

DELEGATED REPORT

Application No: 16/01680/FUL

Details of location and proposal:

39 Milsom Street, City Centre, Bath, Bath And North East Somerset, BA1 1DS

The application refers to a Grade II* Listed Building within the heart of Bath City Centre. The building is currently occupied by a branch of Natwest Bank, with ancillary office accommodation on the upper floors. The building is located within the Bath Conservation Area and is within the boundary of the World Heritage Site.

Planning permission is sought for the change of use of the building from a bank to a restaurant. This represents a change from an A2 to an A3 use under the Use Classes Order 1987 (as amended). Planning permission is also sought for the installation of an extract flue on the rear elevation and the provision of an outdoor seating terrace at the rear of the building, built on the flat roof of an existing rear extension.

A concurrent Listed Building application has been submitted for the internal and external alterations required in relation to the change of use (reference 16/01681/LBA).

Relevant Planning History:

DC - 96/00296/AR - ARNRQ - 24 September 1996 - Display of non-illuminated letters and a non-illuminated wall sign to premises of National Westminster Bank

DC - 96/00297/LBA - RF - 30 September 1996 - Erection of non-illuminated letters and a non-illuminated wall sign to premises of National Westminster Bank

DC - 96/00448/LBA - AP - 14 March 1997 - External alterations to provide new/replacement signage

DC - 98/00896/LBA - CON - 18 August 1999 - Installation of a cash machine and telescopic housing, new door and screen and removal of existing doors only to entrance foyer/stairwell

DC - 00/01501/LBA - CONSSE - 12 September 2000 - Internal alterations to fit out vacant office accommodation on first, second and third floors

DC - 00/01622/FUL - PERMIT - 9 March 2001 - Installation of a 60 cm satellite dish

DC - 00/01724/LBA - CON - 14 February 2001 - Installation of a 60cm satellite dish

DC - 01/02527/LBA - CONSSE - 22 January 2002 - Internal alterations to modify interview rooms

DC - 02/02049/LBA - RF - 18 October 2002 - New external signage

DC - 02/02830/LBA - CON - 20 February 2003 - External works to provide 1 No. 360mm high non-illuminated 3D letters and logo with bronze finish; 3 No. non-illuminated wall signs

DC - 03/02633/LBA - CON - 26 January 2004 - Erection of brass nameplate

DC - 06/01604/LBA - CONSSE - 31 August 2006 - Removal of existing obsolete merchandise frames, fixings and replacing with new type frames and fixings.

DC - 14/00514/LBA - WD - 2 October 2014 - External alterations to include, timber window repairs, stonework repairs and roof repairs

Summary of Consultation/Representations:

Consultation Responses :

Bath and North East Somerset Council Environmental Protection Team :

Demolition and construction -

To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities.

Therefore the following is suggested :

Prior to commencement of development a detailed construction management plan, must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby

Ventilation and extraction system -

The use hereby permitted shall not commence until a detailed scheme for the ventilation and extraction of fumes/cooking smells has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti - vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be implemented as approved prior to the commencement of the use and thereafter maintained as such.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby

Plant and Machinery -

The rating level of noise emitted from [any fixed plant and / or machinery associated with the development] [industrial activities at the use hereby approved] shall not exceed background sound levels (LA90T) by more than 5dB(A). The rating level shall be determined by measurement or calculation at the boundary of the nearest noise sensitive premises or at another location that is agreed with the Local Planning Authority. The background noise level shall be expressed as an LA90 1 hour and the ambient noise levels shall be expressed as an LAeq 1 hour during the daytime [07:00-23:00] and shall be expressed as an LA90 and LAeq 5 minutes during the night [23:00-07:00]

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

Hours of delivery -

No deliveries or despatches shall be made to or from the site, and no delivery or despatch vehicles shall enter or leave the site before the hours of 07.00 nor after 21.00 Monday to Saturday, or at all on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

Representations Received :

Bath Preservation Trust :

The Trust welcomes the overall application and the proposed change of use; in particular those elements of the internal works that will conserve and better reveal the grand internal decorations and floor plans of this highly significant building. We think that the new usage offers an opportunity for decluttering and restoring elegance and simplicity to an important Grade II* facade. For that reason we object to the proposed external signage as cumulatively it would harm the special architectural and historic interest of the listed building. We offer the following observations:

o We strongly object to the proposed Dutch style canopy as this type of canopy, despite unwanted precedent, is not in keeping with the character and appearance of the Georgian city centre and would clutter and intrude upon the important architectural composition of this elevation. It would also obscure the historic fanlight over the doorway.

o We would recommend that the hanging sign is located over the door opening rather than its proposed location as this could achieve the desired entrance advertising without obscuring the overall doorway composition.

o We are concerned at the proposed window boxes which would obscure the fine stone aprons below the windows and may cause damage to historic fabric in their fixings.

o It is hoped that the applicant will also carefully remove unwanted bank insertions into this fine facade; for example the safe which has been crudely installed in the historic stone panel below one of the historic arched windows. New ashlar stone should be carefully pieced in by a stone mason to make good the hole left by the safe.

o We feel the brass lettering on the historic voussoirs may be harmful to both the fabric and appearance of the façade (especially with pock marks from the bank letter fixings) and would welcome further thought on this element as well as sensitive appropriate repair of the bank fixing holes.

o Finally we object to the use of external signage illumination as per the B&NES Guidance - Commercial Signage and Tables and Chairs in the Conservation Area.

o We would welcome any intention by the applicant to restore a correct traditional Georgian glazing bar window arrangement to the upper floors as this would better reveal and enhance the heritage asset and provide overall heritage benefits.

o We understand that the applicant desires to advertise the restaurant in a compelling and attractive way, however we would urge the applicant to consider the benefits of having an already highly attractive building facade with its wealth of classical detail (and relative lack of clutter), and to consider how this may be utilised to make the required street impact without adding/fixing obscuring clutter to the stone facade.

We would be happy to consult with Troia Ltd/Pegasus on this element of the application and to provide advice on appropriate commercial signage solutions.

The proposed external blind, external signage illumination and window box elements of this otherwise acceptable application would neither preserve nor enhance the special architectural interest of the listed building, would harm the character and appearance of Conservation Area, and would detract from the special qualities of the World Heritage Site. Therefore this element of the scheme would be contrary to the Planning (Listed Buildings and Conservation Areas Act) 1990, Section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (NPPF), policies; B1, B2, B4 and CP6 of the B&NES Core Strategy and saved policies; D4, BH1, BH4, BH6, BH17 and BH22 of the B&NES Local Plan. We would therefore recommend that these elements are removed from the application otherwise the application should be refused or a split decision issued.

Bath Heritage Watchdog :

Objects to this application.

Nos 37-42 Somersetshire Buildings, Milsom Street is an elaborate symmetrical terrace of five former houses, now in commercial use, dating from 1781-83 by Thomas Baldwin. Nos 38 and 39 occupy the centre of the group. This was Bath & Somersetshire Bank c1783-1793 when it failed, and Stuckey's Bank from 1859 until taken over by Westminster Bank and later National Westminster Bank. The ceiling of the banking hall has a fine neo-classical design in an Adam manner. The terrace is listed Grade II* and is located in the Bath Conservation Area and World Heritage Site.

When determining all applications for new shopfronts and signage we ask that the following guidelines are observed.

- The context, or general setting, of Bath should be understood, respected and reflected in any proposed work to shopfronts.
 - Design, materials and workmanship should be of the highest quality.
 - Any proposed or altered shopfront should be historically credible.
 - House styles which do not meet the requirements of style, lettering, materials and signs are not acceptable. Multiples should be required to adapt their proposals to the special conditions of the city.
 - Standard designs of any sort are not acceptable. They should be specifically designed for their context.
- (Bath City Council: Bath Shopfronts, Guidelines for Design & Conservation 1993).
- We also maintain our objection to the use of unnecessary illumination in the Conservation Area.

Change of Use -

First of all we have to comment on the actual proposed change of use from bank to restaurant. Normally for a change of use to be considered there has to be proof that the existing use is no longer viable or that the building is empty. In this instance it would appear that neither is the case. No evidence of marketing has been provided and indeed when an article was run in the local newspaper it was evident that the bank's own customers were not aware of any plans to close the branch.

Bath has an ever increasing number of eateries to such an extent that there is now a distinct lack of diversity in the city. We have now reached saturation point and it is noted that there is a coincidence between a new restaurant opening and an existing one closing down. The validation of this application occurring a week before those proposing restaurant uses in the Colonnades in Grand Parade demonstrate this relentless obsession. In addition Milsom Street has always been the destination shopping area of the city and this should be preserved.

Interior -

Although it is accepted that the building has suffered at the hands of previous inappropriate alterations, this is no excuse for further damaging alterations. Although in general most of the internal works are considered positive proposals do include the loss of some original historic fabric. As there has already been loss over the years we do not believe that further loss is fully justified or desirable.

We have strong concerns at the impact a restaurant use will have on the ornate banking hall ceiling. Fumes from food and in all probability candles, etc have the potential to discolour and damage delicate plasterwork. In addition at present the ceiling is visible and accessible to the general public to admire, the change of use to what is a very high end restaurant will preclude the average person from seeing part of Bath's heritage. This would be a retrograde step to which we are opposed.

Exterior -

The proposals impacting on the exterior of the building are those which are most strongly opposed.

We object to the proposed rear glazed wall. This is not commensurate with such an historic building nor is it justified. It is simply another 'wow factor' proposal which is highly damaging. The statement that 'The rear elevation of the property does not have the same status as the front' demonstrates the current trend for saying 'out of sight out of mind'. There are no large scale drawings of the proposed rear elevation provided to fully assess these proposals. There is also strong concern at the impact on local residents of the use of an outside terrace, especially at an elevated level.

The proposed extract route runs over the full height of the building and has the potential to be an extremely ugly addition to the rear façade. Large scale drawings of the proposed ducting have not been provided for assessment.

At present the scale of signage and external clutter is limited to the bank's name above the central window and a small sign to the right hand side of the entrance doors (it is noted that none of this is shown on the Existing Elevation drawing and this should be revised for accuracy). That proposed for the new use is excessive and highly damaging especially given the Grade II* status of the building.

We strongly oppose the proposed Dutch canopy over the entrance doors. This type of canopy is never acceptable on a listed building and in this case will also obscure the decorative fanlight over the door just to provide additional advertising. This aspect of the application should be omitted.

There is no hanging sign on this building at present and we do not consider one necessary. In general Milsom Street is devoid of hanging signs and we believe that this should continue. The proposed location is off balance, the size too large (the generally accepted size is 400mm x 500mm) and the use of unnecessary and crude trough lighting is also opposed. This aspect of the application should be omitted.

We do not favour the use of brass for lettering. It quickly tarnishes and in all probability cleaning will not occur on a regular basis to prevent this. We also have concerns at the use of offset lettering as this causes damage to the fine stonework. Whenever buildings change hands it causes yet more pock marking as infilling is never successful no matter how skilled the mason. Further thought needs to be given to signage on what is a very difficult and sensitive building.

The proposed illuminated brass menu box is unnecessary and harmful. The target demographic for the proposed operator negates passing trade and therefore such advertising is not required. The use of illumination is again opposed. The proposed positioning also straddles the rustication and is therefore harmful.

At present there seems to be a constant insistence on using the pavement and frontages for 'prettification', in this case planters and window boxes. This building is beautiful in its own right and such additions will cause clutter and in the case of the window boxes will cause damage to the stonework and will be harmful to the window settings.

It is noted that there is a bank safety box located beneath the right hand window (again not shown on the Existing Elevations drawing) and we would suggest that this needs to be carefully removed with new Bath Stone ashlar (exactly matching the existing) pieced into the hole by a skilled stonemason.

Summary -

The works, by virtue of the rear glazed wall, illuminated and inappropriate signage, addition of a hanging sign, window boxes and Dutch blind are considered to be detrimental to the special architectural and historic interest of the listed building, adjacent listed buildings and the conservation area contrary to S16 and S72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, Section 12 'Conserving & Enhancing the Historic Environment' of the NPPF, Policies B1, B2, B4 and CP6 of the Core Strategy and Saved Local Plan Policies D4, BH1, BH2, BH4, BH6, BH17 and BH22 and should be refused.

One public representation has been received. This objects to the application on grounds that Bath has too many 'chain' restaurants already and preference should be given to supporting independent businesses.

Policies/Legislation:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

- Bath and North East Somerset Core Strategy (July 2014);
- Saved policies from the Bath and North East Somerset Local Plan (2007)
- West of England Joint Waste Core Strategy (2011).

RELEVANT CORE STRATEGY POLICIES

The B&NES Local Plan policies that are replaced by policies in the Core Strategy are outlined in Appendix 1 of the Core Strategy. Those B&NES Local Plan policies that are not replaced and remain saved are listed in Appendix 2 of the Core Strategy

The following policies of the Core Strategy are relevant to the determination of this application:

B1: Bath Spatial Strategy
B2: Central Area Strategic Policy
B4: The World Heritage Site and its setting.
CP6: Environmental Quality
CP12: Centres and Retailing

RELEVANT LOCAL PLAN POLICIES

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application.

D.2: General Design and public realm considerations
D.4: Townscape considerations

ES.9: Pollution and nuisance
ES.12: Noise and vibration
S.5 : Primary Shopping Frontages for Bath, Keynsham and Midsomer Norton
S.6: A3, A4 and A5 uses in Bath City Centre
S.7: Siting of tables and chairs outside A3 or A4 uses in Bath City Centre
BH.2: Listed Buildings and their settings.
BH.6: Development within or affecting Conservation Areas.

RELEVANT PLACEMAKING PLAN POLICIES

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. The Plan has limited weight in the determination of planning applications, however, the following policies would be relevant:

D1: General Urban Design Principles
D2: Local Character and Distinctiveness
D6: Amenity
H1: Historic Environment
PCS2: Noise and Vibration
CR3: Primary Shopping Areas and Primary Shopping Frontages

The Bath Conservation Area Design Guide for Signage and Tables/Chairs is part of the evidence base to the Placemaking Plan and is a material consideration linked to Placemaking Plan policy D.9 (and in the interim saved Local Plan policies D.2 & D.4).

National Planning Policy Framework (March 2012) and the National Planning Practice Guidance (March 2014) can be awarded significant weight. The following sections of the NPPF are of particular relevance:

Section 2: Ensuring the vitality of town centres
Section 7: Requiring good design
Section 12: Conserving and Enhancing the Historic Environment.

The City of Bath World Heritage Site Setting Supplementary Planning Document (August 2013) is also relevant in the determination of this planning application:

In addition, where development affects a listed building or its setting there is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. There is also a duty under Section 72 of the same Act to pay special attention to the preservation or enhancement of the character of the surrounding Conservation Area.

Officer Assessment:

The main issues to consider are:

- (i) The principle of the change of use of the building.
- (ii) The impact of the proposals on the appearance of the building.
- (iii) Impact on Residential Amenity - Outdoor Seating Area, Extraction Equipment.

(i) The principle of the change of use of the building

The application site building lies on Milsom Street, a principal street running through the heart of the historic centre of Bath and is in a highly sensitive location within the Conservation Area and World Heritage Site.

Milsom Street is also classed as a 'Primary Shopping Frontage' within the Bath and North East Somerset Council Local Plan, on which A1 uses are protected and any proposals for the change of use are generally resisted. However, as the current use on the application site is A2 this saved policy would not apply. Saved policy S.6 discusses proposals for A3, A4 and A5 uses within the city centre and states that these should be permitted providing they preserve or enhance the character of the Conservation Area and do not impact on the retail viability and vitality of the centre or the amenity of local residents. These matters are discussed further below but it is considered in principle that the change of use can be supported. The building is within close proximity to many similar bar and restaurant premises and is generally considered to be a suitable and appropriate location for an A3 use.

Furthermore, the National Planning Policy Framework encourages a positive, permissive and proactive approach to promoting the vitality and viability of city and town centres. Core Strategy policy CP12 also states that uses which contribute to the vitality, viability and diversity of centres within the hierarchy will be encouraged. It is acknowledged that concerns have been expressed in representations that there is an over concentration of restaurants within Bath city centre. However, it is considered that the success or failure of these businesses will largely be driven by market demand and this argument would not represent grounds to refuse this application for change of use.

It is therefore considered that the proposed change of use can be supported under current planning policy.

(ii) The impact of the proposals on the appearance of the building.

The change of use involves a number of alterations to the building which are also considered as part of the concurrent Listed Building Application. In terms of external alterations the most significant addition will be the installation of an external flue on the rear elevation of the building, leading from the main kitchens which are to be installed within the basement.

The metal extraction flue will exit the building at first floor level and run up to the roof. Whilst this cannot be considered to be a beneficial addition to the building it is a necessary requirement and its siting on the rear elevation minimises the impact on the building and is appropriate in this instance. This elevation of the building is very enclosed by neighbouring buildings and the flue will not be easily visible from the wider area. It is to be powder coated in a 'Lime White' to blend in with the stonework of the building and prevent reflection and glare which could arise from more distant views. It is therefore considered that this addition is acceptable in terms of its impact on the appearance of the building and the wider Conservation Area.

The front elevation of the building contains a wealth of fine architectural detailing. As mentioned in representations, some of the additions for this elevation which were originally proposed, such as a canopy over the main door, were deemed to be unacceptable and considered to detract from the appearance of the building. However, these additions have subsequently been removed from the scheme. Aside from the installation of new signage and a menu board, which will be the subject of an application for Advertisement Consent, there will be no other alterations to the front elevation. It is noted that some freestanding planters are shown on the plans, in front of the building, but these are outside the application site and do not form part of the permission.

The main dining areas will be located on the ground and first floors of the building. On the first floor it is proposed to install an area of outdoor seating on an existing flat roof which is currently covered in various items of mechanical plant equipment. This flat roof is almost entirely enclosed by the walls of adjoining buildings on either side and the roof of a building on Milsom Place located to the rear of the site. In practice therefore this outdoor seating terrace should not be easily visible from outside the site. The removal of the vast amount of plant equipment should have a positive impact on the appearance of the building and the use of this flat roof as an additional dining area should not have any negative impact on the character or appearance of the Conservation Area.

Overall the proposed alterations required to the exterior of the building in order to facilitate the change of use are relatively minor and will not have any detrimental impact on the appearance of the building or its setting within the heart of the Bath Conservation Area and World Heritage Site. It is therefore considered that the proposal complies with saved Local Plan policies D.2, D.4, S.7 and BH.6.

(iii) Impact on Residential Amenity - Outdoor Seating Area, Extraction Equipment.

The development is located within the city centre of Bath. Although there are likely to be residential units within the area none have been identified immediately close to the application site and no concerns from neighbouring residents have been raised in relation to the possible impact on amenity. The proposed use is therefore considered to be acceptable, subject to certain conditions to protect amenity.

An outdoor seating area is proposed at first floor level which does have the potential to impact on residential amenity due to increased noise and disturbance. However, it is noted that in this case the area is very enclosed by surrounding buildings. In addition, to the rear of the site lies Milsom Place and a cluster of other restaurants, including Carluccio's and CAU, both of which also have large outdoor seating areas. Therefore within this context and city centre location the proposed outdoor roof terrace is considered to be acceptable.

The proposed opening hours for the restaurant are as follows:

- o Monday - Thursday: 8am - 11pm;
- o Friday - Saturday: 8am - 12 midnight; and
- o Sundays and Bank Holidays: 9am - 11pm

The closing time for Friday and Saturday nights is slightly later than neighbouring restaurants on Milsom Place, with Carluccio's and CAU both closing at 11:00pm. However, given the more secluded and screened nature of this outdoor seating area the proposed opening hours of up to midnight are deemed acceptable.

The extraction equipment required for the new restaurant also has the potential to impact on residential amenity through increased odour, noise and vibration. Although the route of the extraction equipment is shown on the plans no detailed extraction scheme has been included with the application, however, the Environmental Protection Officer has advised that this information can be submitted for prior approval as a condition attached to the planning permission. This should ensure that a scheme is installed that will not be detrimental to amenity.

Overall, the development in this city centre location is not considered to result in any significant disturbance to the neighbouring occupiers and residential amenity is not considered to be harmed to a significant degree. The proposal is therefore considered to accord with saved Local Plan Policy D.2, which states that development should not cause significant harm to the amenities of existing or proposed occupiers, by reason of loss of light, or increased overlooking, noise, smell, traffic or other disturbance.

Some other conditions have also been recommended by Environmental Protection Officers in relation to noise levels, hours of deliveries and the provision of a construction management plan. These have been added to the permission, with the exception of the construction management plan, as noise during demolition and construction activity is covered by the Control of Pollution Act 1974.

Conclusion

Within this City centre location the change of use of this Grade II* Listed Building to Class A3 restaurant use is deemed to be acceptable under current planning policy. The proposed development has the potential to enhance the vitality and viability of city centre and the proposals should have no negative impact on the appearance of the building or its setting in the wider Conservation Area and World Heritage Site. Adequate safeguards can also be put in place to limit the impact on the amenity neighbouring occupiers. Delegated approval is therefore recommended.

Recommendation:

PERMIT

1 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 permissions.

2 The use hereby permitted shall not commence until a detailed scheme for the ventilation and extraction of fumes/cooking smells has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be implemented as approved prior to the commencement of the use and thereafter maintained as such.

Reason: To protect the amenities of the occupants of neighbouring properties in accordance with policies D.2, ES.10 and ES.12 of the Bath and North East Somerset Local Plan.

3 The use of the restaurant shall not be carried on and no customer shall be served or remain on the premises outside the hours of 08:00 and 23:59 hours Monday to Saturday and 09:00 to 23:00 hours on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

4 Deliveries or despatches shall be made to or from the site only between the hours of 07.00 and 21.00.

Reason: To protect the amenities of the occupants of neighbouring properties in accordance with policies D.2 and ES.12 of the Bath and North East Somerset Local Plan.

5 The rating level of noise emitted from any machinery associated with the development shall not exceed background sound levels (LA90T) by more than 5dB(A). The rating level shall be determined by measurement or calculation at the boundary of the nearest noise sensitive premises or at another location that is agreed with the Local Planning Authority. The background noise level shall be expressed as an LA90 1 hour and the ambient noise levels shall be expressed as an LAeq 1 hour during the daytime (07:00-23:00) and shall be expressed as an LA90 and LAeq 5 minutes during the night (23:00-07:00)

Reason: To protect the amenities of the occupants of neighbouring properties in accordance with policies D.2 and ES.12 of the Bath and North East Somerset Local Plan.

6 This permission does not permit the planters shown on approved drawing number 4322/134/203/B dated 17 June 2016, as these are located outside the defined boundary of the application site.

Reason: In order to define the extent of the permission.

PLANS LIST:

This decision relates to drawing nos Location Block Plan drawing number 4322/134/LBP, Existing Plan - Basement, Ground, First Floor drawing number 4322/134/101, Existing Plan - Second and Third Floor drawing number 4322/134/102 received 6th April 2016, Existing Elevations drawing number 4322/134/103 received 13th April 2016 and Proposed GA Plans drawing number 4322/134/201/B, Proposed Elevations drawing number 4322/134/203/B and Proposed RCP Plans drawing number 4322/134/301/A received 17th June 2016.

ADVICE NOTE:

Food premises

Please be aware that all food business must be registered with the food safety team at Bath and North East Somerset Council at least 28 days prior to operation.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted/revised proposals was taken and consent was granted.

Case Officer:

Kate Whitfield

Authorising Officer:

Andrew Ryall