

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
20th November 2019
DECISIONS

Item No:	01	
Application No:	18/04958/OUT	
Site Location:	Midsomer Norton South Railway Station, Silver Street, Midsomer Norton, BA3 2EY	
Ward: Midsomer Norton Redfield	Parish: Midsomer Norton	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Outline application with all matters reserved for:	
1.	New Maintenance Shed (up to 700 m2).	
2.	Extension to existing maintenance shed to provide ancillary café, retail facilities and meeting space (up to 90 m2)	
3.	Extension and refurbishment to existing WC building (up to 10 m2)	
4.	Education and Training Room and Site Office (up to 80 m2), with Museum above (up to 80 m2)	
5.	Workshop building (up to 120 m2)	
6.	Change of use of former stable building to form 2no 1 bedroom tourist accommodation units. Associated extension and external alterations.	
7.	Associated landscaping works.	
Constraints:	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, Policy NE2A Landscapes and the green set, Policy NE3 Local Nature Reserve, Policy NE3 SNCI, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST2 Sustainable Transport Routes, Tree Preservation Order,	
Applicant:	Somerset & Dorset Railway Heritage Trust	
Expiry Date:	22nd November 2019	
Case Officer:	Sasha Berezina	

DECISION PERMIT

1 Outline Time Limit (Compliance)

The development hereby approved shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

2 Reserved Matters (Pre-commencement)

Approval of the details of the access, appearance, landscaping, layout, and scale (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development is commenced.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended) and Parts 1 and 3 of the Development Management Procedure Order 2015.

3 Reserved Matters Submission Standard Time Limit (Compliance)

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions

4 Holiday Occupancy (Compliance)

The development hereby approved as holiday lets shall not be occupied other than for purposes of holiday accommodation and shall not be let to the same person(s) for more than 28 days in any calendar year or such other period as may be first approved in writing by the Local Planning Authority. Written records of lettings and occupiers' home address details shall be maintained and be made available for inspection by the Local Planning Authority upon request.

Reason: The proposed conversion would have materially different impacts as residential dwelling(s) and as such separate planning assessment would be required for residential use.

5 Hours of Operation (Compliance)

Notwithstanding the information contained within the application form, train operations serving members of the public shall be restricted to:

- i) Weekends and public holidays only during the months of April - October (inclusive) and the month of December;
- ii) Any day classed as a recommended School Holiday Day within the Bath and North East Somerset Council Area;
- iii) Between the hours of 10.00 to 17.00.
- (iv) Up to ten additional days in a calendar year between the hours of 10:00 to 17:00 and up to ten evenings between the hours of 17:00 to 22:00.

Written records of these opening dates shall be recorded and made available for inspection by the Local Planning Authority on request.

No operations serving members of the public shall take place on other days or months or at other times.

Reason: The Local Planning Authority wishes to control these matters, having particular regard to the impact of the use on highway safety and residential amenity.

6 Parking (Compliance)

The areas allocated for parking and turning shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the permitted use of the site.

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 Bound/Compacted Vehicle Access (Compliance)

A minimum of the first six metres of both vehicular accesses shall be 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

8 Southern Vehicular Access (Compliance)

No occupation of the tourist accommodation units shall commence until details of the revisions to the southern vehicular access have been submitted to and approved in writing by the Local Planning Authority. The highway works shall be completed in accordance with the approved details prior to occupation and shall thereafter be retained in place in perpetuity.

Reason: To ensure safe access to and from the site in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan

9 Travel, Transport and Parking Management Plan (Pre-commencement)

Prior to the commencement of development a detailed Travel, Transport and Parking Management Plan indicating proposed sustainable visitor and staff travel arrangements to and from the site; the delivery of goods and servicing arrangements; and parking management on site shall be submitted to and approved in writing by the Local Planning Authority.

This should be in a form of either a single document which considers the whole development of the site or a document associated with each proposed phase of development of the site. The development shall thereafter be operated in accordance with the approved Travel and Transport Management Plan.

Reason: In the interest of highways safety and encouraging sustainable travel methods in accordance with Policies ST1 and ST7 of the Bath and North East Somerset Local Plan

10 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

11 Wildlife Protection and Enhancement (Pre-commencement)

No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall apply for the whole site or for the part of the site specific to the relevant phase of development, and shall include:

(i) Ecological and protected species survey and assessment of the whole site or of the affected part/s of the site specific to the relevant phase of development, with mapped survey findings carried out by a professional ecologist in accordance with current best practice guidelines and standards;

(ii) Method statements for pre-construction and construction phases to provide full details of all necessary protection and mitigation measures for the avoidance of harm to bats, reptiles, nesting birds, hedgehog and other wildlife;

(iii) Detailed proposals for wildlife mitigation and enhancement measures, including wildlife-friendly planting and landscape details; provision of new habitats, hedgehog, bat, swift and bird boxes; with details and specifications of proposed models, numbers, heights and positions to be shown on all relevant plans and drawings.

All works within the scheme shall be carried out in accordance with the approved details, completed in accordance with specified timescales and prior to the occupation of the development, and retained and maintained thereafter for wildlife in accordance with approved details.

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

NB The above condition is required to be pre-commencement as it involves approval of measures to ensure protection of wildlife that would be otherwise harmed during site preparation and construction phases.

12 External Lighting (Bespoke Trigger)

No new external lighting shall be installed without full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority; details to include proposed lamp models and manufacturer's 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 wildlife in accordance with policies NE3 and D8 of the Bath and North East Somerset Local Plan.

13 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 in accordance with policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

14 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 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 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.

15 Plant Noise (Compliance)

Total noise emission levels from all static plant and machinery shall comply with the Plant Noise Emission Criteria in Table 4 of Noise Impact Assessment dated 3rd April 2019.

Reason: To protect neighbouring residents from exposure to environmental noise.

16 Drainage Strategy (Pre-commencement)

No development shall commence, except ground investigations, until a detailed drainage strategy has been submitted to and accepted by the Local Planning Authority. The Strategy should adhere to the requirements as set out in the West of England Sustainable Drainage Developer Guide and satisfy policy SU1 of the Place Making Plan.

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

17 Investigation and Risk Assessment (Pre-commencement)

No development shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

18 Remediation Scheme (Pre-commencement)

No development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

19 Verification Report (Pre-occupation)

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework.

20 Unexpected Contamination (Compliance)

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be

submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework.

21 Archaeology Historic Building Recording (Pre-commencement)

No development or demolition shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a record of those parts of the building(s), which are to be demolished, disturbed or concealed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered in accordance with Policy HE1 of the Bath & North East Somerset Placemaking Plan. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

22 Sustainable Construction Renewable Energy Details with Reserved Matters Submission (Compliance)

The details submitted pursuant to Condition 2 of this permission (i.e. the reserved matters) shall include Sustainable Construction Checklist setting out how the development will achieve a 19% overall reduction in carbon emissions as compared to the Building Regulations 2013 Part L baseline. The measures shall include sufficient renewable energy generation such that carbon emissions from anticipated (regulated) energy use in the development shall be reduced by at least 10%. All the measures in the approved sustainable construction checklist shall be implemented and shall be fully operational prior to first occupation of the development of that phase.

Reason: To ensure that the development's carbon emissions (from anticipated regulated energy use) are reduced by at least 19% overall in accordance with Policies SCR1 and CR2 of the Bath & North East Somerset Placemaking Plan

23 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:

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

Responding to Climate Change (Informative):

The council is committed to responding to climate change. You are advised to consider sustainable construction when undertaking the approved development and consider using measures aimed at minimising carbon emissions and impacts on climate change.

Permit/Consent Decision Making Statement

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:	02	
Application No:	19/03138/FUL	
Site Location:	Land Rear Of 7 And 8, Staunton Way, Whitchurch, Bristol	
Ward: Publow And Whitchurch	Parish: Whitchurch	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 6no 2 bed dwellings and 1no 4 bed dwelling	
Constraints:	Bristol Airport Safeguarding, Norton Malreward Unlicensed Airstrip, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy NE1 Green Infrastructure Network, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	ROMO Ltd	
Expiry Date:	22nd November 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 Obscure Glazing and Non-opening Window(s) (Compliance)

The proposed first floor landing window on plot 1 shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window shall be permanently retained as such.

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.

3 Obscure Glazing and Non-opening Window(s) (Compliance)

The proposed first floor bathroom windows shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window shall be permanently retained as such.

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.

4 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.

5 Bound/Compacted Vehicle Access (Pre-occupation)

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.

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 (Pre-occupation)

No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained, a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D1, D2, D4 and NE2 of the Bath and North East Somerset Placemaking Plan.

8 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.

9 Arboricultural method statement (Pre-commencement)

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement by Assured Trees, dated 28th June 2019. No occupation of the approved development shall commence until a signed certificate of compliance by the appointed Arboriculturalist has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

10 Drainage details (Pre-commencement)

No development shall commence, except ground investigations and remediation, until a detailed drainage design supported with calculations (demonstrating the performance up to the critical 1in100+40%) and an Operation and Maintenance Strategy (detailing how the drainage system will be maintained to its design standard for the life of the development) have been submitted and accepted in writing by the local planning authority.

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

11 Wildlife Protection and Enhancement Scheme (Pre-commencement condition)

Prior to commencement of works, site clearance and development, an ecological clerk of works shall be appointed and shall be responsible for overseeing implementation of site clearance and any necessary vegetation removal using precautionary working methods which must be designed to avoid harm to hedgehog and other mammals, birds and reptiles; implementation of the proposed reptile translocation and mitigation; and all ecological protection and mitigation measures described in Sections 3 and 4 of the approved "Wildlife Protection and Enhancement Scheme" (Ethos Environmental Planning dated August 2019). All works shall proceed only in accordance with the wildlife protection and mitigation measures described in the approved ecological assessment. All ecological mitigation and enhancement measures and habitat shall be retained and maintained thereafter for the benefit of wildlife in accordance with approved details.

Reason: to avoid harm to wildlife including protected species, and to provide replacement and new habitat The above condition is a compliance condition but requires pre-commencement implementation of certain measures to ensure protection of wildlife that would be otherwise harmed during site preparation and construction phases.

12 Wildlife Protection and Enhancement Scheme Follow-up Report (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, completed implementation of all ecological measures described in the approved "Wildlife Protection and Enhancement Scheme" (Ethos Environmental Planning dated August 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 Wildlife Protection and Enhancement Scheme, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and policies NE3 NE5 and D5e of the Bath and North East Somerset Local Plan.

13 External Lighting (Bespoke Trigger)

No new external lighting shall be installed without full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority; details to include proposed lamp models and manufacturer's specifications, positions, numbers and heights; details of predicted lux levels and light spill; 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 wildlife in accordance with policies NE3 and D8 of the Bath and North East Somerset Local Plan.

14 Housing Accessibility (Compliance)

One of the dwellings hereby approved shall meet the optional technical standards 4(2) in the Building Regulations Approved Document M.

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.

15 Sustainable Construction (Pre-occupation)

Prior to first occupation of the development hereby approved the following tables (as set out in the Council's Sustainable Construction Supplementary Planning Document, Adopted November 2018) shall be completed in respect of the completed development and submitted to the local planning authority together with the further documentation listed below:

- Table 2.4 (Calculations);
- Building Regulations Part L post-completion documents

Reason: To ensure that the approved development complies with Policy SCR1 of the Placemaking Plan (renewable energy) and Policy CP2 of the Core Strategy (sustainable construction).

16 Water Efficiency - Rainwater Harvesting (Pre-occupation)

No occupation of the approved dwellings shall commence until rainwater harvesting or other methods of capturing rainwater for use by the residents (e.g. Water butts) has been provided.

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

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 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:

12 Jul 2019	3136 8	LOCATION PLAN
12 Jul 2019	3136 6	PROPOSED PLANS AND ELEVATIONS PLOT 7
12 Jul 2019	3136 4	PROPOSED PLANS AND ELEVATIONS PLOTS 1 2 5 AND 6
12 Jul 2019		BIKE SHED DETAIL
02 Oct 2019	3136/2D	PROPOSED SITE PLAN GROUND FLOOR
02 Oct 2019	3136/3D	PROPOSED SITE LAYOUT FIRST FLOOR
02 Oct 2019	3136/7D	PROPOSED SITE LAYOUT DRAINAGE
02 Oct 2019	SP01 A	SWEPT PATH ANALYSIS
04 Nov 2019	3136/5	PLOT 3 AND 4 PLANS AND ELEVATIONS

Permit/Consent Decision Making Statement

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

Advice note:

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:	19/04123/FUL	
Site Location:	19 Gladstone Street, Welton, Midsomer Norton, Radstock	
Ward: Midsomer Norton North	Parish: Midsomer Norton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a terrace of 4no dwellings adjoining 19 Gladstone Street.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Amicus Homes Ltd	

Expiry Date:	14th November 2019
Case Officer:	Chloe Buckingham

DECISION REFUSE

1 The inclusion of four terraced dwellings and the loss of the open garden space and front boundary wall is considered to have a detrimental negative impact on the character and appearance of the streetscene and this part of the Midsomer Norton and Welton Conservation Area. The proposal is therefore not considered to respond to the local context in terms of siting, spacing and layout and the proposal is therefore contrary to policies D2, D4 and HE1 of the Bath and North East Somerset Council Placemaking Plan (2017).

PLANS LIST:

This decision relates to plan references;

Location Plan, Block Plan, 01, 02, 03 and 04 received 19th September 2019.

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.

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:	04	
Application No:	19/03698/FUL	
Site Location:	10 Torridge Road, 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 a two storey dwelling with parking and associated works following demolition of 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 & Aerodrome,
Applicant:	Mr Paul Russ
Expiry Date:	25th November 2019
Case Officer:	Anna Jotcham

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 - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of any part of the development shall commence until a schedule of materials and finishes to be used in the construction of the external surfaces, including roofs, has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include:

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

Samples of any of the materials in the submitted schedule shall be made available at the request of the Local Planning Authority.

The development shall thereafter be carried out 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, D5 and D7 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

3 Parking (Compliance)

The areas allocated for parking on submitted plan ref: 19/026-03A 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.

4 Parking Area (Pre-commencement / pre-occupation)

No construction shall commence until plans showing a parking area (providing for two vehicles), including full details of the required relocation of the existing street lighting

column and surfacing materials, has been submitted to and approved in writing by the Local Planning Authority. No occupation shall commence until this area has been constructed in accordance with the approved details and shall not thereafter be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate and safe parking is provided in the interests of amenity and highway safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

5 Bound/Compacted Vehicle Access (Pre-occupation)

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.

6 Visibility Splay (Compliance)

The fence for a distance of two metres on the south-east side of the proposed access should be maintained at a height not exceeding 600mm. The fence shall be maintained as such thereafter.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

7 Bicycle Storage (Compliance)

The approved dwelling shall provide bicycle storage for at least two bicycles.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

8 Obscure Glazing and Non-opening Window (Compliance)

The proposed first floor side window on the west elevation shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the windows shall be permanently retained as such.

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.

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 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 Bath and North East Somerset Placemaking Plan.

11 Contaminated Land - Unexpected Contamination (Compliance)

In the event that contamination is found at any time when carrying out the approved development, work must be ceased and it must be reported in writing immediately to the Local Planning Authority. Unexpected contamination may be indicated by soils or materials with unusual colour, odour, texture or containing unexpected foreign material. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 and 15 of the National Planning Policy Framework.

12 Waste Storage (Pre-occupation)

No occupation of the approved dwelling shall commence until the double bin store shown on plan ref: 19/026-03A has been provided. The bin store shall be maintained as such thereafter.

Reason: To ensure the development provides adequate storage and functional arrangements for refuse and recycling in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan.

13 Sustainable Construction (Pre-occupation)

Prior to first occupation of the development hereby approved the following tables (as set out in the Council's Sustainable Construction Supplementary Planning Document, Adopted November 2018) shall be completed in respect of the completed development and submitted to the local planning authority together with the further documentation listed below:

- o Table 2.4 (Calculations);
- o Building Regulations Part L post-completion documents

Reason: To ensure that the approved development complies with Policy SCR1 of the Placemaking Plan (renewable energy) and Policy CP2 of the Core Strategy (sustainable construction).

14 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:

19 Aug 2019 - 19/026-01 - LOCATION PLAN
16 Oct 2019 - 19/026-02 A - EXISTING PLANS AND ELEVATIONS
16 Oct 2019 - 19/026-04 A - EXISTING AND PROPOSED STREET SCENES
19 Nov 2019 - 19/026-03 B - PROPOSED PLANS AND ELEVATIONS

Permit/Consent Decision Making Statement

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

ADVISORIES

Creation of vehicular crossing

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 creation of or amendment to an existing 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.

Desk Study and Walkover Survey

Where development is proposed, the developer is responsible for ensuring that the development is safe and suitable for use for the purpose for which it is intended. The developer is therefore responsible for determining whether land is suitable for a particular development.

It is advised that a Desk Study and Site Reconnaissance (Phase 1 Investigation) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment. A Phase I investigation should provide a preliminary qualitative assessment of risk by interpreting information on a site's history considering the likelihood of pollutant linkages being present. The Phase I investigation typically consists of a desk study, site walkover, development of a conceptual model and preliminary risk assessment. The site walkover survey should be conducted to identify if there are any obvious signs of contamination at the surface, within the property or along the boundary of neighbouring properties. Should the Phase 1 investigation identify potential pollutant linkages then further investigation and assessment will be required.

Wessex Water

The proposal shows that the new property is to be constructed over a Wessex Water foul sewer. This will require a sewer diversion and an application to Wessex Water to facilitate this. This is separate to the planning process.

Item No:	05	
Application No:	19/04017/FUL	
Site Location:	36 Tennis Court Avenue, Paulton, Bristol, Bath And North East Somerset	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of two storey three-bed detached house in garden.	

Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, SSSI - Impact Risk Zones,
Applicant:	Mr Hammond
Expiry Date:	21st November 2019
Case Officer:	Hayden Foster

DECISION REFUSE

1 The proposed detached dwelling is considered to result in an incongruous addition to an established street scene characterised by semi-detached dwellings. The proposal will also result in the overdevelopment of the site with a consequent adverse effect on the character and appearance of the area and an adverse effect on the amenity of residents of both the existing houses and proposed development. The proposal is therefore contrary to policies D1, D2, D3, D5, D6 and D7 of the Bath and North East Somerset Placemaking Plan

PLANS LIST:

This decision relates to the following plans received 11th September 2019:

Drawing Number: 1 - Proposed Ground Floor Plan
Drawing Number: 2 - Proposed First Floor Plan
Drawing Number: 3 - Proposed Elevations
Drawing Number: 5 - Proposed Block Plan
Drawing Number: 6 - Proposed Section

Plans received 12th September 2019:

Drawing Number: 7 - Existing and Proposed Site Sections

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

Permit/Consent Decision Making Statement

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 Council worked positively with the applicant but ultimately the Planning Committee resolved to refuse permission.

vehicular crossing (Informative):

The applicant is 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 creation of and/or amendment to an existing 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:	06	
Application No:	19/00783/FUL	
Site Location:	Tennis Court Farm, Wells Road, Hallatrow, Bristol	
Ward: High Littleton	Parish: High Littleton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of two storey dwelling following demolition of block build agricultural building	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Housing Development Boundary, Policy M1 Minerals Safeguarding Area, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs Stock	
Expiry Date:	13th May 2019	
Case Officer:	Hayden Foster	

DECISION Delegate to PERMIT subject to applicant entering into S106 agreement and relevant conditions.

Item No:	07	
Application No:	19/03937/FUL	
Site Location:	Swans Way, Fosseway, Dunkerton, Bath	
Ward: Bathavon South	Parish: Dunkerton & Tunley Parish Council	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of first floor extension and reinstatement of front bay window stone mullions and hipped slate roof.	
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, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, Neighbourhood Plan, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs Rotheram	
Expiry Date:	21st November 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:

- 05 Sep 2019 Aa.19.11.04 Rev A Proposed Basement Floor Plan, Proposed Ground Floor Plan, Proposed First Floor Plan
- 05 Sep 2019 Aa.19.11.05 Rev A Proposed Elevations, Proposed Sections
- 05 Sep 2019 Aa.19.11.06 Proposed Site Plan, Location Plan

Permit/Consent Decision Making Statement

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:	08
Application No:	19/03846/FUL
Site Location:	Arlington House, Bath Street, City Centre, Bath
Ward: Kingsmead	Parish: N/A LB Grade: I
Application Type:	Full Application
Proposal:	Change of use of Flat 4, Flat 5, Flat 15, Flat 16 and Flat 27 from dwellinghouses (Use Class C3) to Houses in Multiple Occupation (Use Class C4).
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre Boundary, Policy CP9 Affordable Housing Zones, Policy CR3 Primary Shopping Areas, Policy CR3 Primary Shopping Areas, Policy HE1 Scheduled Ancient Monuments, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
Applicant:	Hamways Limited

Expiry Date:	23rd November 2019
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Case Officer:	Christine Moorfield
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DECISION DEFERRED FOR SITE VISIT