

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

21st October 2020

DECISIONS

Item No:	01	
Application No:	20/02854/FUL	
Site Location:	43 Elliston Drive, Southdown, Bath, Bath And North East Somerset	
Ward: Southdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from a 4 bedroom dwelling (Use Class C3) to a 6 bedroom House in Multiple Occupation (HMO) (Use Class C4).	
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:	Mr M Ashton	
Expiry Date:	6th October 2020	
Case Officer:	Chloe Buckingham	

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 Number of Occupants (Compliance)

The development hereby permitted shall not be occupied by (rented to) more than 6 unrelated occupants without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities of nearby occupiers in accordance with Policy D6 and H2 of the Bath and North East Somerset Placemaking Plan.

3 Bicycle Storage (Prior to occupation)

No occupation of the development shall commence until bicycle storage for at least two bicycles has been provided in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

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 2017.

4 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 plan references;

Location Plan, Existing Plans and Proposed Plans received 10th August 2020.

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

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.

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.

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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.

Item No:	02	
Application No:	20/01893/LBA	
Site Location:	Cleveland Bridge, Cleveland Bridge, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: IISTAR
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	The refurbishment, repair and strengthening of a Grade II* listed structure.	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 1,2,3a, Air Quality Management Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	WSP	
Expiry Date:	28th October 2020	
Case Officer:	Caroline Power	

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Construction Environmental Management Plan (CEMP)(Pre-commencement)

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following;

- A) Risk assessment of potentially damaging construction activities and identification of "biodiversity protection zones".
- B) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including on nesting birds, bats and otter and the adjacent Site of Nature Conservation Interest.
- C) The location and timings of sensitive works to avoid harm to biodiversity features.
- D) The times during which construction when specialist ecologists need to be present on site to oversee works.
- E) Responsible persons and lines of communication.
- F) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- G) Use of protective fences, exclusion barriers and warning signs if applicable.
- H) Details of any construction lighting.
- I) A specification for the installation of bird nesting prevention mesh.

The approved CEMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To comply with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) and to ensure no net loss of biodiversity in accordance with Bath and North East Somerset Placemaking Policy NE3.

3 Implementation of Compliance Report (Compliance)

Within six months of the completion of works, a report produced by a suitably experienced ecologist confirming and demonstrating, using photographs, completion and implementation of the recommendations detailed in Section 4 of Combined Technical Report for Bat, Otter and Water Vole (WSP, June 2020) and the approved Construction Environmental Management Plan (CEMP: Biodiversity) in accordance with the approved details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate the completed implementation of ecological recommendations and commitments, to prevent ecological harm and to provide biodiversity gain in accordance with UK law, the NPPF and policy NE3 of the Bath and North East Somerset Local Plan.

4 Protecting Architectural Features (Pre-commencement)

No development shall commence until detailed drawings identifying how each of the 4no. toll houses and any associated architectural features and land which belong to them and the method by which these parts of the bridge will be safeguarded during the carrying out of the approved development have been submitted to and approved in writing by the Local Planning Authority. The approved protective measures shall be implemented and kept in

place in accordance with the details so approved for the duration of the development works.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

5 Stone and Iron Cleaning Samples (Pre-commencement)

No work shall commence on the stone cleaning of the bridge abutments or the iron work of the balustrade and arches; until sample panels have been provided in-situ to establish the final parameters of the stone cleaning and approved in writing by the Local Planning Authority. The approved panels shall be kept on site for reference until the development is completed. Thereafter the work shall only be carried out in accordance with the approved sample panels.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

6 Mortar Mix (Bespoke Trigger)

No re-pointing shall be carried out until details of the specification for the mortar mix and a sample area of pointing demonstrating colour, texture, jointing and finish have been provided in situ for the inspection and approval in writing by the Local Planning Authority and retained for reference until the work has been completed. Once approved the works shall be completed in accordance with the approved details.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

7 Schedule of Repairs (Bespoke Trigger)

Following the cleaning of the bridge stone abutments; in accordance with the approved method and prior to any further works being undertaken a detailed schedule of any repair work, including methods and materials to be submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

8 Submission of Schedule of Work and Samples (Pre-commencement)

No works shall commence until a schedule of works setting of the phasing, construction techniques, materials and finishes, and samples of the materials and colour to be used in the construction of the external surfaces has 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, D5, D6 and HE1 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

9 Paint Sample (Compliance)

No work shall commence on the repainting of the bridge parapet features and iron work until paint samples have been taken to establish the historic paint scheme and to establish final parameters of the proposed paint constituents and colours and approved in writing by the Local Planning Authority. The approved panel shall be kept on site for reference until the development is completed. Thereafter the redecoration shall only be carried out in accordance with the approved sample panel.

Reason: To safeguard features of special architectural and historical interest and preserve the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

10 Cast Iron Repair Details (Bespoke Trigger)

No repairs to the historic iron structure shall commence until full details comprising 1:20 drawings and a schedule of work have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

11 Kerb Details (Bespoke Trigger)

No installation of the extended kerb shall commence until full details comprising 1:20 drawings in plan and section, showing the base of the toll house columns and paving slabs and how they will be treated have been submitted to and approved in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building in accordance with Policy CP6 of the Bath and North East Somerset Core Strategy and Policy HE1 of the Bath and North East Somerset Placemaking Plan.

12 Plans List (Compliance)

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

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

PLANS LIST:

Drawing	05 Jun 2020	0001 T03	LOCATION PLAN AND GENERAL ARRANGEMENT PL...
Drawing	05 Jun 2020	0007 T03	EXISTING STEEL PORTAL BEAM DETAILS
Drawing	05 Jun 2020	0008 T03	EXISTING CAST IRON ARCH DETAILS
Drawing	05 Jun 2020	0009 T03	ABUTMENT GALLERY DETAILS
Drawing	05 Jun 2020	0010 T03	PROPOSED LONGITUDINAL JOINT
Drawing	05 Jun 2020	0011 T03	INDICATIVE STEEL AND CAST IRON REPAIR DE...
Drawing	05 Jun 2020	0012 T03	CONCRETE REPAIR DETAILS
Drawing	05 Jun 2020	0013 T03	TESTING RESULTS SUMMARY CHLORIDE ION CON...
Drawing	05 Jun 2020	0015 T03	PROPOSED DECK JOINTS, DRAINAGE AND WATER...
Drawing	05 Jun 2020	0017 T03	RESURFACING DETAILS
Drawing	05 Jun 2020	0018 T03	TRANSVERSE METALWORK AND CONCRETE DEFECT...
Drawing	05 Jun 2020	0019 T03	LOCATION OF CONCRETE DEFECTS - TRUSSES 1...
Drawing	05 Jun 2020	0020 T03	LOCATION OF CAST IRON DEFECTS - ARCHES 1...
Drawing	05 Jun 2020	0021 T03	LOCATION OF CAST IRON DEFECTS - ARCHES 5...
Drawing	05 Jun 2020	0022 T03	MAINTENANCE OF PAINTWORK
Drawing	05 Jun 2020	0023 T04	PAINT SYSTEM FOR STEELWORK ELEMENTS
Drawing	05 Jun 2020	0024 T03	PAINT SYSTEM FOR CAST IRON ELEMENTS
Drawing	05 Jun 2020	0027 T03	SCHEDULE OF DEFECTS AND REMEDIAL ACTIONS...
Drawing	05 Jun 2020	0028 T03	SCHEDULE OF DEFECTS AND REMEDIAL ACTIONS...
Drawing	05 Jun 2020	0029 T03	EXISTING GENERAL ATTANGEMENT AND SITE CL...
Drawing	05 Jun 2020	0030 T03	ABUTMENT DEFECT LOCATIONS, SCHEDULE OF D...
Drawing	05 Jun 2020	0033 T03	LOCATION OF CONCRETE DEFECT CONSTRAINT: ...
Drawing	05 Jun 2020	0034 T03	LOCATION OF CONCRETE DEFECT CONSTRAINTS:...
Drawing	05 Jun 2020	0035 T03	LOCATION OF CONCRETE DEFECT CONSTRAINTS:...
Drawing	05 Jun 2020	0036 T03	GENERAL BREAKOUT CONSTRAINTS FOR TRUSS M...
Drawing	05 Jun 2020	0037 T03	GENERAL BREAKOUT CONSTRAINTS FOR TRUSS M...
Drawing	05 Jun 2020	0038 T03	BAR BENDING SCHEDULE MEMBER REFERENCES A...
Drawing	05 Jun 2020	0039 T03	METHODOLOGIES FOR THE REPLACEMENT OF LIN...
Drawing	05 Jun 2020	0040 T03	DECK AND SOFFITT GALVANIC ANODE ARRANGEM...

Drawing 05 Jun 2020 0041 T03 TRUSS GALVANIC ANODES: GENERAL ARRANGEME...

Drawing 05 Jun 2020 0042 T04 TRUSS GALVANIC ANODES: DETAIL Public

Drawing 05 Jun 2020 0043 T04 HANGER BAR PROTECTION AND AUXILIARY DETA...

Drawing 05 Jun 2020 0050 T04 DECK STRENGTHENING: GENERAL

Drawing 05 Jun 2020 SIG1 T03 LOCATION PLAN AND DECK REINFORCEMENT ARR...

Drawing 05 Jun 2020 SIG2 T03 ABUTMENT GALLERY - CONCRETE REPAIRS AND ...

OS Extract 05 Jun 2020 LOCATION PLAN

31 JULY 2020 76007-WSP-DWG-BR-00P1P02-PROPOSED GENERAL ARRANGEMENT

31 JULY 2020- KERB DETAILS

Condition Categories

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Permit/Consent Decision Making Statement

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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.

Submission of Samples

Any samples required by condition should not be delivered to the Council's offices. Please can you ensure that samples are instead available for inspection on site - as soon as the discharge of condition application has been submitted. If you wish to make alternative arrangements please contact the case officer direct and also please make this clear in your discharge of condition application.

If the works of the proposal contained within the application require access scaffolding to be erected it is incumbent on all interested parties to ensure that it is undertaken adopting conservation best practice. Methods of erection which entail bolting scaffolding to the building using anchor ties will require listed building consent and are unlikely to be acceptable.

Item No:	03	
Application No:	20/02921/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 (Resubmission of ref. 19/03838/FUL).	
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, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE1 Green Infrastructure	

Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, Placemaking Plan Allocated Sites, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,

Applicant: Hardrock Developments Ltd
Expiry Date: 12th November 2020
Case Officer: Chris Griggs-Trevarthen

DECISION Delegate to permit

PLANS LIST:

153300-STL-XX-ZZ-DR-A-01001 PL01 PHASE 3A-1 - GA PLANS
153300-STL-XX-ZZ-DR-A-01002 PL01 PHASE 3A-2 - GA PLANS
153300-STL-XX-ZZ-DR-A-01004 PL01 PHASE 5 LOWER TERRACE - GA PLANS
153300-STL-XX-ZZ-DR-A-01005 PL01 PHASE 5 UPPER TERRACE - GA PLANS
153300-STL-XX-ZZ-DR-A-01006 PL02 BF13 & BF14 - GA PLANS
153300-STL-XX-ZZ-DR-A-02001 PL01 PHASE 3A-1 ELEVATIONS
153300-STL-XX-ZZ-DR-A-02002 PL01 PHASE 3A-2 ELEVATIONS
153300-STL-XX-ZZ-DR-A-02004 PL01 PHASE 5 ELEVATIONS - 1 OF 2
153300-STL-XX-ZZ-DR-A-02005 PL01 PHASE 5 ELEVATIONS - 2 OF 2
153300-STL-XX-ZZ-DR-A-02006 PL01 BF13 BF14 ELEVATIONS
153300-STL-XX-ZZ-DR-A-02006 PL02 BF13 & BF14 ELEVATIONS
153300-STL-XX-ZZ-DR-A-03001 PL02 LONG SECTIONS 1
153300-STL-XX-ZZ-DR-A-03002 PL02 LONG SECTIONS 2
153300-STL-XX-ZZ-DR-A-09001 PL02 LOCATION PLAN - EASTERN PARCEL
153300-STL-XX-ZZ-DR-A-09002 PL02 SITE PLAN
153300-STL-XX-ZZ-DR-A-09006 PL02 SITE PLAN - EASTERN PARCEL
1902-MWA-00-XX-DR-L-0001A_11 C STRATEGIC LANDSCAPE PLAN
1902-MWA-00-XX-DR-L-0020_05 P HARD LANDSCAPE PLAN 1 OF 3
1902-MWA-00-XX-DR-L-0025_06 P SOFT LANDSCAPE PLAN 1 OF 3
153300-STL-XX-ZZ-DR-A-09003 PL02 BF13 & BF14 CYCLES, REFUSE AND RECYCLING

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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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

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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.

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

Item No:	04	
Application No:	18/05623/OUT	
Site Location:	Co-Operative Store A, Wells Road, Westfield, BA3 3RQ	
Ward: Westfield	Parish: Westfield	LB Grade: II
Application Type:	Outline Application	
Proposal:	Hybrid planning application for the mixed-use redevelopment of the Co-Operative store and associated car park in Radstock comprising -	

1. Full planning permission for the demolition of existing store and construction of 1795sqm retail floorspace including replacement store (Class A1), 722sqm office floorspace (Class B1) and 28 dwellings (Class C3) with associated car and cycle parking, works to existing access, landscaping, public realm, drainage and infrastructure.

2. Outline planning permission for 26 dwellings with associated car parking, landscaping, drainage and infrastructure (access, scale, and landscaping determined, all other matters reserved).

Constraints: Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Contaminated Land, Policy CP12 Centres and Retailing, Policy CP9 Affordable Housing Zones, Policy CR3 Primary Shopping Areas, Policy CR3 Primary Shopping Frontages, Flood Zone 2, Flood Zone 3, Housing Development Boundary, Listed Building, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCl, Policy NE5 Ecological Networks, Neighbourhood Plan, SSSI - Impact Risk Zones,

Applicant: The Radstock Co-Operative Society

Expiry Date: 25th September 2019

Case Officer: Chris Gomm

DECISION Delegate to permit

PLANS LIST:

The plans/drawings hereby approved are as follows:

- o L(00)001_Site Location Plan_revA
- o L(00)005_Existing Site Plan_revC
- o L(00)006_Existing Site Plan_revB
- o L(00)010_Existing Store
- o L(00)050_Proposed Site Plan_revU
- o L(00)051_Proposed Site Plan_Mixed Use_revU
- o L(00)052_Proposed Site Plan_Residential_revJ
- o L(00)054_Proposed Ground Plan_Mixed Use_revC
- o L(00)060_Site Sections_Elevations_revJ
- o L(00)061_Site Sections_Elevations_revB
- o SK.002_View From Across Roundabout_revD
- o SK.003_View From Across Roundabout_revD
- o SK.004_VIEWS From Fortescue Road_revD
- o SK.005_View Along The Street_revD
- o SK.006_View From The Street_revD
- o SK.012_View From The Shambles_revA
- o SK.013_View North Along Wells Road_revA
- o L(00)100_General Arrangement Ground Floor Plan_revF
- o L(00)101_General Arrangement First Floor Plan_revF

- o L(00)102_General Arrangement Second Floor Plan_revG
- o L(00)110_General Arrangement Elevations_revI
- o L(00)111_General Arrangement Elevations_revI
- o L(00)112_Bay Study_revA
- o L(00)113_Bay Study_revB
- o L(00)200_General Arrangement Ground Floor Plan_revF
- o L(00)201_General Arrangement First Floor Plan_revG
- o L(00)202_General Arrangement Second Floor Plan_revG
- o L(00)210_General Arrangement Elevations_revF
- o L(00)211_General Arrangement Elevations_revF
- o 173290_G_07_Swept Path Analysis
- o 173290_G_06_General Arrangement and Visibility
- o 173290_G_08_B_General Arrangement and Visibility
- o 173290_G_09_B_Swept Path Analysis
- o 173290_G_10_B_Swept Path Analysis
- o 709-3-100-rev06_General Arrangement Mixed Use
- o 709-3-101-rev04_General Arrangement Residential
- o 709-3-200-rev04_Tree Plan
- o 709-3-201-rev06_Planting Plan Mixed Use
- o 709-3-202-rev03_Planting Plan Residential
- o 709-3-500_Tree Pit Details
- o 709-3-501_Planter and Slope Section
- o 709-3-502_SUDs Basin and Steps
- o 709-3-Illustrated Masterplan_rev03
- o D14_354_P3_East_AIA Plan
- o D14_354_P3_West_AIA Plan_revE
- o D14_354_P4_Tree Protection Plan revF

Community Infrastructure Levy

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Coal Mining - Low Risk Area (but within coalfield)

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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.

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.

Demolition Notice

Please note that notice must be given to the Local Planning Authority under ss.80 and 81 of the Building Act 1984 at least six weeks before demolition work commences.

S.106 Agreement

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

Environmental Permitting Regulations

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

Item No:	05	
Application No:	20/02727/FUL	
Site Location:	24 Broadway, Widcombe, Bath, Bath And North East Somerset	
Ward: Widcombe And Lyncombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from a three bed dwelling house (Use Class C3) to a five bed House in Multiple Occupation (HMO) (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 B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network,	

Policy NE5 Ecological Networks, Railway, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,

Applicant: Thevathasan
Expiry Date: 22nd October 2020
Case Officer: Hayden Foster

DECISION REFUSE

1 The proposed House in Multiple Occupation (HMO) Use would result in the unacceptable loss of accommodation in a locality in terms of mix, size and type. The proposal is therefore, contrary to policy H2(v) of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

This decision relates to the Proposed Site Plan, and Floor Plans received 31st July 2020.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Whilst the application was recommended for permission by Officers the Development Management Committee considered the proposal to be unacceptable for the stated reasons.

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:	07	
Application No:	20/02738/FUL	
Site Location:	91 Fairfield Park Road, Fairfield Park, Bath, Bath And North East Somerset	
Ward: Lambridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Proposed off street parking	
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, SSSI - Impact Risk Zones,	
Applicant:	Mr and Mrs Malcolm	
Expiry Date:	23rd October 2020	

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 Electric charging point (Compliance)

The off-street parking spaces hereby permitted shall not be brought in to use until the electric car charging point shown on plan 561/P/02 has been installed and is fully operational.

Reason: To secure the use of the electric car charging point to promote sustainable transport in accordance with policy ST7 of the Bath and North East Somerset Placemaking Plan.

3 Retaining wall materials

The proposed retaining walls shown on plan 561/P/02 shall reuse the stone from the existing retaining wall to be demolished, or an alternative stone with a similar appearance details of which have been submitted to and approved in writing by the Local Planning Authority.

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.

4 Parking (Compliance)

The area allocated for parking, as indicated on submitted plan reference 561/P/02 Revision A, 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.

5 Driveway Gradient (Compliance)

The gradient of the access shall not at any point be steeper than 12.5% (1 in 8) fall towards the highway, for a distance of 5-metres from its junction with the public highway.

Reason: In the interests of amenity and highways safety in accordance with Policy ST7 of the Bath and North East Somerset Placemaking Plan.

6 Bound/Compacted Vehicle Access (Compliance)

The vehicular access 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.

7 Drainage (Compliance)

The off-street parking spaces permitted shall not be brought in to use until the channel drain linked to new soakaway as shown on plan 561/P/02 has been installed.

Reason: To ensure that 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 and Policy SU1 of the Bath and North East Somerset Placemaking Plan.

8 Visibility Splay (Compliance)

The visibility splays of 2-metres by 2-metres, as indicated on submitted plan reference 561/P/02 Revision A, shall be provided and there shall be no on-site obstruction exceeding 900mm above ground level within the visibility splays. The visibility splays shall be retained permanently 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.

9 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. This shall include details of the following:

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

The construction of the development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with policies D6 and ST7 of the Bath and North East Somerset Placemaking Plan. This is a pre-commencement condition because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

10 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:

Drawing - 30 July 2020 - 561-P-01 - Location Plan and Existing Plans

Drawing - 30 July 2020 - 561-P-02A - Proposed Plans

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.

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.

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