

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

31st July 2019

DECISIONS

Item No:	01	
Application No:	19/01873/FUL	
Site Location:	St Joseph's Church, Sladebrook Road, Southdown, Bath	
Ward: Southdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 9 No. dwellings, alterations to vehicular access, associated parking and landscaping, following demolition of redundant church building.	
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 NE5 Ecological Networks, SSSI - Impact Risk Zones,	
Applicant:	Aequus Construction Ltd	
Expiry Date:	1st August 2019	
Case Officer:	Tessa Hampden	

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 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.

3 Closure of Access (Bespoke Trigger)

The new accesses hereby approved shall not be brought into use until the existing vehicular access has been permanently closed and a footway crossing constructed, including the raising of dropped kerbs, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is served by a safe access in the interests of highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

4 Bus Stop relocation Bespoke trigger)

No development above base course level shall commence until the existing bus stop has been relocated in accordance with details first submitted to and approved in writing by the Local Planning Authority. The bus stop shall be re located within the site frontage of the development.

Reason; To ensure the relocation of the bus stop to achieve a safe access to the site.

5 Visibility Splay (Pre-occupation)

No occupation of the development shall commence until the visibility splay shown on drawing number 0946-001 Rev A has been provided. There shall be no on-site obstruction exceeding 600mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

6 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.

7 Hard and Soft Landscaping (Compliance)

All hard and/or 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 (phasing) 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.

8 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.

9 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.

10 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.

11 Drainage (pre commencement)

No development shall commence, except ground investigations and remediation, until infiltration testing and soakaway design in accordance with Building regulations Part H, section 3 (3.30) have been undertaken to verify that soakaways will be suitable for the development. If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority and installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy. This is a condition precedent because it is necessary to understand whether the discharge rates are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

12 Drainage (pre commencement)

No development shall commence, except ground investigations, until written confirmation from the sewerage company (Wessex Water) accepting the surface water discharge into their network including point of connection and rate has been submitted to the Local Planning Authority. If the sewerage company are not able to accept the proposed surface water discharge, an alternative method of surface water drainage, which has first been submitted to and approved in writing by the Local Planning Authority, shall be installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy. This is a condition precedent because it is necessary to understand whether the discharge rates are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

13 Housing Accessibility (Compliance)

The following dwellings hereby approved shall meet the optional technical standards 4(2) in the Building Regulations Approved Document M: units 8 and 9

Reason: Reason: To ensure that the optional technical standards for accessibility are met in accordance with policy H7 of the Bath and North East Somerset Council Placemaking Plan.

14 Dwelling Access (Compliance)

Each dwelling shall not be occupied until it is served by a properly bound and compacted footpath and carriageway to at least base course level between the dwelling and the existing adopted highway.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan

15 Reptile Mitigation Strategy (Compliance)

In accordance with Section 5 of the approved Ecology Assessment Update , clearance of the grassland habitat will be undertaken using a Precautionary Working Method Statement, under supervision of a Suitably Qualified Ecologist as follows:

- The grassland habitat will be made unsuitable for reptiles by implementing a progressive cut, encouraging the reptiles to move out of the works area;
- The vegetation will be cut down to ground level, from the south west section of the site towards the north east section of site, during months that reptiles are active, i.e. between March to October;
- If there is any delay between site clearance and commencement of construction, the grassland will be regularly cut to maintain the site unsuitable for reptiles;
- Should any reptiles be found during the construction period, the animal must be moved to a place of safety within suitable terrestrial habitat, for example the hedgerow and garden to the north east.

Sympathetic working practices will include:

- Three refugia (log piles) will be created along the southwest boundary, reusing sawn logs from felled trees. The locations are shown in Figure 4 (Ecological Mitigation and Enhancement Plan);

- Reptiles and amphibians will utilise stacked materials such as wood, stone, boards or metal sheets as refuges. The site will be kept tidy and stored materials will be kept off the ground on pallets where possible;
- Waste materials will be removed from site immediately or placed in skips.

Reason: to avoid harm to protected species

16 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 measures set out in the Ecological Mitigation and Enhancement Scheme (section 5 and Figure 4 of the Ecology Assessment Update (Ethos, April 2019)) 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 approved Ecological Mitigation 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.

17 Means of enclosure - (Bespoke trigger)

Notwithstanding the approved plans, no fences, gates, walls or other means of enclosure shall be erected or placed on the site until a revised plan illustrating the means of enclosure/boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and policies D1, D2, D3 and D4 of the Bath and North East Somerset Placemaking Plan.

18 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:

26 Apr 2019	19018 - 101A	LEVELS PLAN
26 Apr 2019	AP(0)01 REV P0	EXISTING SITE PLAN
26 Apr 2019	AP(0)02 REV P0	DEMOLITION SITE PLAN
04 Jun 2019	1861 AP(0)21 P1	UNIT B - PLOT 7 PLANS
04 Jun 2019	1861 AP(0)22 P1	UNIT B - PLOT 8 PLANS
04 Jun 2019	1861 AP(0)23 P1	UNIT B - PLOT 9 PLANS
04 Jun 2019	1861 AP(0)30 P1	PROPOSED SITE ELEVATIONS
04 Jun 2019	1861 AP(0)31 P1	UNIT A ELEVATIONS
04 Jun 2019	1861 AP(0)32 P2	UNIT B - PLOT 7 ELEVATIONS
04 Jun 2019	1861 AP(0)33 P2	UNIT B - PLOT 8 ELEVATIONS
04 Jun 2019	1861 AP(0)34 P2	UNIT B - PLOT 9 ELEVATIONS

04 Jun 2019	1861 AP(0)40 P1	ELEVATIONS
01 Jul 2019	1861 AP(0)10 REV P4	PROPOSED GROUND FLOOR SITE PLAN
01 Jul 2019	1861 AP(0)11 REV P3	SITE FIRST FLOOR PLAN
01 Jul 2019	1861 AP(0)12 REV P3	SITE ROOF PLAN
01 Jul 2019	TS070-1-GA-01-REV01	LANDSCAPE GENERAL ARRANGEMENT
01 Jul 2019	TS070-1-SW-01-REV01	LANDSCAPE SOFTWARES PLAN
01 Jul 2019	TS070-2-GA-01	PLOT 6 LANDSCAPE SECTIONS
03 Jul 2019	1861 AP(0)92 REV P3	ACCESSIBLE HOUSING DIAGRAM

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

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

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.

Precautionary working methods:

Works must proceed only in accordance with the following measures for the protection of bats and birds:

o a careful visual check for signs of active bird nests and bats shall be made of the interior and exterior of the building and its roof, and any crevices and concealed spaces, prior to any works affecting these areas
o active nests shall be protected undisturbed until the young have fledged
o works to the roof and any areas with concealed spaces or crevices shall be carried out by hand, lifting tiles and roof panels (not sliding) to remove them, and checking beneath each one. Soffitts and masonry will be dismantled using a 'soft' approach taking care with cavity walls where present.

o If bats are encountered works shall cease and the Bat Helpline (Tel 0345 1300 228) or a licenced bat worker shall be contacted for advice before proceeding. Reason: to avoid harm to protected species (bats and nesting birds)

Item No:	02	
Application No:	19/01488/FUL	
Site Location:	4 Uplands Road, Saltford, Bristol, Bath And North East Somerset	
Ward: Saltford	Parish: Saltford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of detached 3 bed bungalow on land to rear of 4 Uplands Road	
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Policy CP9 Affordable Housing Zones, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Mr Duncan Phillips	
Expiry Date:	3rd June 2019	
Case Officer:	Dominic Battrick	

DECISION Permit subject to revised plans.

Item No:	03
Application No:	19/00137/FUL
Site Location:	Double Hill Farm, Double Hill, Shoscombe, Bath
Ward: Bathavon South	Parish: Shoscombe LB Grade: II
Application Type:	Full Application
Proposal:	Alterations to existing farmhouse including reinstatement and conversion of attached outbuilding to form additional accommodation together with alteration of adjoining detached former milking parlour to form domestic annexe to main dwelling plus demolition of redundant adjoining silage store and lean-to store structures.
Constraints:	White Ox Mead Air Strip 3km buffer, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, LLFA - Flood Risk Management, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mr D Cradock
Expiry Date:	10th May 2019
Case Officer:	Chloe Buckingham

DECISION Delegate to PERMIT subject to conditions.

Item No:	04
Application No:	19/00147/LBA
Site Location:	Double Hill Farm, Double Hill, Shoscombe, Bath
Ward: Bathavon South	Parish: Shoscombe LB Grade: N/A
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Internal and external alterations to existing farmhouse including reinstatement and conversion of attached outbuilding to form additional accommodation together with alteration of adjoining detached former milking parlour to form domestic annexe to main dwelling plus demolition of redundant adjoining silage store and lean-to store structures.
Constraints:	White Ox Mead Air Strip 3km buffer, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, LLFA - Flood Risk Management, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mr D Cradock
Expiry Date:	10th May 2019
Case Officer:	Chloe Buckingham

DECISION Delegate to Consent subject to conditions.

Item No:	05
Application No:	19/00383/FUL
Site Location:	2 Longhouse, The Hollow, Dunkerton, Bath
Ward: Bathavon South	Parish: Dunkerton & Tunley Parish Council
LB Grade:	N/A
Application Type:	Full Application
Proposal:	Erection of a detached double garage along side the house
Constraints:	White Ox Mead Air Strip 3km buffer, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Floodplain Protection, Policy HE2 Somersetshire Coal Canal & Wa, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Neighbourhood Plan, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
Applicant:	Mr Peter Woodrow
Expiry Date:	1st August 2019
Case Officer:	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:

- 06 Feb 2019 Existing Plan and Site Location Plan
- 06 Feb 2019 Existing Front Elevation and Proposed Front Elevation
- 06 Feb 2019 Existing Rear Elevation and Proposed Rear Elevation
- 28 March 2019 Existing Side Elevation and Proposed Side Elevation
- 28 Mar 2019 Proposed Hardstanding
- 16 Apr 2019 Proposed Garage Specifications
- 16 Apr 2019 Proposed Site Plan and Access

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons 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. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

Item No:	06	
Application No:	19/02130/FUL	
Site Location:	39 Kensington Gardens, Walcot, Bath, Bath And North East Somerset	
Ward: Walcot	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of garage and associated works following demolition of existing garage. Enlarge existing rear dormer window.	
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, SSSI - Impact Risk Zones,	
Applicant:	Mr Daniel O'Riordan	
Expiry Date:	2nd August 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:

14 May 2019 BLOCK PLAN
14 May 2019 06 B PROPOSED PLANS
14 May 2019 07 B PROPOSED SOUTH ELEVATION AND SECTION B-B
14 May 2019 08 B PROPOSED WEST AND EAST ELEVATIONS AND SECTION A-A
14 May 2019 LOCATION PLAN

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

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