

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

5th June 2013

SITE VISIT DECISIONS

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
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				

DECISION 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.

4. To protect adjoining open space from future development.

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 30dB_LA_{eq,T} for living rooms and bedrooms. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dB_LA_{max}.

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.

17 No development shall commence until a surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. This should include approval in principle of the proposed system from the adopting body. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by adequate surface water drainage provision.

18 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 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.