

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
6th May 2020
DECISIONS

Item No:	1	
Application No:	19/05508/LBA	
Site Location:	Old House, Northend, Batheaston, Bath	
Ward: Bathavon North	Parish: Batheaston	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	External alterations for the erection of a parking area gate mechanism, boundary pier and replacement walling. (Regularisation)	
Constraints:	Colerne Airfield Buffer, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mr & Mrs Humphrey	
Expiry Date:	13th March 2020	
Case Officer:	Helen Ellison	

DECISION REFUSE

1 The development as installed, and amendments as proposed, are of a design, form, detail and materials that are inappropriate and unsympathetic towards the rural surroundings and appear as incongruous, alien and urbanising features that are harmful towards the significance of the designated heritage asset and the special interest of the listed building and its setting. There are no public benefits to the development sufficient to outweigh the identified harm. As such the development would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CP6 of the adopted Core Strategy (2014), Policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017), the provisions of the NPPF (2019) and guidance from Historic England.

PLANS LIST:

This decision relates to the following drawings;

- Date: 20.12.2019 Drwg. title: Block plan
- Date: 20.12.2019 Drwg. title: Site location plan
- Date: 20.12.2019 Drwg. No. EE01 Drwg. title: Front elevation prior to works
- Date: 20.12.2019 Drwg. No. PE01A Drwg. title: Front elevation as proposed
- Date: 20.12.2019 Drwg. No. PP01B Drwg. title: Gate plan as proposed

- Date: 02.03.2020 Drwg. No. EE02 Drwg. title: Front elevation as existing

Date: 02.03.2020 Drwg. No. EP02 Drwg. title: Plan as existing

Date: 02.03.2020 Drwg. No. PS01A Drwg. title: Section through existing gate

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

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:	2	
Application No:	19/05507/FUL	
Site Location:	Old House, Northend, Batheaston, Bath	
Ward: Bathavon North	Parish: Batheaston	LB Grade: II
Application Type:	Full Application	
Proposal:	Erection of a parking area gate mechanism, boundary pier and replacement walling. (Retrospective)	
Constraints:	Colerne Airfield Buffer, Agric Land Class 1,2,3a, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mr & Mrs Humphrey	
Expiry Date:	13th March 2020	
Case Officer:	Helen Ellison	

DECISION REFUSE

1 The development as installed, and amendments as proposed, are of a design, form, detail and materials that are inappropriate and unsympathetic towards the rural

surroundings and appear as incongruous, alien and urbanising features that are harmful towards the significance of the designated heritage assets, the special interest of the listed building and its setting and the setting of the wider City of Bath World Heritage Site. There are no public benefits to the development sufficient to outweigh the identified harm. As such the development would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies B4 and CP6 of the adopted Core Strategy (2014), Policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017), the provisions of the NPPF (2019) and guidance from Historic England.

2 The development as installed, and amendments as proposed, are of a design, form, detail and materials that are inappropriate and unsympathetic towards the rural surroundings and appear as incongruous, alien and urbanising features. As such the development would fail to maintain or enhance the local character, distinctiveness, visual amenity or landscape. The development is therefore contrary to Policies CP6 and CP8 of the adopted Core Strategy (2014), Policies D2, D5, GB1, NE2, NE2A and of the Placemaking Plan for Bath and North East Somerset (2017) and the provisions of the NPPF (2019).

PLANS LIST:

This decision relates to the following drawings;

Date: 20.12.2019 Drwg. title: Block plan

Date: 20.12.2019 Drwg. title: Site location plan

Date: 20.12.2019 Drwg. No. EE01 Drwg. title: Front elevation prior to works

Date: 20.12.2019 Drwg. No. PE01A Drwg. title: Front elevation as proposed

Date: 20.12.2019 Drwg. No. PP01B Drwg. title: Gate plan as proposed

Date: 02.03.2020 Drwg. No. EE02 Drwg. title: Front elevation as existing

Date: 02.03.2020 Drwg. No. EP02 Drwg. title: Plan as existing

Date: 02.03.2020 Drwg. No. PS01A Drwg. title: Section through existing gate

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

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:	3		
Application No:	19/04797/FUL		
Site Location:	3 Scumbrum Lane, High Littleton, Bristol, Bath And North East Somerset		
Ward:	High Littleton	Parish:	High Littleton
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of a single and two story rear extension.		
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, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Mr Simon Hunt		
Expiry Date:	8th May 2020		
Case Officer:	Christine Moorfield		

DECISION Defer consideration to allow members to visit the site.

PLANS LIST:

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.

This permission does not convey or imply any civil or legal consents required to undertake the works.

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.