

Bath & North East Somerset Council

MEETING: **Development Control Committee**

MEETING DATE: **5th June 2013**

AGENDA
ITEM
NUMBER

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RESPONSIBLE OFFICER: Lisa Bartlett, Development Manager, Planning & Transport Development (Telephone: 01225 477281)

TITLE: **APPLICATIONS FOR PLANNING PERMISSION – SITE VISITS**

WARDS: ALL

BACKGROUND PAPERS:

AN OPEN PUBLIC ITEM

BACKGROUND PAPERS

List of background papers relating to this report of the Development Manager, Planning and Transport Development about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
 - (i) Sections and officers of the Council, including:
 - Building Control
 - Environmental Services
 - Transport Development
 - Planning Policy, Environment and Projects, Urban Design (Sustainability)
 - (ii) The Environment Agency
 - (iii) Wessex Water
 - (iv) Bristol Water
 - (v) Health and Safety Executive
 - (vi) British Gas
 - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
 - (viii) The Garden History Society
 - (ix) Royal Fine Arts Commission
 - (x) Department of Environment, Food and Rural Affairs
 - (xi) Nature Conservancy Council
 - (xii) Natural England
 - (xiii) National and local amenity societies
 - (xiv) Other interested organisations
 - (xv) Neighbours, residents and other interested persons
 - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

The following notes are for information only:-

- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers relevant to an

application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

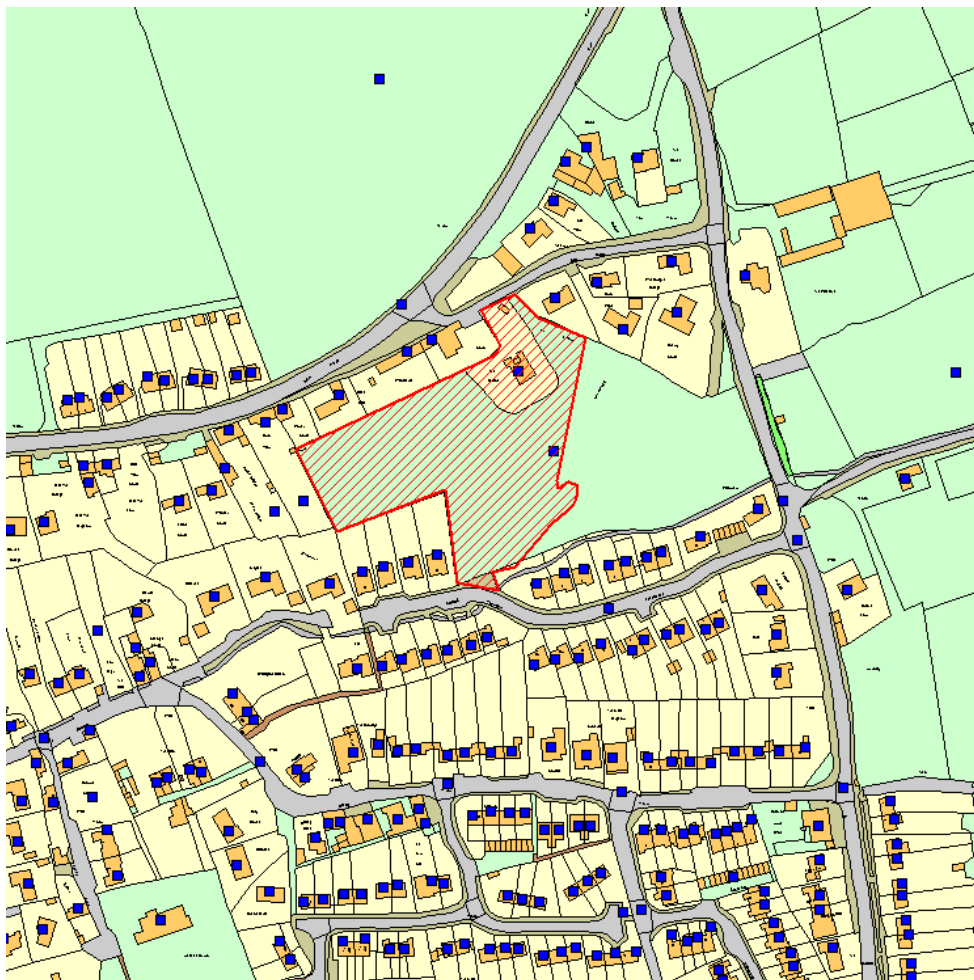
- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

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ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
01	12/04318/OUT 31 January 2013	The Executors Of The Estate Of The Late Miss M R James Land Between Old Lane And Conygre Brook, Old Lane, Farmborough, Bath, Erection of 12no dwellings and construction of vehicular and pedestrian accesses following demolition of bungalow	Farmborough	Jonathan Fletcher	Delegate to PERMIT

REPORT OF THE DEVELOPMENT MANAGER OF PLANNING AND TRANSPORT
DEVELOPMENT ON APPLICATIONS FOR DEVELOPMENT
SITE VISIT

Item No: 01
Application No: 12/04318/OUT
Site Location: Land Between Old Lane And Conygre Brook Old Lane Farmborough Bath



Ward: Farmborough **Parish:** Farmborough **LB Grade:** N/A
Ward Members: Councillor S Davis
Application Type: Outline Application
Proposal: Erection of 12no dwellings and construction of vehicular and pedestrian accesses following demolition of bungalow
Constraints: Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Sites of Nature Conservation Imp (SN),
Applicant: The Executors Of The Estate Of The Late Miss M R James
Expiry Date: 31st January 2013
Case Officer: Jonathan Fletcher

REPORT

REASON FOR REPORTING THE APPLICATION TO COMMITTEE: The consultation response from Farmborough Parish Council raises an objection to the application and a request has been received from Councillor Sally Davis for the application to be referred to the Development Control Committee (DCC) if officers are minded to approve. The Chair has agreed for the item to be considered by the DCC.

This application was considered by the Committee at its meeting on 08 May 2013 however the application was deferred in order to allow members to undertake a site visit.

DESCRIPTION OF SITE AND APPLICATION: The application relates to a site located within the Farmborough housing development boundary. The site forms part of a large open field which is bounded by residential development to the north, west and south. The application seeks outline planning permission for the erection of twelve dwellings and the construction of an access road. The layout, appearance and landscaping are indicated to be reserved matters with access and scale to be determined at this stage.

The development is comprised of a mixture of single storey, two storey and split level dwellings. An existing access from Old Lane is proposed to be altered to serve ten dwellings with the two remaining dwellings fronting onto Bridge Gardens to the south boundary of the site. There is a single storey detached dwelling located to the west of the access from Old Lane which is proposed to be demolished to accommodate the layout of the development.

RELEVANT PLANNING HISTORY:

11/05112/OUT - RF - 6 February 2012 - Erection of 8no. bungalows and construction of access.

11/05123/OUT - RF - 8 February 2012 - Erection of 2no. dwellings and formation of access (adjacent to 13 Bridge Gardens).

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

CONSULTATIONS AND REPRESENTATIONS:

Affordable Housing: The development generates an affordable housing contribution of 4 dwellings which should be secured by legal agreement.

Arboricultural Officer: The revised layout of the site is welcomed with the retention of T7 and T10. A Tree Preservation Order has since been made on T7 (Walnut). No objection is raised to the proposal subject to a condition to secure an Arboricultural Method Statement.

Ecologist: The information submitted indicates that no European Protected Species licence is needed for this proposal with respect to bats and the proposal would not cause harm to otters. No objection is raised to the proposal subject to a condition to secure a Wildlife Protection and Enhancement Scheme.

Environment Agency: No comments

Environmental Health Officer: No objection is raised to the proposal subject to a condition to ensure appropriate sound attenuation measures are incorporated into the development.

Flood Risk Management Technician: A surface water drainage strategy following Sustainable Drainage (SuDS) principles should be submitted to support the application.

Highway Development Officer: The new access incorporating a 'left out only' arrangement is considered to be sufficient to serve 10 dwellings. The impact of the addition of two dwellings on Bridge Gardens is not considered to be significant. No objection is therefore raised to the development subject to five conditions relating to layout, surfacing materials, off-street parking and turning provision, retention of garages and management of the construction phase of the development.

Landscape Architect: The revised scheme is considered to provide a better use of the available land and the footpath is welcomed. No objection is raised to the proposal subject to conditions to secure a landscape scheme and tree protection measures.

Parks and Open Spaces: A contribution of £20,220.75 is sought for formal open space provision and £921.69 for allotment provision.

Urban Designer: The level of development being proposed is considered to create potential issues in relation to residential amenity. Landscape boundaries would need to be considered in light of these issues. The more comprehensive approach to the development of the site is considered to create an improved indicative landscape strategy.

Wessex Water: Waste water connections will be required from Wessex Water to serve the proposed development. It is recommended that the applicant contacts Wessex Water Sewer Protection Team for further advice in relation to the relocation of the sewer.

Representations: 46 representations have been received in objection to the application which raise concern in relation to;

- the unsustainable location of the site
- the loss of an open space/amenity land
- highway safety
- residential amenity
- the visual impact of the development
- flood risk
- drainage
- access to mains services
- ecology
- over supply of housing within the village
- the provision for waste collection.

POLICIES/LEGISLATION

Bath and North East Somerset Local Plan (including minerals and waste policies) - adopted October 2007.

The following policies are relevant in this case:

SC.1: Settlement classification

HG.4: Residential development in the urban areas and R.1 settlements
HG.8: Affordable housing on allocated and large windfall sites
D.2: General design and public realm considerations
D.4: Townscape considerations
T.24: General development control and access policy
T.26: On-site parking provision
NE.1: Landscape character
NE.4: Flood Risk
SR.3: Provision of recreational facilities to meet the needs of new development
BH.15: Visually important open spaces

Bath & North East Somerset Draft Core Strategy December 2010

At its meeting on 4th March 2013 the Council approved the amended Core Strategy for Development Management purposes. Whilst it is not yet part of the statutory Development Plan the Council attaches substantive weight to the amended Core Strategy in the determination of planning applications in accordance with the considerations outlined in paragraph 216 of the National Planning Policy Framework. However for those policies concerning housing given the significant unresolved objections in respect of housing only limited weight is attached to these policies.

The following policies are relevant in this case:

RA2: Development in Villages outside the Green Belt not meeting Policy RA1 Criteria
CP5: Flood Risk Management
CP6: Environmental Quality
CP9: Affordable Housing
CP10: Housing Mix

National Planning Policy Framework (NPPF) - March 2012

The NPPF guidance in respect of the issues which this particular application raises does not conflict with the Local Plan policies set out above.

OFFICER ASSESSMENT

INTRODUCTION: The primary issues to consider when determining this application relate to the principle of new residential development in this location, the visual impact of the development, highway safety, residential amenity, affordable housing and ecology. The application site was previously divided into two sites with planning permission being sought for two dwellings on Bridge Gardens and eight dwellings accessed from Old Lane. Both applications were refused due to concerns relating to urban design, residential amenity, landscaping and the lack of affordable housing. The current application seeks to overcome these concerns through a comprehensive approach to the development of both sites within a single site boundary.

PRINCIPLE OF THE DEVELOPMENT: The site lies within the Farmborough housing development boundary and policy HG.4 of the Local Plan confirms that new residential development is acceptable in principle in this location. The representations which have been submitted draw attention to the criteria set out in policy RA1 of the draft Core Strategy which requires a village to possess three key facilities in order to accommodate

new development in and adjoining the housing development boundary. Firstly, it should be noted that this document can only be given limited weight as it is not adopted and does not therefore form part of the development plan for Bath and North East Somerset. It is recognised however that Farmborough does not meet the criteria of policy RA1 as there is currently no local convenience shop or post office within the village. Policy RA2 should therefore be considered instead which confirms that new residential development is acceptable in principle within the housing development boundary.

It should be noted that residential development on other sites within Bath and North East Somerset which fall outside of housing development boundaries are currently being considered on the basis of the presumption in favour of sustainable development, as set out in the NPPF unless restrictive designations dictate otherwise. Although the Local Plan policies relating to housing development boundaries are not considered to be up-to-date for the purposes of the assessment within the NPPF, the current proposal does not represent a departure from these Local Plan policies and the provision of housing is in line with a key aim of the NPPF therefore the principle of development does not need to be considered on this basis. The delivery of housing is however a key material consideration which can be taken into account when determining the application.

VISUAL IMPACT: The application site forms part of an open field which is bounded by residential development to the north, south and west. The ten dwellings proposed to the upper part of the site would be closely related to the properties located to the north of the application site on Bath Road which are predominantly two storey buildings, constructed from natural rubble stone. The application site is also bounded to the east by the curtilage of two properties which have recently been completed following planning permission being granted in 2010 (ref: 09/04896/FUL). The topography of the surrounding landscape slopes down from north to south and the development area for the ten dwellings has been defined in response to these contours utilising the plateau to the northwest corner. The two dwellings to the south of the site would be constructed between the existing rows of properties on Bridge Gardens and Bellifants.

A key consideration in relation to this proposal is the value of retaining this field as undeveloped land due to its importance as an open space in accordance with policy BH.15. This land was previously designated as a visually important open space under the Wansdyke Local Plan however, following the comments set out in the Inspector's Report for the Bath and North East Somerset Local Plan Inquiry, such sites under policy BH.15 must now be assessed on a case-by-case basis. In this instance the open field is deemed to be a significant characteristic of this part of the village and therefore careful consideration has been given to the impact of the proposed development in this regard. The Council's Landscape Architect has raised particular concern in relation to the loss of open space adjacent to Timsbury Road however a development within the red line boundary set out in this application is deemed to be less contentious. These properties would be contained between the existing residential development surrounding the site and would be sufficiently separated from the remaining undeveloped section of the field by virtue of the topography of the landscape. The proposal is not therefore deemed to be contrary to policy BH.15 in that the application site does not form part of a visually important open space.

Concern was raised in relation to the two previous applications regarding the lack of a comprehensive approach to the development of the site with reference to the fact that the

area within the blue line is entirely under the ownership of the applicant. The revised scheme has been submitted under a single application with a red line boundary incorporating all twelve dwellings and a landscaped footpath. This approach would support an improved layout which would facilitate connectivity for pedestrian movement through the site and an appropriate landscape setting. It should be noted however that layout and landscaping are reserved matters which would need to be given further consideration under a subsequent application. It is recommended that conditions are attached at this stage to secure the provision of a landscape scheme incorporating the footpath.

The scale of the development proposed is considered to be acceptable in this context. The Council's Urban Designer has noted that the incorporation of two storey buildings on the upper part of the site would not harm local character. The demolition of the existing bungalow on the site and the rerouting of the sewer line provides greater flexibility to form the curtilages of the ten properties to the north of the site. The scale of the two dwellings fronting onto Bellifants would be consistent with the existing properties adjacent to the site. The layout, appearance and landscaping of the development will be critical in assessing the visual impact of the final scheme which there will be an opportunity to revisit at reserved matters stage. An appropriate pallet of materials would be expected which respond to the properties surrounding the application site.

Although further details will need to be considered in relation to the layout, appearance and landscaping for the development, the scale of the dwellings proposed is deemed to be acceptable at this stage.

HIGHWAY SAFETY: A number of concerns have been raised through the consultation process for the previous and current applications in relation to the impact of the development on highway safety. The Council's Highway Development Officer has undertaken an assessment of the revised proposal and has concluded that the proposed access arrangement, which is to be determined at outline stage, would be acceptable to serve the development.

It is recognised that the junction of Old Lane onto Timsbury Road provides a substandard level of visibility for vehicles egressing at this point and therefore the intensified use of this junction could not be supported. The junction of Old Lane onto the A39, Bath Road meets current design standards and could accommodate additional traffic movements. The application has been submitted with a left turn only egress from the application site in order to force traffic to use the junction to the west onto the A39. This would need to be supported by a Traffic Regulation Order. The increase in the number of dwellings from eight to ten which would be served by this access is considered to be acceptable given that the existing bungalow would be demolished.

The impact of the vehicular movements created by the two dwellings to the south of the site would not be significant in terms of the operation of Bridge Gardens and Bellifants. The majority of the existing properties benefit from at least two parking spaces and consequently the demand for on-street parking does not adversely impact on road safety.

RESIDENTIAL AMENITY: The representations which have been received through the consultation process for the previous and current applications have raised concern in relation to the loss of privacy and the increased levels of disturbance which would be

created by the development. The introduction of two storey development has increased the potential for overlooking and indeed the Council's Urban Designer has recommended that the proposal is not acceptable in its current form on this basis. As noted above however, the rerouting of the sewer line would allow greater flexibility for the layout of the site. The previous application for eight dwellings was refused on the basis of the proximity of Plot 4 to Rose Cottage located to the north of site. The indicative layout which has been provided includes annotations to demonstrate the outlooks from the primary habitable rooms of the proposed dwellings. The restriction of windows to specific elevations and a commitment to achieving adequate separation distances between the existing and proposed properties could ensure that overlooking is prevented. Moreover, it may be necessary to reduce the level of two storey development where overlooking is unavoidable from individual plots once the floorplans are available for consideration.

The indicative layout is considered to be sufficient to demonstrate that a finalised scheme could be formulated to prevent an adverse impact on residential amenity. Separation distances of at least 20m would be maintained from the adjacent dwellings to the north and south of the site where there is an outlook from a primary habitable room. Plot 6 would be located 16m from the adjacent property and consequently two storey development is unlikely to be acceptable in this area. In general terms it is noted that the proposed layout is however heavily reliant on the limitation of windows to certain elevations and the orientation of properties to achieve outlooks at an oblique angle. These issues would need to be given careful assessment under a subsequent application for reserved matters, the siting of windows being considered under appearance and the siting of buildings under layout.

It is considered to be necessary to remove permitted development rights for extensions and alterations to the dwellings given that the development will be reliant on restricting outlooks to certain elevations and maintaining separation distances.

The Council's Environmental Health Officer raised an objection to the previous applications based on the lack of a noise survey. The current application is supported by a noise assessment which demonstrates the site falls into noise exposure category C and consequently it is recommended that sound attenuation measures are secured by condition.

The wider issues which have been raised in relation to the level of disturbance created by the development are not considered to be sufficient to warrant a refusal of the application. The level of noise generated by a residential development of this density would not exceed levels which are to be expected in this context. The site is capable of providing adequate facilities for refuse collection and this issue could also be addressed by condition.

ECOLOGY: A Phase 1 Habitat Survey has been provided which confirms that the demolition of the existing bungalow would not have an adverse impact on bats. An updated survey was provided in response to a representation indicating that an otter had been sighted in the area which concluded that the adjacent brook is not a suitable habitat for otters.

PLANNING OBLIGATIONS: The previous applications were refused as the proposals amounted to the piecemeal development of the site which circumvented the requirement

for affordable housing. The current application for a net development of eleven dwellings on a site area of over 0.5 hectares would generate an affordable housing requirement of four dwellings. This is recognised in the heads of terms provided with the application. Further contributions of £21142.44 are sought in relation to the enhancement of existing open space and allotment provision.

A request has been received from the Council's Highway Development Officer for a contribution of £36002.74 for strategic highways works to fund transport schemes within Bath. These contributions are sought on the basis that a proportion of the future occupiers of the site are likely to regularly travel to Bath which would place demand on transport services within the City. The tests set out in The Community Infrastructure Levy Regulations 2012 require that planning obligations must be; necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development. In this instance the provision of transport scheme are not considered to be directly related to the development and consequently a contribution would not be necessary to make the development acceptable in planning terms. It is therefore not deemed to be reasonable to request this contribution. Aside from the strategic highways contributions, the local works relating to clearance and kerbing of the north side of Old Lane opposite the access to the development are considered to be appropriate.

CONCLUSION: In light of the points raised above the proposal for outline planning permission is considered to be acceptable and is recommended for approval. The issues relating to residential amenity could be reassessed under a subsequent application for reserved matters. Financial contributions would be sought on the basis of a section 106 legal agreement as set out in the heads of terms below.

RECOMMENDATION

Authorise the Development Manager, in consultation with the Planning and Environmental Law Manager, to enter into a section 106 agreement to secure the following:

1. Transport

Clearance and kerbing of the north side of Old Lane, from opposite the access to the development towards its junction with the A39, to maximise the carriageway width.

2. Affordable Housing

The provision, on site, of 35% Affordable Housing the housing mix to be agreed in writing with Bath and North East Somerset Council.

3. Open Space and Recreational Facilities

£20,220.75 to fund the enhancement of existing open space provision.

£921.69 to fund the enhancement of existing allotment provision.

and grant permission subject to the following conditions:

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 Application 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 layout, appearance and landscaping 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 No development shall commence until a sample panel of all external walling and roofing materials to be used has been erected on site and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and the samples shall be kept on site for reference until the development is completed.

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

5 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.

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 No demolition 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 that 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 records. The statement should also include the control of potentially harmful operations such as the demolition of the existing building and ground preparation; proposed level changes; the storage, handling and mixing of materials on site, burning, location of site office, service run locations and movement of people and machinery.

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

8 No development or other operations shall take place except in complete accordance with the approved Detailed Arboricultural Method Statement unless agreed in writing by the Local Planning Authority.

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

9 On completion of the works but prior to any occupation of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise in accordance with BS8233:1999. The following levels shall be achieved: Maximum internal noise levels of 30dBLAeq,T for living rooms and bedrooms. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLAmax.

Reason: In the interest of residential amenity

10 The proposed roads, including footpaths and turning spaces where applicable, 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.

11 No development shall commence until plans showing the access, parking and turning areas have been submitted to and approved in writing by the Local Planning Authority. All areas shall be surfaced in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority and constructed before the dwellings are occupied and shall not be used other than for the access, parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

12 The garaging 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.

13 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority which shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management.

Reason: To ensure the safe operation and ongoing condition of the highway.

14 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.

15 No dwelling shall be occupied until its associated screen walls/fences or other means of enclosure have been erected, details of which shall have first been submitted and approved in writing by the Local Planning Authority. The means of enclosure shall thereafter retained in accordance with these approved details.

Reason: In the interests of privacy and/or visual amenity.

16 No development shall commence until plans detailing the existing and proposed site levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To clarify the terms of the planning permission.

PLANS LIST:

SITE LOCATION PLAN received 19 November 2012.

1580/02 REV G, 1580/03 REV C received 21 January 2013 subject to details approved under a subsequent application for reserved matters.

REASONS FOR GRANTING APPROVAL:

1. New residential development is acceptable in principle in this location. Further consideration can be given to the impact of the development under a subsequent application for appearance, layout and landscaping which are reserved matters. The scale of the development would not have an adverse impact on the visual amenity of the surrounding area. The proposed access to the site would not have an adverse impact on highway safety. The development could be implemented in a manner which would maintain the residential amenity of adjacent occupiers.

2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A

BH.15, NE.1, HG.4, HG.8, T.24, T.26, D.2 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

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, and expanded upon in a related case officer's report, a positive view of the revised proposals was taken and planning permission was granted.