

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 10th December, 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 Sally Davis, Charles Gerrish, Eleanor Jackson, David Martin, Dine Romero, Ben Stevens and Roger Symonds

82 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

83 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

84 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

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

85 DECLARATIONS OF INTEREST

There was none

86 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

However, the Chair informed the meeting that 1) the MoD Warminster Road planning application (Item 3, Report 10) had been withdrawn from the Agenda at the developers' request and would not be considered at this meeting; 2) the application on Greenlands, Bath Road, Farmborough (Item 1, Report 10) would be taken before the Site Visits report as this was the 3rd time in succession that the application had been considered by the Committee and the speakers would otherwise have had to wait a considerable amount of time before the application was considered at this meeting; and 3) the Planning Office had received an award at 10 Downing Street for being voted in the top 5 best performing Planning Offices in the country for dealing with planning applications and he congratulated the Officers on this achievement.

87 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

The Senior Democratic Services Officer stated that 1) there were no speakers on matters other than planning and applications; and 2) there were various people wishing to make statements on planning applications who would be able to do so when reaching their respective items in Reports 9 and 10

88 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS - OPA, NORTH PARADE, BATH

The Chair (1) stated that there were no items notified for this meeting; and (2) requested Officers to update the meeting on Opa, North Parade, Bath, as requested by Councillor Manda Rigby at the previous meeting.

The Principal Solicitor informed the meeting that an Enforcement Notice specifying various requirements had been issued on 10th July 2013. An appeal had been lodged under Ground (f) and the Inspector had dismissed the appeal. However, a legal challenge against the Inspector's decision had then been lodged in the High Court and a Hearing date was awaited. The Notice was of no effect pending the final determination of the appeal. Councillor Manda Rigby, on behalf of local residents, requested that Officers keep pressing for the matter to be expedited.

89 MINUTES: 19TH NOVEMBER 2014

The Chair signed the Minutes as a correct record subject to the following amendments:

Minute 75 Delete "There was none" and replace with "Councillor Manda Rigby requested that the next meeting of the Committee be updated on the situation at Opa, North Parade, Bath, as regards the enforcement action."

Minute 78 5th sentence Item 1 MoD Ensleigh In the penultimate paragraph, delete the words "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" and replace with "The mover and seconder agreed to the inclusion of an appropriate S106 clause proposed by Councillor Manda Rigby which would restrict the commencement of building Phase III until the school was built and functioning which would happen no later than September 2017."

Minute 78 4th paragraph Items 2&3 Hope House, Lansdown In the last sentence, after "Councillor Neil Butters seconded the motion" insert "... on the basis of the impact on adjoining residents."

90 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 Nos. 5 – 7, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos. 1 – 7, a copy of 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

Item 1 No 10 Chapel Road, Clandown, Radstock – Erection of single storey rear extension – The Team Leader – Development Management reported on this application and the recommendation to grant permission subject to conditions.

The applicant made a statement in favour of the proposed development which was followed by a statement by the Ward Councillor Eleanor Jackson expressing concerns about the development.

Councillor Manda Rigby stated that the Ward Councillor Simon Allen was in support of the application. Councillor Ian Gilchrist considered that the development would have an oppressive effect on the adjoining property and therefore moved that permission be refused. The motion was not seconded.

Councillor Les Kew stated that the site visit was very useful. This was a small addition to the extension that had already been approved and he therefore moved the Officer recommendation which was seconded by Councillor Dave Laming.

After a brief discussion, the motion was put to the vote and was carried, 12 voting in favour and 1 against.

Reference was made by a Member to adding a condition regarding hours of construction but the Team Manager replied that this would not be appropriate as construction on the extension had already commenced and was not of a scale that would normally attract such a condition.

Item 2 No 39 High Street, Keynsham – Change of use of ground floor from Offices (B1) to Café/Bar (A3) with alterations to street frontage windows to 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 stated that Condition 5 relating to hours of use would need to be amended to read Sunday to Thursday etc. instead of Monday to Thursday.

The applicant made a statement in favour of the proposal which was followed by a statement by the Ward Councillor Charles Gerrish.

Councillor Bryan Organ (Ward Member on the Committee) expressed concerns about the proposed use and stated that, if permitted, the conditions would need to be monitored closely. Councillor Les Kew considered on balance that this was a good use for the building and therefore moved the Officer recommendation but with no music on Sundays. Members discussed this proposed condition. The Principal Solicitor gave advice on this aspect as regards noise and licensing issues. Members discussed the installation of sliding doors on the frontage and the use of the pavement for tables and chairs to which the Team Manager responded. Councillor

Les Kew decided to amend his earlier motion by removing the condition about no music on Sunday. Councillor Rob Appleyard seconded the amended motion.

After a brief discussion, the amended motion was put to the vote and was carried, 10 voting in favour and 1 against with 2 abstentions.

(Note: There was a brief adjournment after this item to rectify problems with the microphones)

Item 3 No 52 Sladebrook Road, Southdown, Bath – Erection of 1 dwelling, a replacement garage and associated works – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The public speakers made statements against and in favour of the proposal which was followed by a statement by the Ward Councillor Dine Romero raising various concerns about the development.

Councillor Vic Pritchard moved that the recommendation be overturned and permission refused on the grounds of poor access and back land development. The motion was not seconded.

Councillor Dave Laming therefore moved the Officer recommendation on the basis that little traffic would use the access and the site could accommodate a single house. The motion was seconded by Councillor Malcolm Lees.

Members briefly debated the motion. It was considered that a condition should be added for a fence to be provided to protect the amenities of the adjoining resident. The Team Manager stated that a condition could be added regarding landscaping which would cover this issue. The mover and seconder agreed.

The motion was put to the vote and was carried, 10 voting in favour and 3 against.

Item 4 Land rear of 62 Sladebrook Road, Southdown, Bath – Erection of 1 three bed dwelling – The Case Officer reported on this application and his recommendation to grant permission subject to conditions.

The public speaker made a statement against the proposal which was followed by a statement by the Ward Councillor Dine Romero against the development.

Members asked various questions about the scheme regarding access for neighbours' cars and emergency vehicles to which the Case Officer responded. Councillor Vic Pritchard considered that the access was poor and there would be an adverse effect on adjoining residents and their properties. On this basis, he moved that the recommendation be overturned and permission refused. The motion was seconded by Councillor Rob Appleyard. After a brief discussion, the motion was put to the vote. Voting: 3 in favour and a substantial number against. Motion lost.

Councillor Dave Laming moved the Officer recommendation which was seconded by Councillor Les Kew. The motion was put to the vote and was carried, 9 in favour and 3 against with 1 abstention.

Item 5 Carisbrooke, Bathampton Lane, Bathampton, Bath – Erection of new house following the demolition of an existing 20th century house – The Case Officer reported on this application and her recommendation to grant permission with conditions. The Update Report gave the comments of Bathampton Parish Council on the application.

The public speakers made their statements against and in favour of the application. The Ward Councillor stated that he was happy to leave the matter to the Committee to consider the proposed development and determine it accordingly.

Councillor Les Kew considered that this was an exciting scheme that would be energy efficient and enhance adjoining properties. A building construction plan was required but there was sufficient space for construction vehicles to access the site although there would inevitably be some disturbance while construction was taking place. He therefore moved the Officer recommendation which was seconded by Councillor Vic Pritchard.

Members debated the motion. Councillor Brian Webber stated that he could not support the motion. The proposed development had some attractive features but he considered that it would not be appropriate in this location and would not relate to the existing properties. This was supported by Councillor Patrick Anketell-Jones. However, other Members did not agree and considered that the design had great merit with good use of materials and employed energy saving features. The Chair summed up the debate and expressed his support for the proposed development.

The motion was put to the vote and was carried, 10 voting in favour and 3 against.

(Note: After this decision, there was a brief adjournment for a natural break)

Items 6&7 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 the existing single storey lavatory block – The Case Officer reported on these applications and her recommendations to refuse permission/consent. The Update Report referred to receipt of amended and additional drawings on the proposals. A model of the stone clad door and closing mechanism was available for Members to view before the meeting.

The applicant made a statement in favour of the development which was followed by a statement by the Ward Councillor David Martin in support.

The Case Officer responded to queries about access to the roof garden. Councillor Ian Gilchrist stated that, having visited the site and heard the views of the Officer and the Ward Member, he considered that the benefits outweighed the disadvantages of the proposal and he therefore moved that the recommendation to refuse permission be overturned and permission be granted. The motion was seconded by Councillor Dave Laming.

Members debated the motion. Queries were raised by Members regarding the blind window being changed to a door for access to the roof terrace. The Case Officer responded. However, further doubts were raised on the matter and it was therefore decided to adjourn the meeting for Tea in which time further information could be obtained to clarify the matter.

The meeting therefore adjourned for Tea and reconvened after approximately 25 minutes. The Case Officer clarified the issue of the door which would not be as high as previously envisaged. She also clarified that the string course along the door area would be removed.

Members continued to discuss the scheme. Some aspects of the scheme were praised such as residential use and the removal of the lavatory block. However, various concerns were raised including removal of half a blind window for provision of the door and the loss of part of the string course. Mention was made of the viability of the scheme and the high specification to maximise profit. Councillor Dave Laming on reflection decided to withdraw the seconding of the motion. Councillor Vic Pritchard therefore seconded the motion.

Members continued to debate the motion. A Member considered that the scheme would benefit from the blind window remaining. The Team Manager stated that the motion would need to be amended for Officers to be given delegated authority to grant permission with appropriate conditions which was accepted by the mover and seconder. He stated that, as the Georgian Group had objected to the proposals, the application would need to be referred to the Secretary of State. The Group had stated that “this was a remarkable survival of a Georgian office building”. He continued by saying that there was little evidence to justify a viability argument by the applicant. The motion was put to the vote. Voting: 3 in favour and 7 against with 3 abstentions. Motion lost.

Councillor Bryan Organ therefore moved the Officer recommendation to refuse permission. Voting: 8 in favour and 3 against with 2 abstentions. Motion carried.

The application for listed building consent was then considered. Councillor Bryan Organ moved the Officer recommendation to refuse consent which was seconded by Councillor Les Kew. The motion was put to the vote. Voting: 8 in favour and 3 against with 2 abstentions. Motion carried.

(Note: Councillor Neil Butters left the meeting after consideration of this Item)

91 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 No. 2, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos. 1, 2, 4 and 5, a copy of 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 Greenlands, Bath Road, Farmborough – 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) – The Team Leader – Development Management reported on this application and the recommendation to grant permission subject to conditions.

The public speakers made their statements against and in favour of the application which was followed by a statement by the Ward Councillor Sally Davis.

Councillor Vic Pritchard considered that there was a consistency issue as apparently there was no difference between the earlier drawings and those provided for this scheme as pointed out by the Ward Councillor. He therefore moved that permission be refused which was seconded by Councillor Bryan Organ.

Members debated the motion. There was some support for the motion but most Members felt that the scheme had merit. It was considered that it was logical for the driveway to be provided for the garage and that it would be worse if the garage was at the top of the site on the main road. There were no good reasons to warrant refusal of permission. There was some discussion regarding the levels of the drive and the noise survey. The Team Manager – Development Management considered that, having listened to the debate, if Members wanted to refuse the application, the reasons as set on page 105 of the report could be relied upon to justify a refusal, namely, that the proposed ramped access, by reason of its design, size, height, bulk, mass and positioning, would have an overbearing impact upon the amenities of the occupiers of Conkers Cottage. This was accepted by the mover and seconder. He pointed to the reasons why permission should be granted as set out on page 106 of the report. The Chair summed up the debate and stated that he would not support refusal. Councillor Malcolm Lees requested that Officers ensure that the acoustic fence be of an appropriate standard should permission be granted.

After a long debate, the motion was put to the vote. Voting: 4 in favour and 8 against. Motion lost.

It was therefore moved by Councillor Rob Appleyard to accept the Officer recommendation to permit with conditions which was seconded by Councillor Dave Laming. The motion was put to the vote and was carried, 8 voting in favour and 4 against with 1 abstention.

Item 2 No 1 Rock Hall Cottages, Rockhall Lane, Combe Down, Bath – Erection of 1 dwelling and associated landscaping (Amendment of previously approved scheme Ref 13/04130/FUL) – The Case Officer reported on this application and her recommendation to grant permission with conditions. The Update Report advised that the recommended Condition 5 could be removed in view of the comments of the Land Contamination Officer.

The public speakers made their statements against and in favour of the application. The Ward Councillor Roger Symonds made a statement against the application.

Members asked questions regarding the increased size of the proposed development to which the Case Officer responded. Councillor Les Kew considered that this residential development and its size were appropriate for the site and moved approval of the Officer's amended recommendation. The motion was seconded by Councillor Malcolm Lees.

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

Item 3 Ministry of Defence, Warminster Road, Bathwick, Bath – Demolition of existing buildings and erection of 206 dwellings, 2 accesses from Warminster Road, vehicular parking, open space, landscaping (including tree removal), pumping station and associated engineering works – This application was withdrawn from the Agenda at the request of the developer and was not considered

Item 4 Pinesgate, Lower Bristol Road, Westmoreland, Bath – Erection of an office building (Use Class B1) with basement parking, associated infrastructure and landscaping following the demolition of existing office building – The Case Officer reported on this application and her recommendation to (A) authorise the Group Manager, in consultation with the Planning and Environmental Law Manager, to enter into a S106 Agreement to secure various obligations; and (B) on completion of the Agreement, grant permission with conditions.

The representative of the applicants made a statement in support of the proposal which was followed by a statement by the Ward Councillor Ben Stevens who gave his reasons for supporting the application.

Councillor Ian Gilchrist (Ward Member on the Committee) considered that this was a good scheme with no objections having been received and he therefore moved the Officer recommendation but with the recommended Condition 3 regarding the use of natural Bath stone being removed. The motion was seconded by Councillor Rob Appleyard.

Members debated the motion. Councillor Les Kew raised 3 queries regarding the use of Bath stone; the number of jobs that could be created; and there being no S106 contributions on the basis of viability when the scheme had been assessed as attracting an estimated £2M of contributions. Councillor Manda Rigby also queried the roof materials and stated that she could not support the removal of Condition 3.

The Team Manager responded that confirmation of materials was required and there was concern regarding the use of brick. He referred to an e-mail in which the applicants' agent had stated that a natural faced limestone façade was proposed (which was assumed to be Bath stone) but no sample had been received. A metal standing seam roof was proposed which was a fairly standard material. He also said that he considered that an agreement between Officers and the applicants could be reached about appropriate facing materials. The Team Manager continued by stating that a particular benefit of the proposal was that 589 jobs would be created. He also acknowledged that Members were concerned about the lack of financial contributions but the applicants had submitted a viability assessment in accordance with the Council's Planning Obligations SPD and that this assessment had been

checked by independent external consultants who confirmed that the proposal would not be viable if financial contributions were sought.

Members continued to discuss the issues of materials and the possibility of a road widening scheme at this point was raised. Some Members considered that a deferral would be a better way to proceed in view of some matters still needing confirmation. Councillor Rob Appleyard decided to withdraw his seconding of the motion and then moved that consideration be deferred for further details and samples of materials to be provided for Committee. The motion was seconded by Councillor Les Kew who also requested a technical briefing for Members on viability.

The motion was put to the vote and was carried, 11 voting in favour and 0 against with 1 abstention.

(Note: Councillor Bryan Organ left the meeting after consideration of this Item)

Item 5 Western Riverside Development Area, Midland Road, Westmoreland, Bath – Approval of reserved matters with regard to outline application Ref 06/01733/EOUT for the erection of 97 residential dwellings (Blocks B5 and B16), 750sq m of ground floor commercial uses, erection of bin and cycle stores, plant and associated landscaping works – The Case Officer reported on this application and his recommendation to grant permission with conditions. He updated the meeting and informed that the Health and Safety Executive had withdrawn their objection. The Ward Councillor June Player had sent a representation setting out her concerns and the reasons for objecting to the proposals.

The representative of the applicants made a statement in support of the proposals.

Councillor Dave Laming raised the issue of flood alleviation measures to which the Case Officer responded. Councillor Rob Appleyard was in favour of the proposals and moved the Officer recommendation which was seconded by Councillor Dave Laming.

Members briefly debated the motion and expressed their thanks to the applicants for producing such a good and innovative scheme.

The motion was put to the vote and was carried, 10 voting in favour and 0 against with 1 abstention.

Item 6 Hazeldene, Hazel Terrace, Westfield, Radstock – Erection of 2 semi-detached houses – The Case Officer reported on this application and her recommendation to grant permission with conditions.

Councillor Rob Appleyard as Ward Member on the Committee opened the debate. He considered that the development would fit in well with the existing development and would not be detrimental to the amenities of adjoining residents. He therefore moved approval of the Officer's recommendation which was seconded by Councillor Manda Rigby.

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

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

The report was noted

The meeting ended at 7.40 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL**Development Control Committee****Date****OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN AGENDA****ITEMS REFERRED FOR SITE VISITS**

Item No.	Application No.	Address
5.	14/03465/FUL	Carisbrooke Bathampton Lane Bathampton Bath

Bathampton Parish Council have written with regard to the previous report (on November's agenda) and have noted that the report incorrectly refers to north and south. This has been amended in the report. Their response also notes *"There is concern that the replacement building is larger than the existing one and it is suggested that in order to reduce the perceived height it is moved further south and lowered to the existing ground level. This would also mean that it is in line with the neighbouring house 'The Mead' rather than with 'Orchard House' which we think would be preferable."*

Item No.	Application No.	Address
6 and 7	14/03180/FUL and 14/03181/LBA	Cleveland House Sydney Road Bathwick Bath BA2 6NR

Following the previous debate at the committee meeting and the members' site visit, a number of amended and additional drawings were received from the applicant. These will be presented to the committee at the meeting.

The amendments seek to omit the glass balustrade on top of the parapet wall and to deepen the enclosed external roof space of the new extension to ensure compliance with the Building Regulations. The steps from the new opening would be narrower and steeper and constructed of timber. There will be no increase in height of the proposed extension.

Additional drawings indicate the site line towards the new door opening on the south elevation of the building and provide principle elevation comparison between the previously approved and currently proposed extensions. The applicant has also advised that a model of the stone-clad door will be prepared and demonstrated to the members during the committee meeting.

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
2.	14/03476/FUL	1 Rockhall Cottages Rock Hall Lane Combe Down Bath BA2 5JF

Following the submission of further contamination details these have considered by the Land Contamination Officer. The Land Contamination Officer has concluded that the only land contamination condition required is in relation to 'Reporting of Unexpected Contamination'. Condition 5 is therefore no longer required.

The plans list is updated to include:

Received 24th October 2014

Initial Pre-Planning Contamination Report, report no. 8698 October 2014

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

**MEMBERS OF THE PUBLIC WHO MADE A STATEMENT AT THE MEETING OF
THE DEVELOPMENT CONTROL COMMITTEE ON WEDNESDAY 10TH
DECEMBER 2014**

SITE/REPORT	NAME/REPRESENTING	FOR/AGAINST
SITE VISITS – REPORT 9		
10 Chapel Road, Clandown (Item 1, Pages 46-50)	Gary Peters (Applicant)	For
39 High Street, Keynsham (Item 2, Pages 51-57)	Tobie Holbrook (Applicant)	For
52 Sladebrook Road, Southdown, Bath (Item 3, Pages 58-64)	Grahame Starr Graham Baker (Applicant)	Against For
Land rear of 62 Sladebrook Road, Southdown, Bath (Item 4, Pages 65-74)	Shaun Ascott	Against
Carisbrooke, Bathampton Lane, Bathampton, Bath (Item 5, Pages 75-81)	Mr Simpkin <u>AND</u> Roger Steer Edward Lang (Applicant)	Against – To share 3 minutes For
Cleveland House, Sydney Road, Bathwick, Bath (Items 6&7, Pages 82-98)	Trevor Osborne (Applicant)	For – Up to 6 minutes
MAIN PLANS LIST – REPORT 10		
Greenlands, Bath Road, Farmborough (Item 1, Pages 102-108)	Mark Baldwin David Bissex (Applicants' Agent)	Against For
1 Rockhall Cottages, Rock Hall Lane, Combe Down, Bath (Item 2, Pages 109- 121)	Michael Thresher Simon Chambers (Applicants' Agent)	Against For
Pinesgate, Lower Bristol Road, Bath (Item 4, Pages 158-184)	Niall McLean (for the applicant)	For
Western Riverside Development Area, Midland Road, Bath (Item 5, Pages 185-197)	Debbie Aplin, Crest Nicholson (Applicants)	For

This page is intentionally left blank

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT CONTROL COMMITTEE

10th December 2014
SITE VISIT DECISIONS

Item No:	001		
Application No:	14/04167/FUL		
Site Location:	10 Chapel Road, Clandown, Radstock, Bath And North East Somerset		
Ward: Radstock	Parish: Radstock	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of single storey rear extension		
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs G Peters		
Expiry Date:	12th December 2014		
Case Officer:	Alice Barnes		

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 All external walling and roofing materials to be used shall match those of the existing building.

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

3 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:

Location plan/block plan 04C
Existing plans 01
Proposed plans 02D
Proposed elevations 03D

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.

Item No:	002		
Application No:	14/02693/FUL		
Site Location:	39 High Street, Keynsham, BS31 1DU,		
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	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.		
Constraints:	Agric Land Class 3b,4,5, City/Town Centre Shopping Areas, Conservation Area, Forest of Avon, Housing Development Boundary, Prime Shop Front,		
Applicant:	Cafe Grounded		
Expiry Date:	22nd October 2014		
Case Officer:	Suzanne D'Arcy		

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 Notwithstanding the submitted plans, no external plant, machinery, ventilation ducting or other similar apparatus shall be installed other than in accordance with details, which may include screening measures, that shall first have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: In the interests of residential amenity and the appearance of the development.

3 No development shall commence until a Noise Assessment of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The assessment shall inter alia determine the rating levels of noise arising from plant and equipment mounted on the buildings and background noise levels at the boundaries with the nearest noise sensitive properties, and include details of noise mitigation measures for the development taking into account the proposed uses of the building and hours of use. The development shall be carried out in accordance with the approved details and the

building shall not be occupied until the noise mitigation measures have been implemented. The said noise mitigation measures shall be retained in perpetuity.

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

4 The development shall not commence until a scheme for treating fumes and odours, so as to render them innocuous before their emission to the atmosphere, has been submitted to and approved in writing by the Local Planning Authority and the means of treating the fumes and odours shall be installed and be operational before the development is brought into use or occupied and maintained as such thereafter.

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

5 The use hereby approved shall not be carried on and no customer shall be served or remain on the premises outside the hours of 0900 - 2200 Sunday to Thursday and 0900 - 2300 Friday and Saturday

Reason: To safeguard the amenities of nearby occupiers.

6 The garden shown on the approved plans shall not be used by customers after 1900 on any day.

Reason: To safeguard the amenities of nearby occupiers

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

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

PLANS LIST:

This decision relates to drawings numbered 419 02, 03 and 09, received by the Council on 12th June 2014, drawing numbered 419 08 A, received by the Council on 15th July 2014, drawings numbered 419 04 B, 05 A, 06 B and 07 B, received by the Council on 26th August 2014 and drawing numbered 419 01 A, received by 27th 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 Policy Framework. For the reasons given, a positive view of the submitted proposals was taken and permission was granted.

ADVICE NOTE:

Where a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to a planning permission or where a request to discharge conditions is submitted a fee shall be paid to that authority. Details of the fee can be found on the "what happens after permission" pages of the Council's Website. Please send your requests to the Registration Team, Planning Services, PO

Box 5006, Bath, BA1 1JG. Requests can be made using the 1APP standard form which is available from the Planning Portal at www.planningportal.gov.uk.

The applicant should note that a separate highways licence is needed to allow the seating to be placed on the highway, and this should be applied for well in advance of the proposed opening.

Item No:	003		
Application No:	14/03372/OUT		
Site Location:	52 Sladebrook Road, Southdown, Bath, Bath And North East Somerset		
Ward: Southdown	Parish: N/A	LB Grade: N/A	
Application Type:	Outline Application		
Proposal:	Erection of 1 No. dwellings, a replacement garage, and associated works.		
Constraints:	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,		
Applicant:	Mr & Mrs Baker		
Expiry Date:	24th October 2014		
Case Officer:	Suzanne D'Arcy		

DECISION PERMIT Subject to conditions requiring the erection of a fence along with Number 54 Sladebrook Road.

Item No:	004	
Application No:	14/03261/FUL	
Site Location:	Land Rear Of 62, Sladebrook Road, Southdown, Bath	
Ward: Southdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 1no three bed dwelling.	
Constraints:	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Alan & Pamela Bevan & Lewis	
Expiry Date:	11th September 2014	
Case Officer:	Chris Griggs-Trevarthen	

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

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

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.

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

Reason: In the interests of amenity and highway safety.

5 The dwelling hereby approved shall not be occupied until a soft landscape scheme, incorporating wildlife friendly planting and features for wildlife such as bird and bat boxes, has been first submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation.

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

6 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.

7 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:

ST01
ST02A
ST03A
ST04A
ST05
PL01A
PL02A

DECISION MAKING 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.

ADVICE NOTE:

Where a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to a planning permission or where a request to discharge conditions is submitted a fee shall be paid to that authority. Details of the fee can be found on the "what happens after permission" pages of the Council's Website. Please send your requests to the Registration Team, Planning Services, PO Box 5006, Bath, BA1 1JG. Requests can be made using the 1APP standard form which is available from the Planning Portal at www.planningportal.gov.uk.

Item No:	005		
Application No:	14/03465/FUL		
Site Location:	Carisbrooke, Bathampton Lane, Bathampton, Bath		
Ward:	Bathavon North	Parish:	Bathampton
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of new house following the demolition of an existing 20th Century house		
Constraints:	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,		
Applicant:	Mr Edward Lang		
Expiry Date:	22nd October 2014		

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 No development shall commence until a sample panel of all external walling materials to be used has been 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 surrounding area.

3 The area shown as zinc on the drawings hereby approved shall be Rheinzink Preweathered in Graphite Grey unless otherwise approved in writing by the Local Planning Authority.

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

4 No development shall commence until an evaluation of the infiltration capacity of the land has been carried out to prove the viability of soakways. The Infiltration test results and soakaway design calculations shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: In the interests of flood risk management

5 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 (but not exclusively) details of deliveries (including storage arrangements and timings), contractor parking, traffic management and supervision, access restrictions, pedestrian safety and repair of damage to the public highway. The development shall thereafter be carried out in accordance with details so approved.

Reason: To ensure the safe operation of the highway.

6 The garage hereby approved 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.

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

Reason: In the interests of amenity and highway safety.

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

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

PLANS LIST:

This decision relates to drawings numbered 290-P101 - P1, -P102-P1, -S001-P1, -S101-P1, -S102-P1 and -S201-P1, received by the Council on 29th July 2014, drawings numbered 290-A101-002 and -S202, received by the Council on 13th August 2014 and drawings numbered 290-P001-B, -P201-B, -P203-B, -P205-B, -P301-B, -P302-B, -S202-B and -S204-B, received by the Council on 30th October 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 Policy Framework. For the reasons given, a positive view of the submitted proposals was taken and permission was granted.

ADVICE NOTE:

Where a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to a planning permission or where a request to discharge conditions is submitted a fee shall be paid to that authority. Details of the fee can be found on the "what happens after permission" pages of the Council's Website. Please send your requests to the Registration Team, Planning Services, PO Box 5006, Bath, BA1 1JG. Requests can be made using the 1APP standard form which is available from the Planning Portal at www.planningportal.gov.uk.

This permission does not convey or imply any civil or legal consents required to undertake the works.

Item No:	006	
Application No:	14/03180/FUL	
Site Location:	Cleveland House, Sydney Road, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: IISTAR
Application Type:	Full Application	
Proposal:	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).	
Constraints:	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,
Applicant:	Trevor Osborne Property Group
Expiry Date:	5th September 2014
Case Officer:	Sasha Coombs

DECISION REFUSE

1 The proposed works of alteration lack justification and would lead to substantial harm to the protected building by loss of important architectural features and composition, historic fabric and character. Furthermore the proposal would fail to either preserve or enhance the character and appearance of Bath Conservation Area and would be harmful to the setting of the listed building. For these reasons the proposed works are regarded as not preserving the architectural or historic interest and character of the heritage asset contrary to saved policies BH.2, BH.6 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

PLANS LIST:

OS Extract	09 Jul 2014	CH12	SITE LOCATION PLANS
Drawing	09 Jul 2014	CH20	DINING ROOM EXTERNAL DOOR
Drawing	09 Jul 2014	CH15	DOOR AND WINDOW DETAIL
Drawing	09 Jul 2014	CH21B	SECTIONS A, B, C, D AND RAILINGS
Drawing	09 Jul 2014	CH4C	SURVEY ELEVATIONS
Drawing	09 Jul 2014	CH3D	SURVEY PLANS
Revised Drawing	12 Nov 2014	CH.16.B	ROOF GARDEN, STEPS, HANDRAIL
Revised Drawing	12 Nov 2014	CH.18.C	PRELIMINARY SECTION
Revised Drawing	12 Nov 2014	CH.29	COMPARATIVE PARAPET LEVELS
Revised Drawing	12 Nov 2014	CH.30	ROAD ELEVATION
Revised Drawing	12 Nov 2014	CH.8.K	PROPOSED PLANS
Revised Drawing	12 Nov 2014	CH.9.H	PROPOSED ELEVATIONS

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. Despite the advice provided during the pre-application stages and the previous applications, the applicant chose to submit the scheme in its current form. The proposals were considered unacceptable for the reasons given and the applicant did not wish to withdraw the scheme. Having regard to the need to avoid unnecessary delay, the Local Planning Authority moved forward and issued its decision

Item No:	007
Application No:	14/03181/LBA

Site Location:	Cleveland House, Sydney Road, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: IISTAR
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	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.	
Constraints:	,	
Applicant:	Trevor Osborne Property Group	
Expiry Date:	5th September 2014	
Case Officer:	Sasha Coombs	

DECISION REFUSE

1 The proposed works of alteration lack justification and would lead to substantial harm to the protected building by loss of important architectural features and composition, historic fabric and character. Furthermore the proposal would fail to either preserve or enhance the character and appearance of Bath Conservation Area and would be harmful to the setting of the listed building. For these reasons the proposed works are regarded as not preserving the architectural or historic interest and character of the heritage asset contrary to Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework.

PLANS LIST:

OS Extract	09 Jul 2014	SITE LOCATION PLANS
Drawing	09 Jul 2014	DOOR AND WINDOW PLANS
Drawing	09 Jul 2014	EXISTING SKIRTING AND EXTERNAL DOOR
Drawing	09 Jul 2014	PRELIMINARY SECTION
Drawing	09 Jul 2014	PROPOSED ELEVATIONS
Drawing	09 Jul 2014	PROPOSED ELEVATIONS
Drawing	09 Jul 2014	PROPOSED FLOOR PLANS
Drawing	09 Jul 2014	ROOF GARDEN DOOR, STEPS & HANDRAIL
Drawing	09 Jul 2014	SECTIONS
Drawing	09 Jul 2014	SURVEY ELEVATIONS
Drawing	09 Jul 2014	SURVEY PLANS

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. Despite the advice provided during the pre-application stages and the previous applications, the applicant chose to submit the scheme in its current form. The proposals were considered unacceptable for the reasons given and the applicant did not wish to withdraw the scheme. Having regard to the need to avoid unnecessary delay, the Local Planning Authority moved forward and issued its decision

This page is intentionally left blank

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT CONTROL COMMITTEE

10th December 2014

DECISIONS

Item No:	01	
Application No:	14/03709/FUL	
Site Location:	Greenlands, Bath Road, Farmborough, Bath	
Ward: Farmborough	Parish: Farmborough	LB Grade: N/A
Application Type:	Full Application	
Proposal:	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)	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Mr And Mrs S Gould	
Expiry Date:	12th December 2014	
Case Officer:	Alice Barnes	

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 Prior to the first occupation of the dwelling the proposed acoustic fence between Greenlands and Conkers Cottage shall be erected and retained in perpetuity and should it be replaced then it shall be to a height and design which has first been agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: In the interests of residential amenity.

3 The existing vegetation on the boundary between Conkers Cottage and Greenlands shall be retained and should it be removed it 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.

Reason: In the interests of residential amenity

4 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.

5 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:

Site plan 14414-1 rev A

Floor plan elevation and section 14412-2

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

Item No:	02		
Application No:	14/03476/FUL		
Site Location:	1 Rockhall Cottages, Rock Hall Lane, Combe Down, Bath		
Ward: Combe Down	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of 1 no. new dwelling and associated landscaping . (Amendment of previously approved scheme 13/04130/FUL)		
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site,		
Applicant:	LYME (Bath) Ltd		
Expiry Date:	16th December 2014		
Case Officer:	Heather Faulkner		

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 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.

3 No development shall take place within the site until the applicant, or their agents or successors in title, has implemented the programme of archaeological work in accordance with the submitted written scheme of investigation prepared by Michael Heaton Heritage Consultants (April 2014).

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered.

4 Provision shall be made within the site for the disposal of surface water, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to construction.

Reason: In the interests of highway safety.

5 Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development, work must be ceased and it must be reported in writing immediately to the Local Planning Authority. The Local Planning Authority Contaminated Land Department shall be consulted to provide advice regarding any further works required. Unexpected contamination may be indicated by unusual colour, odour, texture or containing unexpected foreign material.

Reason: To ensure that risks from land contamination to the current and future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6 No development shall be commenced until a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all 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 and in the interests of Ecology.

7 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.

8 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 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 requires detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of the surrounding area.

9 The relevant part of the works shall not commence until a sample of the roofing material has for the rear extension has been submitted to and approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed.

Reason: To safeguard the character and appearance of the Building and the surrounding Conservation Area.

10 All works shall be completed in accordance with the Materials Schedule received on 18th November 2014 and in accordance with the sample panel on site which shall remain in situ for reference until the development is complete.

Reason: To safeguard the character and appearance of the Building and the surrounding Conservation Area.

11 No external lighting shall be installed without the prior approval, in writing, from the local planning authority.

Reason: to prevent excessive light spill provide dark corridors for wildlife and avoid harm to bat activity

12 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.

13 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 windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in either of the side elevations of the approved dwelling at any time unless a further planning permission has been granted.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy.

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

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

PLANS LIST:

This decision relates to the following drawings and documents:

Received 30th July 2014:

000 rev 00A Existing Site Layout
008 00A Site and Location Plan
Written Scheme of Archaeological Investigations for a Controlled Archaeological Watching
Brief prepared by Michael Heaton Heritage Consultants

Received 24th October 2014

Initial Pre-Planning Contamination Report, report no. 8698 October 2014

Received 30th October 2014:

001E Proposed Site Layout
003E Proposed Plans
007E Proposed Site elevation Rock Hall Lane (South West)

Received 11th November 2014:

009 Proposed Site Elevation
005E Proposed North -East South-West

Received 18th November 2014:

Materials Schedule

Received 24th November 2014:

002E rev 00E Proposed Site Layout with parking layout
004F Proposed South-East and North-West elevations
006 rev 00E Proposed Section

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. The application was

submitted and the concerns with the application were raised with the applicant during the application process the applicant was given the opportunity to address the concerns raised. Amended drawings were submitted which overcame the concerns and approval was recommended.

ADVICE NOTE:

Where a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to a planning permission or where a request to discharge conditions is submitted a fee shall be paid to that authority. Details of the fee can be found on the "what happens after permission" pages of the Council's Website. Please send your requests to the Registration Team, Planning Services, PO Box 5006, Bath, BA1 1JG. Requests can be made using the 1APP standard form which is available from the Planning Portal at www.planningportal.gov.uk.

Environmental Health Advisory Notes:

There are residential premises in close proximity to this site whose amenity could be affected during any construction or site clearance. Accordingly the following should be considered as part of the construction process:

- o No materials arising from the demolition of any existing structures, the construction of new buildings nor any material from incidental and landscaping works shall be burnt on the site.
- o The developer shall comply with the BRE Code of Practice to control dust from construction and demolition activities (ISBN No. 1860816126). The requirements of the Code shall apply to all work on the site, access roads and adjacent roads.
- o The requirements of the Council's Code of Practice to Control noise from construction sites shall be fully complied with during demolition and construction of the new buildings.

Due to an increase in gull activity in Bath and North East Somerset we would suggest that consideration is given to the proofing of any roof/flat surfaces against gulls nests.

Item No:	03
Application No:	14/02272/EFUL
Site Location:	Ministry Of Defence, Warminster Road, Bathwick, Bath
Ward: Bathwick	Parish: N/A LB Grade: N/A
Application Type:	Full Application with an EIA attached
Proposal:	Demolition of existing buildings and erection of 206 no. dwellings; 2 no. accesses from Warminster Road, vehicular parking; open space; landscaping (including tree removal); pumping station; and associated engineering works.
Constraints:	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Agric Land Class 3b,4,5, Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Forest of Avon,

	Hotspring Protection, MOD Safeguarded Areas, Sites of Nature Conservation Interest, World Heritage Site,
Applicant:	Square Bay (Bath) LLP
Expiry Date:	1st December 2014
Case Officer:	Daniel Stone

WITHDRAWN FROM AGENDA

Item No:	04	
Application No:	14/02619/FUL	
Site Location:	Pinesgate, Lower Bristol Road, Westmoreland, Bath	
Ward: Widcombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of an office building (use class B1) with basement parking, associated infrastructure and landscaping following the demolition of existing office building.	
Constraints:	Agric Land Class 3b,4,5, Article 4, British Waterways Major and EIA, Flood Zone 2, Flood Zone 3, Forest of Avon, General Development Site, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,	
Applicant:	Pinesgate Investment Company Ltd	
Expiry Date:	17th December 2014	
Case Officer:	Rachel Tadman	

Deferred to allow the applicant to submit details and samples of facing materials and for Members to receive a technical briefing on viability

Item No:	05	
Application No:	14/02005/ERES	
Site Location:	Western Riverside Development Area, Midland Road, Twerton, Bath	
Ward: Westmoreland	Parish: N/A	LB Grade: N/A
Application Type:	Reserved Matters App with an EIA	
Proposal:	Approval of reserved matters with regard to outline application 06/01733/EOUT for the erection of 97 residential dwellings (blocks B5 and B16), 750m2 of ground floor commercial uses, erection of bin and cycle stores, plant, and associated landscaping works.	

Constraints:	Agric Land Class 3b,4,5, British Waterways Major and EIA, British Waterways Minor and Householders, Flood Zone 2, Flood Zone 3, Forest of Avon, General Development Site, Hazards & Pipelines, Hotspring Protection, MOD Safeguarded Areas, Sites of Nature Conservation Interest, World Heritage Site,
Applicant:	Crest Nicholson Operations Ltd
Expiry Date:	12th December 2014
Case Officer:	Chris Griggs-Trevarthen

DECISION PERMIT

1 Unless otherwise agreed in writing with the Local Planning Authority, the lighting mitigation measures related to building B5 as set out within Scenario 4 of the Hoare Lea Illumination Impact Profile (reference 16-02229-110813-LG-CN IIP-01/P6, dated November 2014) shall be implemented prior to the occupation of any of the dwellings within building B5. Details of the proposed screen along the river edge shall be submitted to, and approved in written by, the Local Planning Authority prior to its construction. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: In the interests of preventing excessive light spill onto the river and to protect the interests of ecology.

2 Unless otherwise agreed in writing with the Local Planning Authority, the lighting mitigation measures related to building B16 as set out within Scenario 4 of the Hoare Lea Illumination Impact Profile (reference 16-02229-110813-LG-CN IIP-01/P6, dated November 2014) shall be implemented prior to the occupation of any of the dwellings within building B16. Details of the proposed screen along the river edge shall be submitted to, and approved in written by, the Local Planning Authority prior to its construction. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: In the interests of preventing excessive light spill onto the river and to protect the interests of ecology.

3 A schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, shall be submitted to and approved in writing by the Local Planning Authority, prior to the use of any such external material on site. 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 character and appearance of this part of the World Heritage Site.

4 Prior to the construction of each of the elements set out below, detailed plans at a scale to be agreed in writing with the local planing authority (and/or written details where appropriate) shall be submitted to and approved by the Local Planning Authority, of each of those elements:-

fenestration,
balconies,
railings, including to external stairways
coursing and pointing of the stone
rainwater goods

Development shall then only take place in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, within the World Heritage Site.

5 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:

The following drawings and documents form part of the application:

0193_B16_0010
0193_B16_0010 REV4
0193_B16_0100 REV3
0193_B16_0101 REV3
0193_B16_0102 REV3
0193_B16_0103 REV3
0193_B16_0104 REV3
0193_B16_0105 REV3
0193_B16_0106 REV3
0193_B16_0107 REV3
0193_B16_0108 REV3
0193_B16_0109 REV3
0193_B16_0201 REV2
0193_B16_0202 REV2
0193_B16_0301 REV2
0193_B16_0302 REV2
0193_B16_0303 REV2
0193_B16_0304 REV2
0193_B5_0010 REV 3
0193_B5_0100 REV3
0193_B5_0101
0193_B5_0102 REV.3
0193_B5_0103 REV3
0193_B5_0104 REV3
0193_B5_0105 REV3
0193_B5_0106 REV 3
0193_B5_0108 REV3
0193_B5_0201 REV2
0193_B5_0202 REV2
0193_B5_0301 REV2
0193_B5_0302 REV2
0193_B5_0303 REV02

0193_B5_0304 REV2
0193_B5_1107 REV 3
0193_B5_B16_0001
Hoare Lea Lighting - Illumination Impact Profile - Nov 2014

Design and access statement - May 2014
Updated photomontages for B5 and B16 - EDP167_08a - April 2014

DECISION MAKING 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.

Item No:	06	
Application No:	14/03849/OUT	
Site Location:	Hazeldene, Hazel Terrace, Westfield, Midsomer Norton	
Ward: Westfield	Parish: Westfield	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Erection of 2no. semi-detached houses.	
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Flower & Hayes Ltd	
Expiry Date:	12th December 2014	
Case Officer:	Alice Barnes	

DECISION APPROVE

1 The development hereby approved shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

2 Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

3 Approval of the details of the appearance, landscaping, scale, access and layout of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development is commenced.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act (as amended) and Articles 1 and 3 of the General Development Procedure Order 1995 (as amended).

4 A Desk Study and Site Reconnaissance (walkover) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment of the site. The desk study shall include an assessment of the risks in relation to potential contaminants. The Desk Study shall be submitted to and approved in writing by the Local Planning Authority. Should the Desk Study identify the likely presence of contamination on the site, whether or not it originates on the site, then full characterisation (site investigation) shall be undertaken in accordance with a methodology which shall previously have been agreed in writing by the Local Planning Authority. Where remediation is necessary, it shall be undertaken in accordance with a remediation scheme which is subject to the approval in writing of the Local Planning Authority.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

5 In the event that unexpected contamination is found at any time when carrying out the approved development, work must be ceased and it must be reported in writing immediately to the Local Planning Authority. The Local Planning Authority Contaminated Land Department shall be consulted to provide advice regarding any further works required. Unexpected contamination may be indicated by unusual colour, odour, texture or containing unexpected foreign material.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

6 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:

Site location plan PL_01
Proposed site plan PL_03

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy 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.

