TYPE C ELEVATIONS  
04 Aug 2017 13074/HTC\_3 REV B HOUSE TYPE C PLANS  
04 Aug 2017 13074/MAT REV B MATERIALS LAYOUT  
04 Aug 2017 13074/SCH04 REV B SCHOOL BUILDING PROPOSED PLANS  
05 Jul 2017 13074/002 REV F RETAINING WALL OFFSET

04 Jul 2017 13074/001 SITE LOCATION PLAN  
 03 Jul 2017 13074/COM\_1 REV A COMMUNITY BUILDING PLANS & ELEVATION  
 03 Jul 2017 13074/SCH03 REV A SCHOOL BUILDING, PROPOSED ELEVATIONS  
 03 Jul 2017 13074/WHO03 REV B WAREHOUSE BUILDING, PROPOSED PLANS  
 03 Jul 2017 13074/WHO04 REV B WAREHOUSE BUILDING, PROPOSED ELEVATIONS  
 03 Jul 2017 13074/001 REV B SITE LOCATION PLAN  
 05 May 2017 13047\_HTA\_01 HOUSE TYPE A ELEVATIONS  
 05 May 2017 13047\_HTA\_02 HOUSE TYPE A ALTERNATE ELEVATIONS  
 05 May 2017 13047\_HTA\_03 REV A HOUSE TYPE A FLOOR PLANS  
 05 May 2017 13047\_HTC\_1 REV A HOUSE TYPE C ELEVATIONS  
 05 May 2017 13047\_HTC\_2 REV A HOUSE TYPE C ALTERNATE ELEVATIONS  
 05 May 2017 13047\_HTC\_3 REV A HOUSE TYPE C FLOOR PLANS  
 05 May 2017 13047\_HTE\_1 HOUSE TYPE E ELEVATIONS  
 05 May 2017 13047\_HTE\_2 REV A HOUSE TYPE E FLOOR PLANS  
 05 May 2017 13047\_HTF\_1 HOUSE TYPE F ELEVATIONS  
 05 May 2017 13047\_HTF\_2 HOUSE TYPE F FLOOR PLANS  
 05 May 2017 13047\_SCH01 SCHOOL BUILDING EXISTING ELEVATIONS  
 05 May 2017 13047\_SCH02 SCHOOL BUILDING EXISTING PLANS  
 05 May 2017 13047\_SE01 REV A STREET ELEVATIONS  
 05 May 2017 13047\_WH01 REV A WAREHOUSE EXISTING PLANS & ELEVATION  
 05 May 2017 13074\_FOG\_01 FOG ELEVATIONS  
 05 May 2017 13074\_FOG\_02 FOG FLOOR PLANS  
 03 Oct 2016 13074\_SUB SUBSTATION PLANS AND ELEVATIONS

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 39-43 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.

### **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)

<b>Item No:</b>	02
<b>Application No:</b>	18/02900/FUL
<b>Site Location:</b>	Land At Rear Of 106 High Street, Dovers Lane, Bathford, Bath
<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 two storey, 3 bed dwelling
<b>Constraints:</b>	Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
<b>Applicant:</b>	Mr Tim Draper
<b>Expiry Date:</b>	18th January 2019
<b>Case Officer:</b>	Rae Mepham

**DECISION** Delegate to permit subject to Construction Management Plan condition requiring contractors parking and restrictions within school hours.