

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

3rd June 2020

DECISIONS

Item No:	01	
Application No:	19/03838/FUL	
Site Location:	Site Of Former Ministry Of Defence Offices, Warminster Road, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Proposed construction of 42no. new dwellings and 2no. new blocks of apartments to provide a total of 70 new homes on part of the former MOD site at Warminster Road (revision to consented development).	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE5 Ecological Networks, Placemaking Plan Allocated Sites, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Hardrock Developments Ltd	
Expiry Date:	3rd June 2020	
Case Officer:	Chris Griggs-Trevarthen	

DECISION REFUSE

1 The proposed development fails to provide a policy compliant level of affordable housing and this is not justified by the viability appraisal or any other material considerations. The proposed development is therefore contrary to the development plan, in particular policy CP9 of the Bath and North East Somerset Core Strategy.

2 The proposed development, due its layout, height, design and appearance, would appear incongruous, bulky and overdeveloped, particularly when viewed from the across the city. The proposals would therefore adversely impact upon the setting of the World Heritage Site contrary to the development plan, in particular policies B4 and CP6 of the Bath and North East Somerset Core Strategy and policies D2, HE1, NE2 and NE2A of the Bath and North East Somerset Placemaking Plan.

3 The proposed development fails to comply with the adopted parking standards and is therefore considered not to provide an appropriate level of on-site vehicle parking, particularly in respect of visitor parking. The proposal is therefore contrary to the

development plan, in particular policy ST7 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

153300-STL-XX-ZZ-DR-A-01101 EASTERN PARCEL - PHASE 3A-1 - GA PLANS
153300-STL-XX-ZZ-DR-A-01101-PL02 EASTERN PARCEL - PHASE 3A-1 - GA PLANS
153300-STL-XX-ZZ-DR-A-01102-PL02 EASTERN PARCEL - PHASE 3A-2 - GA PLANS
153300-STL-XX-ZZ-DR-A-01103-PL02 PHASE 5 LOWER TERRACE - GA
153300-STL-XX-ZZ-DR-A-01104-PL02- PHASE 5 UPPER TERRACE - GA
153300-STL-XX-ZZ-DR-A-02101-PL02 PHASE 3A-1 ELEVATIONS
153300-STL-XX-ZZ-DR-A-02103-PL02 EASTERN PARCEL - PHASE 5 ELEVATIONS -
1/2
153300-STL-XX-ZZ-DR-A-02104-PL02 EASTERN PARCEL - PHASE 5 ELEVATIONS -
2/2
153300-STL-XX-ZZ-DR-A-02105-PL02 EASTERN PARCEL - BF13 & BF14
ELEVATIONS
153300-STL-XX-ZZ-DR-A-09102-PL02 EASTERN PARCEL - SITE PLAN
153300-STL-XX-ZZ-DR-A-09103-PL02 EASTERN PARCEL - BF13 BF14 CYCLES
REFUSE
153300-STL-XX-ZZ-DR-A-19003-PL02 SITE PLAN - ACCOMODATION & PARKING
12290-CD351-P3 PROPOSED DRAINAGE STRATEGY 1 OF 3
12290-CD352-P3 PROPOSED DRAINAGE STRATEGY 2 OF 3
12290-CD353-P3 PROPOSED DRAINAGE STRATEGY 3 OF 3
12290-CE301-P2 PROPOSED RETAINING WALL LAYOUT AND CONTOUR PLAN 1 OF
3
12290-CE302-P2 PROPOSED RETAINING WALL LAYOUT AND CONTOUR PLAN 2 OF
3
12290-CE303-P2 PROPOSED RETAINING WALL LAYOUT AND CONTOUR PLAN 3 OF
3
1902-MWA-00-XX-DR-L-0001 REV 4 WARMINSTER ROAD - STRATEGIC LANDSCAPE
PLAN
1902-MWA-00-XX-DR-L-0010 REV 01 EAST PARCEL - HARD LANDSCAPE PLAN
1902-MWA-00-XX-DR-L-0010 REV 01 EAST PARCEL - HARD LANDSCAPE PLAN
1105 PL01 EASTERN PARCEL - BF13 & BF14 - GA PLANS
2102 PL01 EASTERN PARCEL - PHASE 3A-2 ELEVATIONS
3101 PL01 EASTERN PARCEL - LONG SECTIONS 1
3102 PL01 EASTERN PARCEL - LONG SECTIONS 2
09101 PL01 EASTERN PARCEL - LOCATION PLAN
09102-PL03 EASTERN PARCEL - SITE PLAN WITH SOLAR PANEL LOCATIONS

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

This permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990.

Item No:	02	
Application No:	19/04772/FUL	
Site Location:	Additional Development Area, Holburne Park, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Proposed erection of 8 additional dwellings, landscaping, car parking and associated works on land adjacent to Holburne Park, Warminster Road, Bath	

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, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Policy CP9 Affordable Housing Zones, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE3 SNCI, Policy NE5 Ecological Networks, Placemaking Plan Allocated Sites, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
Applicant:	N/A
Expiry Date:	3rd June 2020
Case Officer:	Chris Griggs-Trevarthen

DECISION Deferred for site visit - to get a better understanding of the context, the local topography and the relationship with neighbouring properties.

Item No:	03
Application No:	20/00395/RES
Site Location:	Land Between Homelands And 10, Camerton Hill, Camerton, Bath
Ward: Bathavon South	Parish: Camerton LB Grade: N/A
Application Type:	PI Permission (ApprovalReserved Matters)
Proposal:	Approval of reserved matters with regard to outline application 17/00299/OUT (Erection of 1no. single storey dwelling (Resubmission)).
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing Zones, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
Applicant:	Mr Nick Biggs
Expiry Date:	4th June 2020
Case Officer:	Samantha Mason

DECISION APPROVE

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 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.

3 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).

4 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.

5 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.

6 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:

- 31 Mar 2020 8063-16881 Proposed Plans and Site Location
- 31 Jan 2020 Hs/162935 Location Plan

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.

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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.

Community Infrastructure Levy

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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.

Item No:	04
Application No:	20/01024/FUL
Site Location:	84 Triangle North, Oldfield Park, Bath, Bath And North East Somerset
Ward: Westmoreland	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a two storey rear extension following removal of existing extension. Erection of a single storey side extension to number 84 & single storey rear extension to number 85.
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing Zones, HMO Stage 1 Test Area (Stage 2 Test Req), MOD Safeguarded Areas, Railway, SSSI - Impact Risk Zones,
Applicant:	Tom And Gerald Wood And Richards
Expiry Date:	8th June 2020
Case Officer:	Isabel Daone

DECISION PERMIT

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission.

2 Materials (Compliance)

The proposed walling materials of the two storey rear extension to nos.84 and 85, the proposed single storey rear extension to no.85 and single storey side extension to no.84 and the roofing materials of the two-storey rear extension to both nos.84 and 85 and the proposed single storey rear extension to no.85 shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

3 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

This decision relates only to the following plans:

sfc/tn/003. Ground Floor Layout - Proposed. Received 12th March 2020

sfc/tn/004 First Floor Layout Plan - Proposed. Received 12th March 2020

sfc/tn/005. Side elevations - 2 storey rear annexe rebuild. Received 17th March 2020

Block Plan. Received 12th March 2020

Site Plan. Received 12th March 2020

Permit/Consent Decision Making Statement

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Item No:	05	
Application No:	19/05519/FUL	
Site Location:	Avon Farm, Avon Lane, Saltford, Bristol	
Ward: Saltford	Parish: Saltford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use of a former office building to a dwelling (Retrospective).	
Constraints:	Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, British Waterways Major and EIA, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mr Clive Franklin	
Expiry Date:	5th June 2020	
Case Officer:	Martin Almond	

DECISION REFUSE

1 The site, outside of a housing development boundary is considered to be in an unsustainable location contrary to Policy ST1 of the Bath and North East Somerset Placemaking Plan 2017. The proposals do not demonstrate safe and suitable access to the site can be achieved for all people contrary to Policy ST7 of the Bath and North East Somerset Placemaking Plan 2017.

PLANS LIST:

This decision relates to drawings:

1868:

801, 802, 803, 804, 805, 806, 810, 811, 812, 813, 814 dated as received 21st December 2019

800A dated as received 6th January 2020

809B, 1905/002A dated as received 18th March 2020.

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