

## **DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING**

### **BATH AND NORTH EAST SOMERSET**

#### **MINUTES OF DEVELOPMENT CONTROL COMMITTEE**

Wednesday, 19th November, 2014

**Present:-** Councillor Gerry Curran in the Chair

Councillors Patrick Anketell-Jones, Rob Appleyard, Neil Butters, Ian Gilchrist, Les Kew, Dave Laming, Malcolm Lees, Bryan Organ, Vic Pritchard, Manda Rigby, David Veale and Brian Webber (In place of Martin Veal)

Also in attendance: Councillors Paul Crossley, Sally Davis, Charles Gerrish, Eleanor Jackson and Dine Romero,

#### **69 EMERGENCY EVACUATION PROCEDURE**

The Senior Democratic Services Officer read out the procedure

#### **70 ELECTION OF VICE CHAIR (IF DESIRED)**

A Vice Chair was not required

#### **71 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There was an apology from Councillor Martin Veal whose substitute was Councillor Brian Webber

#### **72 DECLARATIONS OF INTEREST**

There was a declaration of interest by Councillor Rob Appleyard regarding the planning applications at Hope House, Lansdown, Bath (Items 2&3, Report 10) as he was a Director of Curo which could be involved in the provision of affordable housing at the site. He would therefore not take part in the consideration of the applications and would not vote.

#### **73 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was none

#### **74 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS**

The Senior Democratic Services Officer informed the meeting of the public speaking procedure stating that (1) members of the public etc. would be able to make statements on planning applications when reaching their respective items in Reports 9 and 10; and (2) the stallholder of Stall 36 Guildhall Market wished to make a statement which would be heard when reaching Item 11 on the Agenda.

#### **75 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

There was none

## 76 MINUTES: 22ND OCTOBER 2014

The Minutes of the previous meeting held on Wednesday 22<sup>nd</sup> October 2014 were approved as a correct record and signed by the Chair

## 77 SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- A report by the Group Manager – Development Management on applications for planning permission etc
- An Update Report by the Group Manager on Item 3, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc on Item 3, the Speakers List being attached as *Appendix 2* to these Minutes

**RESOLVED** that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached as Appendix 3 to these Minutes.

**Items 1&2 Cleveland House, Sydney Road, Bathwick, Bath – (1) Change of use from B1 Offices to C3 Residential, including the erection of a single storey side extension with first floor terrace, including internal alterations following the demolition of the existing single storey lavatory block (Revised proposal); and (2) internal and external alterations for the change of use from B1 Offices to C3 Residential, including the erection of a single storey side extension with first floor terrace following the demolition of existing single storey lavatory block –** These applications were withdrawn from the Agenda for consideration at the next meeting on Wednesday 10<sup>th</sup> December 2014

**Item 3 Greenlands, Bath Road, Farmborough – Erection of detached garage and creation of new driveway and provision of new fence; provision of additional patio doors and wc window to bungalow (Resubmission) –** The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The public speakers made their statements against and in favour of the proposal.

The Ward Councillor Sally Davis made a statement on the application.

Members queried the accuracy of the steepness of the ramp access as datum levels had not been provided. Councillor Bryan Organ moved that the Officer recommendation be overturned and that permission be refused due to the steepness of the access, the sharp turn into the property and the detrimental impact on adjoining properties. The motion was seconded by Councillor Vic Pritchard.

Members debated the motion. Councillor Les Kew stated that an access was required and the provision of a garage in this position was better than one being

provided at the top of the driveway. He considered that the levels was an issue that needed to be addressed and that the application should be deferred for a surveyor's report. There was further discussion about the access, the turning head and the adequacy of the acoustic fence. The Group Manager – Development Management advised that the information provided on the access was considered to be acceptable and that the associated site plan included details of levels and that the acoustic fence had been assessed by Environmental Health Officers and found to be satisfactory. The Senior Highways Development Officer stated that the turning head was satisfactory.

The Chair put the motion to the vote. Voting: 6 in favour and 6 against with 1 abstention. The Chair used his second and casting vote against the motion and therefore the motion was lost.

Councillor Curran then moved that the application be deferred for further information to be provided showing datum levels, which was seconded by Councillor Les Kew. The motion was put to the vote and was carried, 11 voting in favour and 1 against with 1 abstention.

## **78 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered

- The report of the Group Manager – Development Management on various applications for planning permission etc.
- An Update Report by the Group Manager on Item Nos. 1, 5 and 6, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos. 1-3 and 7-10, the Speakers List being attached as *Appendix 2* to these Minutes

**RESOLVED** that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached as *Appendix 4* to these Minutes

**Item 1 MoD, Ensleigh, Granville Road, Lansdown, Bath – Full planning permission for the erection of 181 residential units (Use Class C3), a neighbourhood retail store of up to 267 sq m GIA (Use Class A1), associated highway works, infrastructure and public open space; and outline planning permission for a 72 unit Extra Care Facility (Use Class C3)** – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure various provisos relating to Affordable Housing, Primary School, Transport and Open Space; and (B) subject to the prior completion of the above Agreement, authorise the Group Manager to grant permission subject to conditions. He referred to the Update Report which outlined objections by the Bath Preservation Trust to the proposal and comments received from the Council's Neighbourhood Environmental Services.

The public speakers made their statements against and in favour of the proposals.

Councillor Patrick Anketell-Jones as Ward Member on the Committee opened the debate. He referred to concerns about the sustainability of the community although

this was a communal scheme which met most of the Council's aspirations. Provision of the school was crucial to the development and he requested confirmation that the unconditional contract for the school development would not be jeopardised. There would be a lot of disturbance for residents while construction work was being undertaken. He also referred to the condition of the surface of Granville Road and the possibility that Colliers Lane may become busier as a result of this development. Members asked various questions about the development to which the Case Officer responded.

Councillor Les Kew commended the Officers for their assessment of this major application and moved the Officer recommendation. Members discussed the proposals. The issue of provision of a school was raised and contributions towards its capital cost. The Case Officer referred to the timing of the development and that the school was anticipated to open in September 2017. There would be contributions towards the purchase of the land and the school building. Councillor Bryan Organ complimented the Officers for their work on the application. He considered that this was a good development and would improve the appearance of the entry to the World Heritage Site on this side of the City. The contract for the site of the school was in hand so it would go ahead. He therefore seconded the proposal.

Members debated the motion. The Group Manager stated that a clause could be included in the S106 Agreement to ensure that no development should take place until the land was transferred to the Council. It would also be possible to limit the number of dwellings which could be occupied prior to the school being delivered and opened. He advised that the Council had a responsibility to deliver the school. Members continued to discuss the matter. The mover and seconder agreed to the inclusion of an appropriate S106 clause which would restrict the final phase of the scheme until the school was built and functioning. Further discussion ensued on this aspect. Councillor Les Kew stated that the Cabinet (at their meeting in April) had underwritten the finance for the school (with contingency funding available) when Phases I and II had been developed and occupied. The Case Officer informed Members that the wording of Condition 21 relating to protection of trees would need to be slightly amended.

The Chair summed up the debate and put the motion to the vote which was carried unanimously.

**Items 2&3 Hope House, The Royal High School, Lansdown Road, Lansdown, Bath – (1) Residential development for the erection of 54 dwellings including the conversion of Hope House and associated infrastructure and parking following demolition of existing school buildings (Resubmission of 13/04235/FUL); and (2) internal and external alterations for the conversion of existing building to provide 6 residential apartments and demolition of modern extension** – The Officer reported on these applications and the recommendations to (1) (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure various provisos relating to Highway works, Affordable housing, Parks contributions, Education contributions and Lifelong learning contributions; and (B) subject to the completion of the above Agreement, authorise the Group Manager – Development Management to grant permission subject to conditions. He informed Members of (i) a tree that needed to be retained which would not affect the recommendation; and (ii) of

concerns received from residents of St James' Park regarding car parking near to the boundary of their properties but it was considered that there was a sufficient buffer zone between the site and these properties. The Decision Taking Statement would need to be amended.

The Chair declared a personal interest in these applications after realising that he knew one of the speakers. However, he did not consider this significant or that his participation in the item could be considered unreasonable. He would therefore speak and vote on the applications.

The public speakers made their statements against and in favour of the proposed development.

Councillor Patrick Anketell-Jones as Ward Member on the Committee opened the debate. He stated that residents felt that their concerns had not been properly considered and representations not given a full airing. The felling of trees was still an issue and also the effect of cars on the residents of St James' Park. He therefore moved that the application be deferred until the next meeting for these matters to be addressed. The Group Manager – Development Management responded that all comments had been given due consideration. Councillor Neil Butters seconded the motion.

Members debated the motion. It was generally considered that this was a good scheme which complimented the City and more trees were to be planted. The Group Manager informed Members that they had to be consistent in their decision making. The scheme had been amended to comply with earlier objections – if an appeal was lodged against a refusal, it would be very difficult to defend and costs could be awarded against the Council.

The motion was put to the vote and was lost by a substantial majority, only 2 voting in favour.

Councillor Les Kew agreed with the Officer recommendation and moved that it be approved which was seconded by Councillor Vic Pritchard. The Chair put the motion to the vote which was carried, 10 voting in favour and 2 against.

Councillor Les Kew moved that the recommendation on the listed building application also be approved which was seconded by Councillor Vic Pritchard. The motion was put to the vote and was carried unanimously.

(NOTES; (1) Councillor Rob Appleyard did not take part in the consideration of these applications and did not vote; and (2) at 4.15pm, after this decision, the meeting adjourned for 10 minutes for a natural break)

**Item 4 No 40 Bryant Avenue, Westfield, Radstock – Erection of a detached 3 bedroom two storey dwelling (Resubmission)** – The Case Officer reported on this application and her recommendation to refuse permission.

Councillor Rob Appleyard as Ward Member on the Committee opened the debate. He stated that this was a local authority area with recent new development. It was not a busy area and had easy access. There were no objections from adjoining residents and the development would tidy up the site. On this basis, he moved that

the recommendation be overturned and permission granted. The motion was seconded by Councillor Manda Rigby.

Members debated the motion and raised various queries regarding the increased size of the proposal and the garden that would remain. The Group Manager – Development Management stated that a previous proposal had been refused due to the site being cramped etc. and there would be overlooking and an overbearing impact on adjoining properties. Members needed to be consistent in their decision making. The motion was put to the vote. Voting: 6 in favour and 7 against. Motion lost

Councillor Vic Pritchard therefore moved the Officer recommendation to refuse permission which was seconded by Councillor Bryan Organ. The motion was put to the vote and was carried, 7 voting in favour and 5 against with 1 abstention.

**Item 5 Newhaven, Chilcompton Road, Midsomer Norton, Radstock – Erection of detached chalet style bungalow with access and car parking in the garden –** The Case Officer reported on this application and her recommendation to refuse permission. The Update Report gave the comments of the Highways Officer on revised drawings that had been received. She stated that a further objection had been received and that the wording of the second reason for refusal would need to be amended.

Councillor Les Kew gave the views of the Ward Councillors who supported the proposal. He supported these views and therefore moved that Officers be granted authority to grant permission which was seconded by Councillor Ian Gilchrist. There was some discussion about the proposal but it was generally felt that permission should not be granted for the reasons outlined by Officers.

The motion was put to the vote. Voting: 2 in favour and a substantial number against. Motion lost.

It was therefore moved and seconded to accept the Officer recommendation to refuse permission. The motion was put to the vote and was carried, 10 voting in favour and 3 against.

**Item 6 Land rear of 62 Sladebrook Road, Southdown, Bath – Erection of a three bedroom dwelling –** The Case Officer reported on this application and his recommendation to grant permission subject to conditions. The Update Report corrected a small typographical error in the recommended Condition 3.

The Ward Councillor Dine Romero made a statement raising various concerns about the proposal including the narrow access and parking on the road.

Councillor Manda Rigby considered that it would be useful to hold a Site Visit and so moved. The motion was seconded by Councillor Les Kew.

The motion was put to the vote and was carried, 9 voting in favour and 0 against.

**Item 7 No 39 High Street, Keynsham – Change of use of ground floor from Offices (B1) to Café Bar (A3) with alteration to street frontage windows to folding sliding doors, new extract flue and use of public highway for siting of 2**

**tables and 8 chairs** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. She reported the receipt of a further letter of support and recommended that 2 further conditions be added relating to hours of use of the premises and the garden area to protect the amenity of neighbours.

The public speakers made their statements against and in favour of the proposed development which was followed by a statement by the Ward Councillor Charles Gerrish who raised various concerns.

Councillor Bryan Organ considered that the licensing hours needed to be checked and the impact on adjoining properties needed to be assessed. He therefore moved that consideration be deferred for a Site Visit which was seconded by Councillor Rob Appleyard.

Members debated the motion and discussed the description of the proposed use and what it entailed and the extent of the pavement to be used.

The motion was put to the vote. Voting: 10 in favour and 0 against. Motion carried.

**Item 8 Carisbrooke, Bathampton Lane, Bathampton, Bath – Erection of new house following the demolition of an existing 20<sup>th</sup> Century house** – The Case Officer reported on this application and her recommendation to grant permission with conditions. She pointed out that there were a number of references in the report to north which should read south.

The public speakers made their statements against and in favour of the proposal.

Councillor Les Kew considered that there was some irregularity regarding the status of the land either side of the proposed site. He therefore moved that consideration be deferred for a Site Visit which was seconded by Councillor Bryan Organ.

The motion was put to the vote. Voting: 10 in favour and 0 against. Motion carried.

**Item 9 No 52 Sladebrook Road, Southdown, Bath – Erection of a dwelling, a replacement garage and associated works** – The Case Officer reported on this application and her recommendation to grant permission with conditions. A further condition would need to be added regarding protection of badgers.

The public speakers made their statements against and in favour of the proposed development. The Ward Councillor Dine Romero made a statement raising various concerns about the application which was followed by a statement by the other Ward Councillor Paul Crossley who suggested that a Site Visit would be useful.

Councillor Dave Laming moved that consideration be deferred for a Site Visit which was seconded by Councillor Bryan Organ.

The motion was put to the vote and was carried unanimously.

**Item 10 No 10 Chapel Road, Clandown, Radstock – Erection of single storey rear extension** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The public speakers made their statements against and in favour of the proposed development which was followed by a statement by the Ward Councillor Eleanor Jackson raising various concerns.

Councillor Manda Rigby relayed the views of the Ward Councillor Simon Allen who supported the application. Councillor Dave Laming considered that there should be some consistency in refusing this application as previously and therefore moved that the Officer recommendation be overturned and permission be refused. The motion was not seconded. The Group Manager – Development Management pointed out that the height of the extension had been reduced also the depth and therefore this was a different and smaller proposal, which officers considered has no significant impact on amenity and the conservation area. Councillor Laming considered that the size had been changed but the amenities of the adjoining resident were still affected.

The Chair considered that it would be useful to have a Site Visit and moved accordingly which was seconded by Councillor Malcolm Lees. The motion was put to the vote which was carried, 8 voting in favour and 4 against.

**Item 11 No 9 Bloomfield Road, Bloomfield, Bath – Proposed enlargement of 2 cellar windows and the formation of 2 external light wells to the façade** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

Councillor Les Kew considered that this was an acceptable proposal and therefore moved the Officer recommendation which was seconded by Councillor Bryan Organ.

The motion was put to the vote and was carried unanimously.

## **79 ENFORCEMENT ITEM - STALL 36 GUILDHALL MARKET**

The Committee considered (1) a report which sought Members' authority to take enforcement action in respect of unauthorised alterations to Stall 36 in the Guildhall Market; and (2) an oral statement by the stallholder against enforcement action.

The Team Manager - Planning and Conservation gave a power point presentation outlining the unauthorised works.

Members discussed the matter. Councillor Manda Rigby opened the debate as the site was in her Ward. She considered that the Market was quite eclectic with a mix of styles and the manner in which products were displayed. The enclosed stalls were more secure. There had been some confusion regarding what was appropriate by the Planning and Property Services Departments of the Council. She felt that the stall was not out of keeping and therefore enforcement action should not be taken. Councillor Ian Gilchrist declared a minor interest in the matter, **as** the stallholder resided in his Ward and he had been assisting the stallholder in Council process as part of his role as Ward Councillor. He agreed with the comments by Councillor Manda Rigby and therefore moved that no enforcement action be taken, which was seconded by Councillor Rigby. Councillor Patrick Anketell-Jones also acknowledged that he knew the stallholder and had bought items from the stall, but did not consider that his participation in the matter could be unreasonable because of this.



Members debated the motion. It was generally felt that some tolerance needed to be exercised as there were already some enclosed stalls which were not intrusive. In response to Members' queries, the Group Manager – Development Management stated that no proposal had been received from the stallholder and listed building consent had not been given. The decision of the Planning Inspector on an appeal against a previous refusal of consent had referred to the open nature of Market stalls and that the stall would appear too solid and more appropriate to an arcade than a market. However, the design as built was different with a wider door opening and different windows, and this could be a reason for not taking enforcement action. He continued by saying that, if Members made this decision, the works would not be authorised, but no further action would be taken as things stand. The Chair summed up the debate.

After debate, the motion was put to the vote.

**RESOLVED** that it was not expedient for enforcement action to be taken in respect of the listed building contravention as outlined in the report

Voting: 8 in favour and 2 against with 3 abstentions.

**80 QUARTERLY PERFORMANCE REPORT - JULY TO SEPTEMBER 2014**

The Committee (1) considered the report of the Group Manager - Development Management which provided performance information across a range of activities within the Development Management function for the period July to September 2014; and (2) noted the report.

**81 NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES**

The report was noted

The meeting ended at 6.45 pm

Chair(person) .....

Date Confirmed and Signed .....

Prepared by Democratic Services

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**BATH AND NORTH EAST SOMERSET COUNCIL****Development Control Committee****Date****OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN AGENDA****ITEM****ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
1	14/01853/EFUL	Ministry Of Defence Ensleigh, Granville Road, Lansdown, Bath,

The Committee report does not separately identify the Bath Preservation Trust (BPT) as objectors to the application. Written responses were received from BPT in June, September and October in response to the original proposals and subsequent amendments. As well as pointing out some factual errors in the application documents relating to the status of local heritage assets they raise objection under the following headings: scope of impact assessments, building layout and impact on heritage assets including views to and from them, permanent negative impact on views from and to Beckford's Tower, design and layout of buildings, sustainability measures, height (with reference to Bath Building heights Strategy), materials (including use of reconstituted stone and too much render which should be replaced with natural traditional materials), shop (location of commercial use and design), Extra Care building (bulk, massing and design principles), landscaping (lack of allotments and timing of delivery of main area of open space), lighting (light spill and sky glow), transport (impact on key junctions in peak hour). BPT have also proposed that permitted development rights are removed to control future changes to the colour of materials used on the buildings.

The objections of BPT were taken into account in the assessment of the application. The letters, copies of which have been provided to Members by BPT, are not considered to raise new matters or issues not covered in the committee report.

The Council's Neighbourhood Environmental Services have submitted comments regarding refuse collection and are seeking additional information regarding HGV access to communal collection points on the site. To address this matter an additional condition it is recommended that details of these arrangements are submitted to the Council for approval prior to commencement of development.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
5	14/03511/FUL	Newhaven, Chilcompton

Road, Midsomer Norton  
Radstock, BA3 2PL

Following the publication of the committee report and the concerns raised by the highways officer the applicant has submitted a revised drawing. The drawing shows the width of the parking spaces and show the visibility splay. The Highways Officer has considered the drawing and accepts the revisions and that the plans are acceptable subject to conditions.

The plans list is amended as follows:

This application relates to the following drawing 14416-1B received 5<sup>th</sup> November 2015.

Two letters of support for the application has been received stating that the development will improve the appearance of Hillside Road and that the dormer would look better on the front.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
6	14/03261/FUL	Land to the rear of 62 Sladebrook Road Southdown Bath

A small typographical error within condition 3 which should now read as follows:

3. The first floor windows in the south-west and north-east elevations of the dwelling hereby approved shall be obscurely glazed and non-opening unless the parts of the window which can be opened *are* more than 1.7m above the floor of the room in which the window is installed.

Reason: To prevent overlooking of adjoining properties and in the interests of protecting residential amenity.

<b>Item Number</b>	<b>Application No.</b>	<b>Address</b>
Site visit number 2	14/03709/FUL	Greenlands, Farmborough

One further condition is added to the permission to state;

Prior to the commencement of the development, details of the appearance, including proposed materials, of the acoustic fence shall be submitted and approved in writing by the local planning authority. The development shall then be carried out in accordance with the details so approved.

Reason: In the interests of the appearance of the development.

**SPEAKERS LIST  
BATH AND NORTH EAST SOMERSET COUNCIL**

**MEMBERS OF THE PUBLIC ETC WHO MADE A STATEMENT AT THE MEETING  
OF THE DEVELOPMENT CONTROL COMMITTEE ON WEDNESDAY 19<sup>TH</sup>  
NOVEMBER 2014**

<b>SITE/REPORT</b>	<b>NAME/REPRESENTING</b>	<b>FOR/AGAINST</b>
<b>SITE VISITS – REPORT 9</b>		
Greenlands, Bath Road, Farmborough (Item 3, Pages 56-62)	Mark Baldwin	Against
	David Bissex (Applicants' Agent)	For
<b>MAIN PLANS LIST – REPORT 10</b>		
MoD Ensleigh, Lansdown, Bath (Item 1, Pages 66- 98)	Amy Frost (Bath Preservation Trust and Beckford Tower Trust)	Against
	Jo Davis, GVA (Applicants' Agents)	For
Hope House, Lansdown, Bath (Items 2&3, Pages 99-130)	1. Linda Gamlin 2. Mark Strickland	Against – To share 8 minutes
	1. Robin Kerr, Chairman, Lansdown Crescent Association 2. Jonny Kidney, Creatrix (Applicants' Agents)	For – To share 8 minutes
39 High Street, Keynsham (Item 7, Pages 151-157)	Alison Cohen <u>AND</u> Bob Morgan	Against – To share 3 minutes
	Charlie Lovell	For
Carisbrooke, Bathampton Lane, Bathampton, Bath (Item 8, Pages 157-163)	Mr Simpkin <u>AND</u> Roger Steer	Against – To share 3 minutes
	Edward Lang (Applicant)	For
52 Sladebrook Road, Southdown, Bath (Item 9, Pages 163-169)	Grahame Starr	Against
	Chris Beaver, PlanningSphere (Applicants' Agents)	For
10 Chapel Road, Clandown, Radstock (Item 10, Pages 170-174)	Miss Latchem	Against
	Gary Peters (Applicant)	For
<b>ENFORCEMENT ITEM – REPORT 11</b>		
Stall 36 Guildhall Market	Robert Morgan (Stallholder)	Statement

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**19th November 2014**

**SITE VISIT DECISIONS**

<b>Item No:</b>	001	
<b>Application No:</b>	14/03180/FUL	
<b>Site Location:</b>	Cleveland House, Sydney Road, Bathwick, Bath	
<b>Ward:</b> Bathwick	<b>Parish:</b> N/A	<b>LB Grade:</b> IISTAR
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Change of use from B1 offices to C3 residential including the erection of a single storey side extension with first floor terrace including internal alterations following the demolition of the existing single storey lavatory block (Revised proposal).	
<b>Constraints:</b>	Airport Safeguarding Zones, Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Cycle Route, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
<b>Applicant:</b>	Trevor Osborne Property Group	
<b>Expiry Date:</b>	5th September 2014	
<b>Case Officer:</b>	Sasha Coombs	

**DECISION**

Withdrawn from the agenda. To be heard at the December Committee.

<b>Item No:</b>	002	
<b>Application No:</b>	14/03181/LBA	
<b>Site Location:</b>	Cleveland House, Sydney Road, Bathwick, Bath	
<b>Ward:</b> Bathwick	<b>Parish:</b> N/A	<b>LB Grade:</b> IISTAR
<b>Application Type:</b>	Listed Building Consent (Alts/exts)	
<b>Proposal:</b>	Internal alterations and external alterations for the change of use from B1 offices to C3 residential including the erection of a single storey side extension with first floor terrace following the demolition of existing single storey extension lavatory block.	
<b>Constraints:</b>	,	
<b>Applicant:</b>	Trevor Osborne Property Group	
<b>Expiry Date:</b>	5th September 2014	
<b>Case Officer:</b>	Sasha Coombs	

## DECISION

Withdrawn from the agenda. To be heard at the December Committee.

<b>Item No:</b>	003	
<b>Application No:</b>	14/03709/FUL	
<b>Site Location:</b>	Greenlands, Bath Road, Farmborough, Bath	
<b>Ward:</b> Farmborough	<b>Parish:</b> Farmborough	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of detached garage and creation of new driveway and provision of acoustic fence. Provision of additional patio doors and WC window to bungalow. (Resubmission)	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr And Mrs S Gould	
<b>Expiry Date:</b>	7th October 2014	
<b>Case Officer:</b>	Alice Barnes	

## DECISION

Deferred for further details of site levels to be requested.



**BATH AND NORTH EAST SOMERSET COUNCIL****DEVELOPMENT CONTROL COMMITTEE****19th November 2014****DECISIONS**

<b>Item No:</b>	01
<b>Application No:</b>	14/01853/EFUL
<b>Site Location:</b>	Ministry Of Defence Ensleigh, Granville Road, Lansdown, Bath
<b>Ward:</b> Lansdown	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application with an EIA attached
<b>Proposal:</b>	Full planning permission sought for the erection of 181 residential units (Use Class C3), a neighbourhood retail store of up to 267 sqm GIA (Use Class A1), associated highways works, infrastructure and public open space. Outline planning permission sought for a 72 unit Extra Care Facility (Use Class C3).
<b>Constraints:</b>	Agric Land Class 1,2,3a, Article 4, Core Employment Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, Tree Preservation Order, World Heritage Site,
<b>Applicant:</b>	IM Properties, Linden Homes Western & Bloor Homes South West
<b>Expiry Date:</b>	27th August 2014
<b>Case Officer:</b>	Gwilym Jones

**DECISION**

Delegated to permit subject to S106 agreement.

<b>Item No:</b>	02
<b>Application No:</b>	14/04184/FUL
<b>Site Location:</b>	Hope House, The Royal High School, Lansdown Road, Lansdown
<b>Ward:</b> Lansdown	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Residential development for the erection of 54 no. dwellings, including the conversion of Hope House, and associated infrastructure and parking following demolition of existing school buildings. (Resubmission of 13/04235/FUL)
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, Tree Preservation Order, World Heritage Site,

<b>Applicant:</b>	Hope House Developments LLP
<b>Expiry Date:</b>	12th December 2014
<b>Case Officer:</b>	Sarah James

**DECISION** Delegate to PERMIT subject to an agreement under Section 106 of the Town and Country Planning Act 1990.

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 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.

3 No development shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a field evaluation of the site to determine date, extent, and significance of any archaeological deposits or features, and shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of potential archaeological interest and the Council will wish to evaluate the significance and extent of any archaeological remains.

4 No development shall commence until the applicant, or their agents or successors in title, has presented the results of the archaeological field evaluation to the Local Planning Authority, and has secured the implementation of a subsequent programme of archaeological work in accordance with a written scheme of investigation which has first been agreed and approved in writing by the Local Planning Authority. The agreed programme of archaeological work shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of potential archaeological interest and the Council will wish record and protect any archaeological remains

5 The development shall not be brought into use or occupied until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-

excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site may produce significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

6 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
  - (c) human health,
  - (d) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - (e) adjoining land,
  - (f) groundwaters and surface waters,
  - (g) ecological systems,
  - (h) archaeological sites and ancient monuments;
- (i) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify

as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptor

10 No development shall take place until full details of an Ecological and Landscape Management and Enhancement Scheme, in accordance with the approved Ecological Assessment Report by ACD dated September 2014 have been submitted to and approved in writing by the local planning authority. These details shall include all necessary wildlife protection measures during the demolition and construction phases, including exclusion zones and details of protective fencing; specifications for provision of all recommended ecological features and enhancement measures, including details of numbers, positions and specifications of bat and bird boxes; long term wildlife friendly habitat management including details of ecological objectives; management prescriptions, personnel, funding mechanisms and future monitoring and remediation as applicable. All works within the scheme shall be carried out in accordance with the approved details, unless otherwise

approved in writing by the local planning authority. The works shall be carried out prior to the occupation of any part of the development.

Reason: for the long term safeguarding of wildlife habitat at the site and retention of habitat for protected species including bats

11 Prior to the commencement of construction, final details of proposed lighting shall be submitted to the LPA for approval in writing. The scheme shall demonstrate using lux level contour plans where applicable, avoidance of light spill onto trees and vegetation that form flight lines for bats, and shall include details of post-construction measurement and monitoring of light levels, reporting of this to the LPA, and proposed remedial measures (replacement of or adjustment to lights if necessary) if light spill onto tree lines exceeds levels that would enable their use by bats.

Reason: to avoid harm to bat activity and other wildlife

12 Prior to the commencement of the development, a Construction Management Plan shall be 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 and any need for cranes for construction. Development shall thereafter proceed in accordance with the approved plan.

Reason: To ensure the safe operation of the highway.

13 Notwithstanding any landscaping details submitted with the application the commencement of development of the new buildings hereby approved shall not begin until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme shall include details of all street furniture and street lighting, walls, fences, trees, hedgerows and other planting which are to be retained; details of new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development

14 All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on 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. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained

15 The commencement of development of the new buildings hereby approved shall not begin until samples of the materials to be used in the construction of the external surfaces, including roofs, gates, railings, and boundary walls, 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 details so approved.

Reason: In the interests of the appearance of the development and the surrounding area

16 No works or deliveries required to implement this development shall take place outside the hours of 0800 to 1800 each day Monday to Friday and 0900 to 1300 on Saturday. No works or deliveries shall take place on Sundays or Bank Holidays.

Reason: To safeguard the amenity of nearby occupiers.

17 Prior to the commencement of development at the site details of a Construction Dust Management Plan for all works of construction and demolition shall be submitted to and approved in writing by the Local Planning Authority. The Construction Dust Management Plan shall comply with the guidance for London as set out in The Control of Dust and Emissions from Construction and Demolition: Best Practice Guidance, published in 2006. The details so approved shall be fully complied with during the construction of the development.

Reason: To protect the amenities of the occupants of adjacent residential properties.

18 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the LPA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason : To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

19 No development shall take place until a plan showing existing and proposed ground levels across the site and details of slab levels for the dwellings has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development

20 Prior to the commencement of development a scheme for the management of Japanese knotweed shall be submitted and approved in writing by the Local Planning authority. Development shall take place in accordance with the approved scheme.

Reason : In the interest of protection of the environment

21 The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

22 No development shall commence until a Landscape Management Plan, detailing how the communal areas or other open or landscaped areas will be maintained in the future, has been submitted to and approved in writing by the Local Planning Authority. The agreed Landscape Management Plan shall thereafter be fully implemented.

Reason In the interest of the appearance of the development

23 The development hereby approved shall not be occupied until works for the disposal of sewage have been provided on site to serve the development in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason : In the interests of the amenity of residents

24 No site works or clearance shall be commenced until protective fences which conform to British Standard 5837:2005 have been erected around any existing trees and other existing or proposed landscape areas in positions indicated on the approved plans. Until the development has been completed these fences shall not be removed and the protected areas are to be kept clear of any building, plant, material, debris and trenching, with the existing ground levels maintained, and there shall be no entry to those areas except for approved arboriculture or landscape works.

Reason : To safeguard the areas to be landscaped and the existing trees and planting to be retained within the site.

25 Prior to the commencement of any form of site works or clearance the Local Planning Authority shall be given not less than two weeks notice in writing of these works to ensure that appropriate measures of landscape protection required under condition 24 have been implemented in accordance with the approved plans or conditions.

Reason : To ensure that adequate protection is given to the areas to be landscaped and the existing trees and planting to be retained within the site.

26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no lines, mains, pipes, cables or other apparatus shall be installed or laid on the site other than in accordance with drawings first submitted to and approved in writing by the Local Planning Authority.

Reason : To safeguard the existing and proposed trees, vegetation and open spaces on the site.

27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason : Any further extensions require detailed consideration by the Local Planning Authority to safeguard the amenities of the surrounding area.

28 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages or other free standing buildings or boundary fences or walls shall be erected within the curtilage of the dwelling(s) hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

Reason : The introduction of further curtilage buildings or boundary structures requires detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of the surrounding area.

29 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no solar PV or solar thermal shall be installed on the dwelling house(s) or other building(s) hereby approved unless a further planning permission has been granted by the Local Planning Authority.

Reason : In the interests of the appearance of the building(s) and the character of the area.

30 The gradient of the access shall not at any point be steeper than 1 in 12.5 for a distance of 10 metres from its junction with the public highway.

Reason: In the interests of highway safety.

31 The proposed access roads, including footpaths and turning spaces, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly bound and compacted footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: To ensure that the development is served by an adequate means of access

32 The garaging shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose without the prior written permission of the Local Planning Authority.

Reason: To retain adequate off-street parking provision



33 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should 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., together with complimentary bus tickets for each household to encourage residents to try public transport. The packs shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

34 Prior to the commencement of development the applicant shall submit further evaluation of structural options for the re-instatement of the entrance wall adjacent to the Yew tree with a view to establishing the optimum method of reconstruction so as to allow retention of the yew tree. In the event that retention of this tree is agreed in writing by the Local Planning Authority as impractical to achieve, a replacement tree of a size, species and in a location agreed in writing with the Local Planning Authority shall be planted and maintained for a minimum period of 5 years.

Reason : In the interest of visual amenity.

35 The development shall not commence on site until details of measures to control roof top nesting (by gulls) have been submitted to and approved in writing by the Local Planning Authority. No occupation of any part of the development shall take place until the approved measures have been installed on that part of the development.

Reason: In the interests of amenity.

36 Prior to the commencement of development large scale details of the following shall be submitted to the local planning authority for approval in writing:

- a) the sash window joinery including the position/set-back of the frames in window reveals the front and rear entrance doors
- b) the stone work, including detailing (chimney stacks, cornices, string bands, canopies etc) - this should include erection of a sample panel(s) of the stonework which are to be agreed in writing by the LPA and thereafter retained on site during the works.
- c) the glazed verandas/sun rooms on Block D.  
balconies.
- d) dormer windows.

The development shall be completed in accordance with the approved details.

Reason : In the interests of the appearance of the development and the visual amenities of the conservation area and world heritage site.

37 No development shall commence until a sample panel of all external walling materials to be used shall be erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed.

Reason : In the interests of the appearance of the development and the character and appearance of the Conservation Area.

38 No demolition, site preparation or development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit phasing and provision of records and certificates of completion to the local planning authority. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals

39 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority. A signed certificate of compliance shall be provided by the appointed arboriculturalist to the local planning authority on completion.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

## **PLANS LIST:**

Site Location Plan, 0158/72826, 1866 - PE- 32 rev C - Block B Main Elevations, 1866 - PE- 33 rev C - Block A and B End Elevations, 1866 - PE- 34 rev C - Block C Front Elevation, 1866 - PE- 36 rev D - Block C End Elevation, 1866 - PP- 31 rev G - Block A Plans, 1866 - PP- 32 rev E - Block B LGF and GF Plans 1866 - PP- 33 rev E - Block B FF and Roof Plans, 1866 - PP- 34 rev C - Block C LGF Plans, 1866 - PP- 35 rev A - Block C GF and FF Plans, 1866 - PP- 36 rev A - Block C SF Plan, 1866 - PP- 37 rev A - Block D LGF Flats and GF and FF Plans, 1866 - PP- 38 rev B - Block E GF and FF Plans, GA Roof Plan rev D, AN1083:110 Site Plan: Landscape Proposals, AN1083:111 Landscape Proposals (north part of site), AN1083:112 Landscape with existing tree outlines & existing building footprints, AN1083:113 Landscape Sections (Blocks A, B and C), AN1083:114 Landscape Section (30 St James' Park Blocks A & B, Block B Unit 10 and 11 Plans, 1866 PE 31 Block A Main Elevations, 1866 PE 35A Block C Rear Elevations, 1866 PE 37 Block D and E Main Elevations, 1866 PE 38 Hope House Elevations, 1866 PP 39 Hope House LGF and GF Plans, 1866 PP 40 Hope House 1st and 2nd Floor Plans, WSP-1642-GA-630-ST-201 Existing Lighting - Lux Measurement Site Survey, WSP-1642-GA-630-ST-202 External Lighting Initial Concept Scheme, WSP-1642-GA-630-ST-203 External Lighting Revised Concept Scheme, GF1, FF1, SF1, TF1, ELEV1, ELEV2, ELEV 3, BAT13, BAT15, 3160-1, 3160-2, 3160-3, DB31, 32, PS31, PD31, PD32, PD33, PD34, PD35.

## DECISION TAKING STATEMENT

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 proposals was taken and consent was granted.

Informative: residents of this development will not be eligible for parking permits.

<b>Item No:</b>	03	
<b>Application No:</b>	13/04185/LBA	
<b>Site Location:</b>	Hope House, The Royal High School, Lansdown Road, Lansdown	
<b>Ward:</b> Lansdown	<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 conversion of existing building to provide 6 no. residential apartments and demolition of modern extension.	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, Safeguarded Roads, Tree Preservation Order, World Heritage Site,	
<b>Applicant:</b>	Hope House Developments LLP	
<b>Expiry Date:</b>	17th September 2014	
<b>Case Officer:</b>	Sarah James	

## DECISION CONSENT

1 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 Prior to commencement of development large scale details of the glazed link structure are to be submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

3 Prior to commencement of works full details of any installations required as a result of fire prevention and other such regulations together with any external vents, meter boxes or other such fixtures are submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

4 Prior to commencement of works full details of all rainwater goods are submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

5 Prior to commencement of works large scale detailed drawings of the sash windows at 1:2 scale are to be submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

6 Prior to commencement of works a sample panel shall be erected on site to illustrate the treatment for any areas of new stonework, including mortar mix and pointing for approval in writing by the local planning authority, and retained on site as a reference for the duration of the works. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

7 Prior to commencement of works details of the proposed stonework repair method are to be submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

8 Prior to commencement of development large scale detailed drawings are to be submitted to the local planning authority for approval in writing of the replacement dormer window on the west elevation. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

9 Prior to commencement of development any proposed changes to existing boundary walls, railings, gates or other such structures are to be submitted to and approved in writing by the local planning authority. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

## **PLANS LIST:**

### PLANS LIST

Site Location Plan 0158/72826, GF1revA, FF1revA, SF1revA, TF1revA, ELEV1, ELEV 2, ELEV 3, 17revA, 15revA, 3160-1, 3160-2, 3160-3, DP-31, DP-32, PS-31, PD-31, PD-32revA, PD-33, PD-34, PD-35, 1866 PE 38, 1866 PP 39, 1866 PP 40.

## DECISION TAKING STATEMENT

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 proposals was taken and consent was granted.

<b>Item No:</b>	04	
<b>Application No:</b>	14/03702/FUL	
<b>Site Location:</b>	40 Bryant Avenue, Westfield, Radstock, Bath And North East Somerset	
<b>Ward:</b> Westfield	<b>Parish:</b> Westfield	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a detached three bedroom two storey dwelling (Resubmission)	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mrs K Lewis	
<b>Expiry Date:</b>	26th November 2014	
<b>Case Officer:</b>	Heather Faulkner	

## DECISION REFUSE

1 The proposed dwelling due to its scale, bulk and siting within close proximity of the neighbouring boundaries is considered to have an overbearing impact. The windows on the rear elevation would also result in a greater perception of being overlooked. The residential amenity currently enjoyed by these neighbouring occupiers is therefore considered to be significantly harmed. This would be contrary to policy D2 of the Bath and North East Somerset Local Plan (including minerals and waste) 2007 and the National Planning Policy Framework (March 2012).

2 The proposed development by reason of its scale and siting would result in the overdevelopment of the site and would result in a cramped form of development which fails to respond positively to the built form of this locality and is considered detrimental to the character and appearance of the streetscene and surrounding area contrary to policy D.2 and D.4 of the Bath & North East Somerset Local Plan (including minerals and waste policies) 2007 and the Nation Planning Policy Framework (March 2012).

## PLANS LIST:

Drawing Sheet No's 1,2,3 and 4, and Site Location Plan received 12th August 2014

## DECISION TAKING STATEMENT

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. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Further advice was sought following the previous application being refused and changes were made to the proposals. However, the proposal is still considered to be unacceptable for the reasons given and the agent 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 this the Local Planning Authority moved forward and issued its decision.

<b>Item No:</b>	05
<b>Application No:</b>	14/03511/FUL
<b>Site Location:</b>	Newhaven, Chilcompton Road, Midsomer Norton, Radstock
<b>Ward:</b> Midsomer Norton Redfield	<b>Parish:</b> Midsomer Norton <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of detached chalet style bungalow with access and car parking in the garden of 'Newhaven' Chilcompton Road.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Miss Lisa Thompson
<b>Expiry Date:</b>	21st November 2014
<b>Case Officer:</b>	Heather Faulkner

**DECISION REFUSE**

1 The development, due to the unacceptable siting and scale would form an incongruous proposal that would be at odds with the established pattern of development in the area, appearing cramped in the street scene and would have a resultant harmful impact upon the character and appearance of the area. The development would therefore be contrary to saved policies D2 and D4 of the of the Bath and North East Somerset Local Plan - 2007 and policy CP6 of the Core Strategy July 2014

2 The proposed dwelling due to its scale and siting within close proximity of the neighbouring boundaries is considered to have an overbearing impact creating an increased sense of enclosure. The windows on the rear elevation would also result in increased overlooking and an unacceptable loss of privacy. The proposals would lead to an unacceptable reduction in private amenity space for the occupants of Newhaven. The residential amenity currently enjoyed by these neighbouring occupiers is therefore considered to be significantly harmed. This would be contrary to policy D2 of the Bath and North East Somerset Local Plan (including minerals and waste) 2007 and the National Planning Policy Framework (March 2012).

**PLANS LIST:**

This application relates to the following drawing 14416-1B received 5th November 2015.

#### DECISION TAKING STATEMENT:

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. The proposal was considered unacceptable for the reasons given 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.

<b>Item No:</b>	06	
<b>Application No:</b>	14/03261/FUL	
<b>Site Location:</b>	Land Rear Of 62, Sladebrook Road, Southdown, Bath	
<b>Ward:</b> Southdown	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 1no three bed dwelling.	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
<b>Applicant:</b>	Alan & Pamela Bevan & Lewis	
<b>Expiry Date:</b>	11th September 2014	
<b>Case Officer:</b>	Chris Griggs-Trevarthen	

#### DECISION

Deferred for site visit to better understand the context of the site including the access lane and the relationship with Lytton Gardens and other neighbouring properties.

<b>Item No:</b>	07	
<b>Application No:</b>	14/02693/FUL	
<b>Site Location:</b>	39 High Street, Keynsham, BS31 1DU,	
<b>Ward:</b> Keynsham North	<b>Parish:</b> Keynsham Town Council	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Change of Use of Ground Floor from offices (B1) to Cafe/ Bar (A3) with alteration to street frontage windows to folding sliding doors, new extract flue and use of public highway for siting of 2no tables and 8no chairs.	
<b>Constraints:</b>	Agric Land Class 3b,4,5, City/Town Centre Shopping Areas, Conservation Area, Forest of Avon, Housing Development Boundary, Prime Shop Front,	

<b>Applicant:</b>	Cafe Grounded
<b>Expiry Date:</b>	22nd October 2014
<b>Case Officer:</b>	Suzanne D'Arcy

## DECISION

Deferred for site visit to view the property in relation to surrounding residential neighbours and Baptist Church. Two additional conditions to be added regarding opening hours and the timing of the use of the garden.

<b>Item No:</b>	08
<b>Application No:</b>	14/03465/FUL
<b>Site Location:</b>	Carisbrooke, Bathampton Lane, Bathampton, Bath
<b>Ward:</b> Bathavon North	<b>Parish:</b> Bathampton <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of new house following the demolition of an existing 20th Century house
<b>Constraints:</b>	Agric Land Class 1,2,3a, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Forest of Avon, Hotspring Protection, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr Edward Lang
<b>Expiry Date:</b>	22nd October 2014
<b>Case Officer:</b>	Suzanne D'Arcy

## DECISION

Deferred for site visit to understand the context better in particular the relationship with the Green Belt and Conservation Area.

<b>Item No:</b>	09
<b>Application No:</b>	14/03372/OUT
<b>Site Location:</b>	52 Sladebrook Road, Southdown, Bath, Bath And North East Somerset
<b>Ward:</b> Southdown	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application
<b>Proposal:</b>	Erection of 1 No. dwellings, a replacement garage, and associated works.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
<b>Applicant:</b>	Mr & Mrs Baker



<b>Expiry Date:</b>	24th October 2014
<b>Case Officer:</b>	Suzanne D'Arcy

## DECISION

Deferred for site visit to better understand the context of the site including the access lane and the relationship with other neighbouring properties.

<b>Item No:</b>	10		
<b>Application No:</b>	14/04167/FUL		
<b>Site Location:</b>	10 Chapel Road, Clandown, Radstock, Bath And North East Somerset		
<b>Ward:</b>	Radstock	<b>Parish:</b>	Radstock
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Erection of single storey rear extension		
<b>Constraints:</b>	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr & Mrs G Peters		
<b>Expiry Date:</b>	6th November 2014		
<b>Case Officer:</b>	Alice Barnes		

## DECISION

Deferred for site visit to judge the impact of the development on the Conservation Area and neighbouring property.

<b>Item No:</b>	11		
<b>Application No:</b>	14/04493/FUL		
<b>Site Location:</b>	9 Bloomfield Road, Bloomfield, Bath, Bath And North East Somerset		
<b>Ward:</b>	Lyncombe	<b>Parish:</b>	N/A
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Proposed enlargement of 2no. cellar windows and the formation of 2no. external light wells to the facade		
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,		
<b>Applicant:</b>	Dr J Farrar		
<b>Expiry Date:</b>	28th November 2014		
<b>Case Officer:</b>	Sasha Coombs		

## DECISION 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 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:**

OS Extract	03 Oct 2014	14.234/10	SITE LOCATION PLAN
Drawing	03 Oct 2014	14.234/11	EXISTING PART CELLAR AND SITE PLAN
Drawing	03 Oct 2014	14.234/12	EXISTING PART CELLAR AND SITE SECTIONS
Drawing	03 Oct 2014	14.234/13	PROPOSED PART CELLAR AND SITE PLAN AND WINDOW DETAILS
Drawing	03 Oct 2014	14.234/14	PROPOSES PART CELLAR AND SITE SECTIONS LIGHT WELL KERB DETAIL
Drawing	03 Oct 2014	14.234/15	EXISTING AND PROPOSED ELEVATION
Correspondence	04 Nov 2014		BALUSTRADE FINISH

**DECISION TAKING STATEMENT**

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 proposals was taken and consent was granted