

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

13th March 2019

DECISIONS

Item No:	01	
Application No:	18/03797/FUL	
Site Location:	Chivers House, Windsor Bridge Road, Twerton, Bath	
Ward: Westmoreland	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Demolition of existing building and redevelopment of the site to provide 95no. dwellings across two separate buildings. External works including hard and soft landscaping and site clearance works with land set aside for the future facilitation of a Sustainable Transport Route. Proposed vehicular access to Windsor Bridge Road and provision of 24no. vehicular parking spaces and cycle parking.	
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Zone, Policy B3 Twerton and Newbridge Riversid, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, Contaminated Land, Policy CP9 Affordable Housing Zones, District Heating Priority Area, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, Railway, Railway, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Policy ST2 Sustainable Transport Routes,	
Applicant:	C G WBR (Ltd)	
Expiry Date:	15th March 2019	
Case Officer:	Chris Griggs-Trevarthen	

DECISION Delegate to PERMIT subject to conditions and a S106 Agreement

Item No:	02	
Application No:	18/05513/FUL	
Site Location:	47 Edward Street, Lower Weston, Bath,	
Ward: Kingsmead	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	

Proposal:	Erection of 1 no. dwellinghouse.
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 NE2A Landscapes and the green set, SSSI - Impact Risk Zones,
Applicant:	Dr Helen Moore
Expiry Date:	15th March 2019
Case Officer:	Chris Griggs-Trevarthen

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 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 the following:

1. Deliveries (including storage arrangements and timings);
2. Contractor parking;
3. Traffic management;
4. Working hours;
5. Site opening times;
6. Wheel wash facilities;
7. Site compound arrangements;

The construction of 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 policies D6 and ST7 of the Bath and North East Somerset Placemaking Plan. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

3 Materials - Sample Panel and Schedule (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes 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 and a and a sample panel of the natural bath stone has been erected on site and approved in writing by the Local Planning Authority.

The schedule shall include:

1. Detailed specification of the proposed materials (Type, size, colour, brand, quarry location, etc.);
2. Photographs of all of the proposed materials;
3. An annotated drawing showing the parts of the development using each material;

The development shall be carried out only in accordance with the approved details and the approved sample panel of the natural bath stone shall be kept on site for reference until the development is completed.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policies D1, D2, D3, D5 and HE1 of the Bath and North East Somerset Placemaking Plan and policy CP6 of the Bath and North East Somerset Core Strategy.

4 Landscaping Scheme (Pre-occupation)

No occupation of the development shall commence until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority showing details of the following:

1. All trees, hedgerows and other planting to be retained;
2. A planting specification to include numbers, size, species and positions of all new trees and shrubs;
3. Details of existing and proposed walls, fences, other boundary treatment and surface treatments of the open parts of the site;
4. A programme of implementation for the landscaping scheme.

Reason: To ensure the provision of an appropriate landscape setting to the development and to protect the residential amenity of adjoining occupiers in accordance with policies D1, D2, D4, D6 and NE2 of the Bath and North East Somerset Placemaking Plan.

5 Implementation of Landscaping Scheme (Compliance)

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme of implementation agreed in writing with the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

6 Energy Efficiency (Pre-occupation)

The development hereby approved shall incorporate sufficient energy efficiency measures or renewables such that carbon emissions from anticipated (regulated) energy use in the development shall be reduced by at least 19% above the baseline emissions (as defined by the details submitted in support of the planning application). Prior to first occupation of the development hereby approved those matters listed below shall be submitted to and approved in writing by the local planning authority:

1. A completed copy of Table 2.4 of the local planning authority's Sustainable Construction Checklist. This shall be completed to reflect the actual measures installed as part of the development hereby approved;
2. Post-completion SAP/SBEM Part L summary documents.

Reason: To ensure that the development's carbon emissions (from anticipated regulated energy use) are reduced by at least 19% by means of sufficient renewable energy generation, in accordance with policy CP2 of the Bath and North East Somerset Core Strategy.

7 Water Efficiency (Compliance)

The approved dwelling 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 Placemaking Plan.

8 Rainwater Harvesting (Compliance)

No occupation of the approved dwelling shall commence until a scheme for rainwater harvesting or other method of capturing rainwater for use by residents (e.g. water butts) has been installed.

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

9 Bound/Compacted Vehicle Access (Compliance)

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.

10 No terrace/balcony (Compliance)

The area of flat roof in the southern corner of the dwelling hereby approved shall not be used as a terrace, balcony or veranda and shall not be accessed except for maintenance or emergency purposes.

Reason: To prevent the use of the flat roof area as a terrace, balcony or veranda in the interests of preserving the privacy of adjoining occupiers in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan.

11 External Lighting (Bespoke Trigger)

No new external lighting shall be installed until full details of the proposed lighting design have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. Lamp models and manufacturer's specifications, positions, numbers and heights;
2. Predicted lux levels and light spill;
3. Measures to limit use of lights when not required, to prevent upward light spill and to prevent light spill onto nearby vegetation and adjacent land.

The lighting shall be installed and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policy CP6 of the Bath and North East Somerset Core Strategy and policies NE.3 and D8 of the Bath and North East Somerset Placemaking Plan.

12 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:

160 P L12 01 A	PROPOSED FLOOR PLANS & SITE PLAN
160 P L12 02 A	PROPOSED ELEVATIONS AND SECTION AA
160 P L12 03 A	PROPOSED SECTION BB & CC
160 P L02 01	SITE LOCATION PLAN AND EXISTING SECTIONS

DECISION MAKING 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 Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent 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 an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to 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

INFORMATIVES

The applicant should be advised to contact the Highway Maintenance Team at Highways@bathnes.gov.uk with regard to securing a licence under Section 184 of the Highways Act 1980 for the amendment of a vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

Item No:	03	
Application No:	18/05706/FUL	
Site Location:	Rookehill Farmhouse, 34 Wellsway, Keynsham, Bristol	
Ward: Keynsham East	Parish: Keynsham Town Council	LB Grade: II
Application Type:	Full Application	
Proposal:	Creation of new vehicular access and erection of a two storey building following demolition of existing garden room and store (Resubmission).	
Constraints:	Bristol Airport Safeguarding, Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Conservation Area, Contaminated Land, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building,	

	SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodrome,
Applicant:	Mr David Westgate
Expiry Date:	21st February 2019
Case Officer:	Helen Ellison

DECISION Defer for a site visit

Item No:	04		
Application No:	19/00179/FUL		
Site Location:	132 Old Fosse Road, Odd Down, Bath, Bath And North East Somerset		
Ward:	Odd Down	Parish:	N/A
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of a single storey rear extension.		
Constraints:	Article 4 HMO, Agric Land Class 1,2,3a, 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 James Gray		
Expiry Date:	15th March 2019		
Case Officer:	Emily Smithers		

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 in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

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:

Drawing no. 2 REV A EXISTING & PROPOSED PLANS AND ELEVATIONS -
Received 12/02/2019

Drawing no3 REV A PROPOSED SIDE ELEVATION - Received 12/02/2019

Drawing no.1 LOCATION PLAN AND EXISTING PLAN AND ELEVATIONS - Received
16/01/2019

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 an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to 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

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.

Item No:	05	
Application No:	19/00495/FUL	
Site Location:	5 Dene Close, Keynsham, Bristol, Bath And North East Somerset	
Ward: Keynsham East	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of single storey rear, first floor side and front porch extensions. Installation of pitched roof over existing garage.	
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mr And Miss Southard And Sheikh	
Expiry Date:	2nd April 2019	
Case Officer:	Rae Mepham	

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:

05 Feb 2019 SITE LOCATION PLAN

05 Feb 2019 PROPOSED PLANS
05 Feb 2019 EXISTING AND PROPOSED SIDE ELEVATION

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy 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 an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to 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