

**BATH AND NORTH EAST SOMERSET COUNCIL**

**PLANNING COMMITTEE**

**7th April 2021**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	20/02817/FUL	
<b>Site Location:</b>	Cedar Park Care Centre, 27-28 Oldfield Road, Oldfield Park, Bath	
<b>Ward:</b> Oldfield Park	<b>Parish:</b> N/A	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a single and two storey extension to the south following demolition of the existing extension and link staircase, minor internal and external alterations to retained building, landscaping and minor amendments to existing access and parking (revised scheme)	
<b>Constraints:</b>	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, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Cedar Care Homes	
<b>Expiry Date:</b>	9th April 2021	
<b>Case Officer:</b>	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 Arboricultural Survey, Impact Assessment, Method Statement and Tree Protection Plan (Pre-commencement)**

No development shall commence until a detailed Method Statement and Tree Protection Plan following the recommendations contained within BS5837:2012 have been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); the storage, handling and mixing of materials on site, burning, location of the site office, service run locations including soakaway locations and movement of

people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

Reason: to ensure that trees to be retained are not adversely affected by the development proposals in accordance with policy NE6 of the Bath and North East Somerset Local Plan. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore, these details need to be agreed before work commences.

### **3 Arboricultural Method Statement (Pre-occupation)**

The approved development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. No occupation of the approved development shall commence until a signed compliance statement from the appointed Arboriculturalist has been submitted and approved in writing by the Local Planning Authority.

Reason: to ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy NE6 of the Bath and North East Somerset Local Plan. To ensure that the approved method statement is complied with for the duration of the development.

### **4 Hard and Soft Landscape Implementation (pre-occupation)**

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the use of the site or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: to ensure that the agreed hard and soft landscape scheme is implemented.

### **5 Hard and Soft Landscaping Maintenance to Completion (compliance)**

Any trees or plants indicated in 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. Hard landscaping will be maintained in perpetuity.

Reason: to ensure that the agreed hard and soft landscaping scheme has been established and maintained.

### **6 Surface Water Drainage (Pre-commencement)**

No development shall commence, except ground investigations and remediation, until detailed design of the surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The submission is to include results from onsite infiltration testing (conducted in accordance with BRE Digest 365) which are to be used to inform the soakaway design, calculations demonstrating no flooding at the critical 1in100+40% storm event and plans. The soakaways are to be designed to allow inspection and maintenance to be undertaken.

If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority prior to commencement. This alternative should follow the drainage hierarchy.

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

### **7 Reporting of 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. The Local Planning Authority Contaminated Land Department shall be consulted to provide advice regarding any further works required. Unexpected contamination may be indicated by soils or materials with unusual colour, odour, texture or containing unexpected foreign material.

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.

### **8 Methodology for dismantling, storing gatepier and reconstructing (Bespoke Trigger)**

Prior to any work commencing on dismantling the gatepier a detailed methodology for carrying out all the stages of the work including the storage arrangements 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 the character and setting of the listed 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.

### **9 Sample panel gatepier (Bespoke Trigger)**

Prior to any work commencing on reconstructing the entrance gatepier a sample panel showing the coursing and pointing of the stonework to be provided on site for the inspection and approval in writing by the Local Planning Authority. Thereafter the work shall only be carried out in accordance with the approved sample.

Reason: To safeguard the character and setting of the listed 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 Parking (Compliance)**

The areas allocated for parking and turning, as indicated on submitted plan reference 342 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.

### **11 Bicycle Storage (Pre-occupation)**

No occupation of the development shall commence until bicycle storage for at least 30 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 Policies ST1 and ST7 of the Bath and North East Somerset Placemaking Plan.

### **12 Travel Plan (Pre-occupation)**

No occupation of the development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Travel Plan.

Reason: In the interest of encouraging sustainable travel methods in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

### **13 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.

### **14 Precautionary Working Methods for the protection of wildlife (Compliance condition)**

Demolition and site preparation works must proceed only in accordance with the following measures for the protection of bats and birds:

- o a careful visual check for signs of active bird nests and bats shall be made of the interior and exterior of the building and its roof, and any crevices and concealed spaces, immediately prior to and during any works affecting these areas
- o active nests shall be protected undisturbed until the young have fledged
- o works to the roof and any areas with concealed spaces or crevices shall be carried out by hand, lifting tiles (not sliding) to remove them, and checking beneath each one.
- o If bats are encountered works shall cease and the Bat Helpline (Tel 0345 1300 228) or a licenced bat worker shall be contacted for advice before proceeding.

Reason: to avoid harm to protected species (bats and nesting birds) in accordance with NPPF and policies NE3, NE5, and D5e of the Bath and North East Somerset Local Plan.

### **15 Wildlife Mitigation and Enhancement Scheme (Compliance condition)**

The development hereby approved shall be implemented only in accordance with the recommendations and ecological mitigation and enhancement measures described in

Appendix 1 and Figure 4 of the approved Ecological Appraisal by Engain dated 8th October 2020; all features and ecological measures shall be installed and retained and maintained thereafter for the purposes of providing wildlife benefit.

Reason: to prevent of ecological harm and provide biodiversity gain in accordance with NPPF and policies NE3, NE5, and D5e of the Bath and North East Somerset Local Plan.

#### **16 Ecology 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 mitigation and biodiversity enhancement measures 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 Wildlife Mitigation 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.

#### **17 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.

#### **18 Green Roof Details (Bespoke Trigger)**

Prior to the construction of the roof of the approved development a detailed specification of the proposed green roof shall be submitted to and approved in writing by the Local Planning Authority. These details shall include section drawings of the roof, a planting schedule, a timetable for implementation and a maintenance schedule. The green roof shall be implemented in accordance with the approved details prior to the occupation of the development or in accordance with the approved timetable for implementation.

Reason: To ensure the successful implementation of the green roof in the interests of preserving the character and appearance of the 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.

#### **PLANS LIST:**

PLANS LIST:

This decision relates to the following plans:

- 05 Aug 2020 3841-331 Topographic Survey
- 05 Aug 2020 3841-332 Existing Block Plan
- 05 Aug 2020 3841-333 Existing Site Plan
- 05 Aug 2020 3841-334 Existing Lower Ground
- 05 Aug 2020 3841-335 Existing Ground Floor
- 05 Aug 2020 3841-336 Existing First Floor

05 Aug 2020 3841-338 Existing Elevations 1  
05 Aug 2020 3841-339 Existing Elevations 2  
05 Aug 2020 Npa11154 301 Proposed Landscape Plan  
12 Nov 2020 Swept Path 01  
12 Nov 2020 Swept Path 02  
12 Nov 2020 3841-361 Existing And Proposed Entrance  
12 Nov 2020 3841-Sk10 Proposed Bathroom Pods  
12 Nov 2020 Npa11154 301 Landscape Ga And Planting Plan  
15 Jan 2021 809.0003.001 Vehicle Tracking - Refuse From West  
15 Jan 2021 809.0003.002 Vehicle Tracking - Fire Tender From West  
15 Jan 2021 809.0003.003 Vehicle Tracking - Refuse From East  
15 Jan 2021 809.0003.004 Vehicle Tracking - Fire Tender From East  
15 Jan 2021 809.0003.005 Vehicle Tracking - Delivery From West  
15 Jan 2021 809.0003.006 Vehicle Tracking - Delivery From East  
12 Nov 2020 3841-341b Block Plan  
12 Nov 2020 3841-342b Site Plan  
12 Nov 2020 3841-344e Proposed Lower Ground Floor  
12 Nov 2020 3841-345e Proposed Ground Floor  
12 Nov 2020 3841-346c Proposed First Floor  
12 Nov 2020 3841-347c Proposed Second Floor  
12 Nov 2020 3841-348c Proposed Roof Plan  
12 Nov 2020 3841-349b Proposed Detailed Lower Ground  
12 Nov 2020 3841-350b Proposed Detailed Ground Floor  
12 Nov 2020 3841-351b Proposed Detailed First Floor  
12 Nov 2020 3841-352b Proposed Detailed Second Floor  
12 Nov 2020 3841-353b Proposed South Elevations  
12 Nov 2020 3841-354b Proposed North Elevations  
12 Nov 2020 3841-355b Proposed East And West Elevations  
12 Nov 2020 3841-356b Proposed Long Elevations  
27 Nov 2020 Sk01 A Soakaway Plan

### **Advisory Note - 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 Contaminated Land Officer has advised that a Desk Study and Site Reconnaissance (Phase 1 Investigation) survey could be undertaken to develop a conceptual site 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. Any unexpected contamination should be reported in line with the above conditions

### **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](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

### **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](http://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.

<b>Item No:</b>	02
<b>Application No:</b>	20/02818/LBA
<b>Site Location:</b>	Cedar Park Care Centre, 27-28 Oldfield Road, Oldfield Park, Bath
<b>Ward:</b> Oldfield Park	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)
<b>Proposal:</b>	Internal and external alterations for the erection of a single and two storey extension to the south following demolition of the existing extension and link staircase, minor internal and external alterations to retained building, landscaping and minor amendments to existing access and parking (revised scheme)
<b>Constraints:</b>	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, HMO Stage 1 Test Area (Stage 2 Test Req), Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Cedar Care Homes
<b>Expiry Date:</b>	9th April 2021
<b>Case Officer:</b>	Samantha Mason

**DECISION**                      CONSENT

**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 the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

**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 to the following plans:

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27 Nov 2020 Sk01 A Soakaway 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.

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### **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](http://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.

<b>Item No:</b>	03
<b>Application No:</b>	20/04939/FUL
<b>Site Location:</b>	30A Lyncombe Hill, Lyncombe, Bath, Bath And North East Somerset
<b>Ward:</b> Widcombe And Lyncombe	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of mansard roof with living accommodation following demolition of side extension to the house
<b>Constraints:</b>	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, Listed Building, MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr & Mrs T SIMPSON
<b>Expiry Date:</b>	16th February 2021
<b>Case Officer:</b>	Caroline Power

**DECISION**                      Deferred

**PLANS LIST:**

Drawing	22 Dec 2020	1631.30A.P.100 E	PROPOSED LOCATION PLAN
Drawing	22 Dec 2020	1631.30A.P.102 E	PROPOSED SITE PLAN
Drawing	22 Dec 2020	1631.30A.P.107 F	PROPOSED ROOF PLAN
Drawing	22 Dec 2020	1631.30A.P.200 F	PROPOSED WEST ELEVATION
Drawing	22 Dec 2020	1631.30A.P.201 G	PROPOSED SOUTH ELEVATION
Drawing	22 Dec 2020	1631.30A.P.203 F	PROPOSED LONG WEST ELEVATION
Drawing	22 Dec 2020	1631.30A.P.204 F	PROPOSED LONG WEST ELEVATION
Drawing	22 Dec 2020	1631.30A.P.300 G	PROPOSED SECTION AA
Drawing	22 Dec 2020	1631.30A.P.301 F	PROPOSED SECTION BB
Drawing	22 Dec 2020	1631.P.001 A	EXISTING LOCATION PLAN
Drawing	22 Dec 2020	1631.P.002 A	EXISTING BLOCK PLAN
Drawing	22 Dec 2020	1631.P.011 A	EXISTING GROUND FLOOR PLAN
Drawing	22 Dec 2020	1631.P.012 A	EXISTING FIRST FLOOR PLAN
Drawing	22 Dec 2020	1631.P.014 A	EXISTING ROOF FLOOR PLAN
Drawing	22 Dec 2020	1631.P.021 A	EXISTING EAST ELEVATION
Drawing	22 Dec 2020	1631.P.022 A	EXISTING SOUTH ELEVATION
Drawing	22 Dec 2020	1631.P.023 A	EXISTING WEST ELEVATION
Drawing	22 Dec 2020	1631.P.031 A	EXISTING SECTION B-B
Drawing	22 Dec 2020	1631.P.101 E	PROPOSED BLOCK PLAN
Drawing	22 Dec 2020	1631.P.105 F	PROPOSED GROUND FLOOR PLAN
Drawing	22 Dec 2020	1631.P.106 F	PROPOSED FIRST FLOOR PLAN
Drawing	22 Dec 2020	1631.P.202 F	PROPOSED EAST ELEVATION

**Condition Categories**

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**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](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

### **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](http://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.

### **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.

<b>Item No:</b>	04	
<b>Application No:</b>	20/04902/FUL	
<b>Site Location:</b>	138 Wells Road, Lyncombe, Bath, Bath And North East Somerset	
<b>Ward:</b> Widcombe And Lyncombe	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 7 residential apartments, internal reconfiguration of existing flat and ancillary works.	
<b>Constraints:</b>	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 - Indicative Extent, Conservation Area, Policy CP12 Centres and Retailing, Policy CP9 Affordable Housing Zones, HMO Stage 1 Test Area (Stage 2 Test Req), MOD Safeguarded Areas, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	SAR Group Sipp	
<b>Expiry Date:</b>	8th April 2021	
<b>Case Officer:</b>	Tessa Hampden	

**DECISION**                      PERMIT

### **1 Standard Time Limit (Compliance)**

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

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

### **2 Sound attenuation (Pre-occupation)**

On completion of the development but prior to any occupation of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise. The following levels shall be achieved: Maximum internal noise levels of 35dBLAeq,16hr and 30dBLAeq,8hr for living rooms and bedrooms during the daytime and night time respectively. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLAmax.

Reason: To protect future residents from unreasonable adverse impact from existing noise

### **3 Materials - Submission of Schedule and Samples (Bespoke Trigger)**

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

### **4 Bicycle Storage (Pre-occupation)**

No occupation of the development shall commence until secure and covered bicycle storage for at least 14 bicycles has been provided in accordance with the approved details. 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 Policies ST1 and ST7 of the Bath and North East Somerset Placemaking Plan

### **5 Residents Welcome Pack (Pre-occupation)**

No occupation of the approved development shall commence until a new resident's welcome pack has been issued to the first occupier/purchaser of each residential unit of accommodation. The new resident's welcome pack shall have previously been submitted to and approved in writing by the Local Planning Authority and shall include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., to encourage residents to try public transport.

Reason: To encourage the use of public transport in the interests of sustainable development in accordance with Policy ST1 of the Bath and North East Somerset Placemaking Plan.

### **6 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.

### **7 Travel Plan (Pre-occupation)**

No occupation of the development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Travel Plan.

Reason: In the interest of encouraging sustainable travel methods in accordance with Policy ST1 of the Bath and North East Somerset Local Plan.

### **8 Refuse and recycling provision (Pre-occupation)**

No occupation of the development shall commence until the approved refuse/recycling facilities has been provided in accordance with the approved details. This storage shall be retained permanently thereafter.

Reason: To ensure adequate refuse and recycling provision is provided in accordance with Policy D6 of the Bath and North East Somerset Placemaking Plan

### **9 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.

### **10 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).

### **11 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:**

21 Dec 2020	AP(0)03	EXISTING GROUND FLOOR PLAN
21 Dec 2020	AP(0)04	EXISTING FIRST FLOOR PLAN
21 Dec 2020	AP(0)05	EXISTING SECOND FLOOR PLAN
21 Dec 2020	AP(0)06	EXISTING ROOF PLAN
21 Dec 2020	AP(0)07	EXISTING ELEVATIONS (N-S)
21 Dec 2020	AP(0)08	EXISTING ELEVATIONS (E-W)

21 Dec 2020	AP(0)09	EXISTING SECTIONS
21 Dec 2020	AP(0)14	PROPOSED ROOF PLAN_REVA
21 Dec 2020	AP(0)17	PROPOSED ELEVATIONS (N-S)_REVA
21 Dec 2020	AP(0)18	PROPOSED ELEVATIONS (E-W)_REVA
21 Dec 2020	AP(0)19	PROPOSED SECTIONS_OPTION2
21 Dec 2020	AP(0)20	PROPOSED ELEVATIONS (CONTEXT)_REVA
21 Dec 2020	AP(0)30	PROPOSED VISUALISATION
21 Dec 2020	AP(0)31	PROPOSED VISUALISATION
21 Dec 2020	AP(2)10	PROPOSED GROUND FLOOR PLAN_OPTION2
21 Dec 2020	AP(2)11	PROPOSED FIRST FLOOR PLAN_OPTION2
21 Dec 2020	AP(2)12	PROPOSED SECOND FLOOR PLAN_OPTION2
21 Dec 2020	AP(2)13	PROPOSED THIRD FLOOR PLAN_OPTION2
21 Dec 2020	AP(0)01	SITE 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.

### **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](http://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](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

<b>Item No:</b>	05
<b>Application No:</b>	20/04390/FUL
<b>Site Location:</b>	Crewcroft Barn, Hinton Hill, Hinton Charterhouse, Bath
<b>Ward:</b> Bathavon South	<b>Parish:</b> Hinton Charterhouse <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Conversion of stone barn and replacement of existing timber clad extension at Crewcroft Barn to provide a (straw bale) Passivhaus standard dwelling (Resubmission).
<b>Constraints:</b>	Agric Land Class 3b,4,5, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr William Drewett
<b>Expiry Date:</b>	29th January 2021
<b>Case Officer:</b>	Chloe Buckingham

**DECISION REFUSE**

1 The proposed scheme constitutes inappropriate development in the Green Belt; the extension to the original (stone-built) barn represents a disproportionate volume increase and amounts to a major extension of the building. The application site is in a prominent hillside location; the scheme will be harmful to and will significantly undermine the openness of the Green Belt (and the purposes of including land within it) by virtue of its substantial extension, change in character from agricultural to domestic, introduction of domestic paraphernalia and car parking. No 'very special circumstances' are present. The proposal is contrary to Policy CP8 of the adopted Core Strategy and policies RE6, GB1 and GB3 of the Placemaking Plan for Bath and North East Somerset (2017) and part 13 of the NPPF.

2 The proposed dwelling represents an over-development of the existing building. The proposed design is not of a high quality and would not be in-keeping with the rural character nor the visual amenities of the Green Belt and Area of Outstanding Natural Beauty. The proposed scheme, by virtue of its poor design, will be harmful to the significance of this non-designated heritage asset. Accordingly the proposal is contrary to policies RE6, D2, D5, NE2, HE1 and GB1 of the Bath and North East Somerset Placemaking Plan (2017).

**PLANS LIST:**

This decision relates to plan references;

8QT-01 REV E received 4th February 2021.

8QT - 10, 8QT - 09A and 8QT - 11 received 8th January 2021.

8QT-03 F, 8QT-04 A, 8QT-05, 8QT-06, 8QT-07B and WHL-1053-01 D received 19th November 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. 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](http://www.bathnes.gov.uk/cil)