

**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**12th March 2014**

**SITE VISIT DECISIONS**

<b>Item No:</b>	001	
<b>Application No:</b>	13/04303/FUL	
<b>Site Location:</b>	22 Rotcombe Vale, High Littleton, Bristol, Bath And North East Somerset	
<b>Ward:</b> High Littleton	<b>Parish:</b> High Littleton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a two storey 3no. bedroom house in front garden.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary,	
<b>Applicant:</b>	Mr Jonathan Cowley	
<b>Expiry Date:</b>	13th December 2013	
<b>Case Officer:</b>	Daniel Stone	

**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 provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the proposed first floor rear rooflights shall be glazed with obscure glass and shall be permanently maintained thereafter as such.

Reason: To safeguard the amenities of the future and residents of the adjoining property from overlooking and loss of privacy.

3 The gradient of the driveway shall not exceed 1 in 15.

Reason: In the interests of highway safety.

4 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.

5 Before the dwelling hereby permitted is first occupied the area between the nearside carriageway edge and a line drawn 2.0m parallel thereto over the entire frontage shall be cleared of any obstruction to visibility at and above a height of 1050mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highway safety.

6 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.

7 The tree protection shall be carried out strictly in accordance with the approved Tree Protection Method Statement prepared by B J Unwin Forestry Consultancy. A notification of completion shall be submitted to the Local Planning authority when the tree protection measures are in place.

Reason: To protect the mature oak tree adjacent to the development site.

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 extension, external alteration or enlargement of the dwelling or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: As a result of the constrained size of the application site and proximity to surrounding dwellings, any further extensions require detailed consideration by the Local Planning Authority to safeguard the amenities of the surrounding area.

## DECISION TAKING STATEMENT

The Council has worked proactively and positively with the applicants by determining the application as submitted.

This decision relates to the Design and Access statement, tree protection method statement, topographical survey, site location plan and drawing nos DD/JC/PLN/001 A, DD/JC/PLN/002 A, DD/JC/PLN/003 A, DPD/JC/PROP\_SL/001 and DPD/JC/PROP\_SL/002 received 4th October 2013 and DPD/JC/PROP\_SL/003 building for life 12 assessment and DPD/JC/PROP\_SL/003 site cross section and proposed levels of new dwelling received 18th October 2013.

<b>Item No:</b>	002
<b>Application No:</b>	13/03562/OUT
<b>Site Location:</b>	Parcel 3300, Temple Inn Lane, Temple Cloud, Bristol
<b>Ward:</b> Mendip	<b>Parish:</b> Cameley <b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application
<b>Proposal:</b>	Development of the site for residential purposes (approximately 70 dwellings), with associated public open space, landscaping and parking. Primary vehicular access from Temple Inn Lane to be determined, (internal access, layout, scale, appearance and landscaping reserved for subsequent approval).
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenfield site, Public Right of Way, Tree Preservation Order,
<b>Applicant:</b>	Mr E Bruegger
<b>Expiry Date:</b>	29th November 2013
<b>Case Officer:</b>	Daniel Stone

## DECISION

A. Authorise the Planning and Environmental Law Manager to permit subject to a Section 106 Agreement to secure:

### Transport and Accessibility

1. £75,000 towards the cost of speed restraint measures and safety schemes (including vehicle activated signs) on the A37 which will help improve the operation of the Temple Inn Lane junction;
2. £10,000 to fund the rationalisation of signage on the junction of Temple Inn Lane with the A37; or part thereof should planning application 13/04456/FUL be approved.
3. £50,000 towards the enhancement of public transport to serve the proposed development;
4. The provision of a direct public footpath link to Cameley Church of England Primary School (diverting Public Footpath CL 1/3) and contributions of £8,000 to fund any associated admin costs and construction costs, any unused funds to be returned to the developer.
5. The provision in perpetuity of a pedestrian link between the south-west corner of the site and footpath CL1/4 to provide a continuous and convenient legal route towards the southern edge of the village for residents of this part of the development. This link shall be available for public use at all times; and
6. The implementation of the site access works shown in drawing 12001/200 the works to be completed prior to the first occupation of the development.

## Affordable Housing

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

## Open Space and Recreational Facilities

8. Contributions to fund the provision of formal open space and allotments off-site to serve the population, and fund the maintenance of any open space provided within the development, the amount of the contribution to be calculated prior to reserved matters consent being granted in accordance with the Supplementary Planning Document entitled Planning Obligations, adopted July 2009, or any equivalent subsequently adopted Document. The agreed contributions shall be paid prior to the occupation of the development.

9. Details of the arrangements for the on-site maintenance of public open space, local food production area and existing/proposed trees, hedgerows and landscaping.

## Education

10. Contributions to fund the need for primary school places and Youth Services provision places arising from the development, the amount of the contribution to be calculated prior to reserved matters consent being granted and calculated in accordance with the Supplementary Planning Document entitled Planning Obligations, adopted July 2009, or any equivalent subsequently adopted Document. The agreed contributions shall be provided prior to the commencement of development.

## Community Facilities

11. Contribution of £80,000 towards the upgrading of Village Hall facilities (extensions and resurfacing of car park)

## Protection of northern Hedgerow

12. The applicant and subsequent house owners backing onto the north-eastern hedge boundary shall commit:

a. To not cut back the hedgerow on the north-eastern boundary of the site beyond the line of the post and wire fence forming the boundary of the Property and not to reduce the height of such hedgerow below [ x ] nor the width of it below [ x ].

b. To maintain the hedgerow [shown [ ] on the Plan] in so far as it forms the boundary of the Property and carry out such pruning or cutting as may be necessary (subject always to the covenants in clause [ ] above) and where within a period of five years from the date of the development being completed such hedgerow dies, is removed, becomes seriously damaged or diseased to replace the same within 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.

These commitments are to be written into covenants to be placed on each of the plots abutting the hedgerows.

B. Subject to the prior completion of the above agreement, authorise the Development Manager to PERMIT subject to the following conditions (or such conditions as she may determine):

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 Approval of the details of the (a) layout, (b) scale, (c) appearance, and (e) 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).

3 The development hereby permitted shall be carried out only in accordance with the recommendations of the approved Ecological Survey dated August 2013 and the approved note entitled Protection of Hedgerow on North Eastern Boundary dated 26 November 2013.

For the avoidance of doubt, prior to the commencement of development a plan shall be submitted plotting the alignment of the hit and miss fence in relation to the hedgerow and northern site boundary. The fence shall be erection in accordance with this plan prior to the occupation prior to the first occupation of the development, and shall thereafter be retained.

Reason: to avoid harm to wildlife and the retained northern boundary hedgerow

4 No development shall take place until full details of a Wildlife Protection and Management Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

- (i) Findings of all necessary update surveys including update survey for badgers
- (ii) Outstanding details of all necessary ecological mitigation including exclusion zones for the protection of retained habitats and fencing specifications for exclusion zones
- (iii) Details of all proposed external lighting including lux level contour plans demonstrating retention of dark corridors for wildlife and light spill of zero lux onto wildlife habitat and no greater than 1 lux on adjacent vegetation

- (iv) Specifications and planting schedule for all proposed habitat creation and specifications for long term wildlife-friendly management of all retained and created habitat areas
- (v) Additional information as applicable for all other ecological measures and details to be shown on plans and drawings as applicable

All works within the scheme shall be carried out in accordance with the approved details, unless otherwise approved in writing by the local planning authority. The works shall be carried out prior to the occupation of any part of the development.

Reason: to avoid harm to wildlife and protected species including bats and for long term retention and management of ecological value and habitats at the site

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

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

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

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

7 The development shall not be brought into use or occupied until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

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

8 Details of the on-going maintenance of the underground rainwater storage tanks, including the body responsible for maintenance and a maintenance schedule shall be

submitted to and approved in writing by the Local Planning Authority prior to construction. Therefore maintenance shall be carried out in accordance with the agreed details.

Reason: To ensure satisfactory maintenance arrangements are made in the interests of flood risk and highway safety.

9 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

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

10 Prior to the commencement of development a local employment and training scheme identifying measures to recruit local people during the construction process, together with an associated skills and training programme, shall be submitted to and approved in writing by the LPA. The approved scheme shall then be implemented and maintained unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of ensuring the development benefits local employment provision.

11 Prior to the commencement of works to form a breach in the northeastern hedgerow to form a pedestrian link to Meadway, details shall be submitted to and approved by the Local Planning Authority of the natural hedgerow arch or similar structure to be constructed over the breach. The hedgerow arch shall be completed prior to the occupation of the development and thereafter maintained in line with the hedgerow mitigation report submitted to the Council on 29th October 2013.

Reason: To provide a convenient link to the school whilst maintaining the continuity of this habitat, to facilitate continued use by bats, birds and mammals.

12 The proposed estate roads, footways, footpaths, verges, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be submitted to and approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: To ensure that the roads are laid out and constructed in a satisfactory manner.

13 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.

14 No part of the development hereby permitted shall not be occupied until parking has been provided to serve that part of the development, in accordance with details submitted to and approved in writing by, and to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and public amenity.

15 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., together with complimentary bus tickets for each household member to encourage residents to try public transport. The content of such packs shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

16 Prior to the occupation of the development a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with that Travel Plan.

Reason: In the interests of sustainable development.

17 Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management.

Reason: To ensure the safe operation of the highway.

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:** This decision relates to drawing nos

- Drawing 01 Nov 2013 TEMPLE CLOUD HEDGE MITIGATION
- Drawing 131031 3200 REV C Illustrative Masterplan
- 130816 1001 A SITE LOCATION PLAN
- PROTECTION OF HEDGEROW ON NORTH EASTERN - 26 Nov 2013
- 04 Nov 2013 TEMPLE CLOUD HEDGE MITIGATION
- SUPPLEMENT TO ECOLOGICAL REPORT - NORTH-EASTERN HEDGEROW - 28TH OCTOBER 2013
- STATEMENT OF COMMUNITY INVOLVEMENT
- ARCHAEOLOGICAL DESK BASED ASSESSMENT



- TRANSPORT STATEMENT
- AFFORDABLE HOUSING DELIVERY STATEMENT
- LANDSCAPE AND VISUAL IMPACT ASSESSMENT
- ECOLOGICAL SURVEY
- EXISTING LAYOUT - A37 / TEMPLE INN LANE LAYOUT- DRAWING 12001/300 REV O
- PROPOSED SITE ACCESS - DRAWING 12001/200 REV O
- PROPOSED ILLUSTRATIVE SITE SECTIONS - DRAWING 13130/2100
- FLOOD RISK ASSESSMENT
- PLANNING STATEMENT
- ARBORICULTURAL CONSTRAINTS REPORT

#### 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](http://www.planningportal.gov.uk).

#### Diversion of Footpath

Further consents will be necessary to divert footpath CL 1/3 which passes through the site.

#### Surface Water Drainage

The surface water drainage scheme for the proposed development must meet the following criteria:

1. Any outflow from the site must be limited to 10l/s as agreed with Wessex Water or the Qbar Greenfield rate whichever is less, as per the agreed Flood Risk Assessment.
2. The surface water drainage system must incorporate enough attenuation to deal with the surface water run-off from the site up to the critical 1% Annual Probability of Flooding (or 1 in a 100-year flood) event, including an allowance for climate change for the lifetime of the development. Drainage calculations must be included to demonstrate this (e.g. Windes or similar sewer modelling package calculations that include the necessary attenuation volume).
3. If there is any surcharge and flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained on the site and must not reach unsafe depths on site.
4. The adoption and maintenance of the drainage system must be addressed and clearly stated.

We would expect to see the following details when discharging condition 9:

- o A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds, soakaways and drainage storage tanks with volumes marked on. This plan should show any pipe node numbers referred to in the drainage calculations and the numbers invert and cover levels of manholes.
- o A manhole schedule.
- o Model runs to demonstrate that the critical storm duration is being used.
- o Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding. A 30% allowance for climate change should be incorporated into the scheme in accordance with the National Planning Policy Framework.

### 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 Council has worked proactively and positively with the applicants by determining the application as submitted, whilst resolving outstanding issues through planning conditions and Planning Obligations.

<b>Item No:</b>	003
<b>Application No:</b>	13/04456/FUL
<b>Site Location:</b>	Temple Inn, Main Road, Temple Cloud, Bristol
<b>Ward:</b> Mendip	<b>Parish:</b> Cameley <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Mixed use development comprising a 10 bed letting rooms building, 9 residential dwellings, and renovation of the existing public house
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Listed Building,
<b>Applicant:</b>	Red Oak Taverns Limited
<b>Expiry Date:</b>	30th December 2013
<b>Case Officer:</b>	Heather Faulkner

### DECISION

A. Authorise the Planning and Environmental Law Manager to permit subject to a Section 106 Agreement to secure:

#### 1. Education

Contributions £7,933.32 to fund the need for primary school places and Youth Services provision places arising from the development. The agreed contributions shall be provided prior to the commencement of development.

## 2. Open Space and Recreational Facilities

Contributions of £1,909.17 to fund provision of allotments off-site to serve the population. The agreement shall also include the provision of arrangements for the maintenance of the site by a management company. The agreed contributions shall be paid prior to the occupation of the development.

## 3. Transport

Contributions of

- £10,000 contribution towards improvements including the de-cluttering of the street furniture adjacent to the Temple Inn Lane junction and include measures to deter parking on the footway at this location or part there of depending on the approval of application 13/03562/OUT
- £4,000 towards the cost of the parking restrictions on Temple Inn Lane

## 4. Affordable Housing

- A clause in the Section 106 Agreement that triggers the need for an affordable housing contribution should the letting rooms ever be converted into residential accommodation.

## 5. Works to Listed Building

- A clause in the Section 106 to ensure that the works to the Listed Building are completed within a certain time period relating to the occupation of the dwellings.

B. Subject to the prior completion of the above agreement, authorise the Development Manager to PERMIT subject to the following conditions:

- 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 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 LAeq,16hr and 30dB LAeq,8hr for living rooms and bedrooms during the daytime and night time respectively. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dB LAmax.

Reason: To protect occupants of residential properties from external road traffic noise

- 3 The Noise Rating Level from installed plant on the public house or letting rooms shall not exceed 30 dB LAeq(5mins) (free-field) at the nearest noise sensitive premises.

Reason: To protect occupants of residential properties from external plant noise

4 No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered.

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

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

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

o human health,

o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

o adjoining land,

o groundwaters and surface waters,

o ecological systems,

o archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

6 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

7 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

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

9 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the Local Planning Authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

10 Prior to the demolition of any boundary walls details of the repairs to existing walls (including making good) and construction to new walls shall be submitted to any approved in approved in writing by the Local Planning Authority. The works shall be completed prior to the first occupation of any of the new dwellings on the site.

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

11 Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of this permission hereby granted, no works of site clearance, demolition or construction shall take place which are likely to impact on bats unless a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the local planning authority. This shall be accompanied by all outstanding details of proposed bat mitigation. The development shall be carried out only in accordance with the approved bat mitigation scheme or any amendment to the scheme as approved in writing by the Local Planning Authority.

Reason: to safeguard bats and their roosts

12 The area of open space to the rear of the proposed letting rooms shall not at any time be used by customers of the public house or letting rooms.

Reasons: To protect the amenity of the occupiers of the surrounding houses.

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 extension, external alteration or enlargement of the dwellings within the converted annex building 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.

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 any part of any roof 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: In the interests of the appearance of the development and the character of the area.

15 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.

16 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.

17 No development shall commence until a sample panel of all external walling and roofing 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.

18 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 fences, gates, walls or other means of enclosure shall be erected or placed within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway without a further planning permission being granted.

Reason: In the interests of the visual amenity and character of the area.

19 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, (or any order revoking and re-enacting that Order with or without modification), the letting rooms proposed within the building at the front of the site shall only be used in association for the Temple Inn public house for bed and breakfast purposes and not be any other use.

Reason: The approved use only has been found to be acceptable in this location and other uses within the same use class may require further detailed consideration by the Local Planning Authority.

20 No development shall commence until details of refuse storage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the refuse storage has been provided in accordance with the details so approved, and thereafter shall be retained solely for this purpose. No refuse shall be stored outside the building(s) other than in the approved refuse store(s).

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

21 An operational statement relating to the public house shall be submitted to and approved in writing by the Local Planning Authority and shall include details of cooking equipment, odour mitigation and extract layout. The development shall thereafter be carried out in accordance with the approved operational statement.

Reason: Protect residential amenity.

22 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 flood risk management and highway safety

Condition information: The applicant has indicated that they will dispose of surface water via soakaways and permeable paving and we would support this approach. To support the discharge of the above condition, infiltration test results and soakaway design calculations to BRE Digest 365 standard should be submitted to this office.

23 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 highway safety.

24 The access, parking and turning areas shall not be brought into use until these areas have been properly bound and compacted (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

25 The development hereby permitted shall not be occupied until the visibility splays shown on the submitted plan have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

Reason: In the interests of highway safety.

26 Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management.

Reason: To ensure the safe operation of the highway.

27 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 application relates to the following drawings and documents:

463TE_E_2010_A	EXISTING SITE PLAN
463TE_P_2022	SITE PLAN AREAS
463TE_2101_B	PUB - EXISTING PLANS 01
463TE_2102_B	PUB - EXISTING PLANS 02
463TE_2103_B	PUB - EXISTING PLANS
463TE_2120_B	PUB - PROPOSED PLANS 01



463TE\_2121\_C PUB - PROPOSED PLANS 02  
 463TE\_2130\_C ANNEX - PROPOSED PLANS  
 463TE\_2140\_C LETTING ROOMS - PROPOSED PLANS  
 463TE\_2150\_C TERRACE - PROPOSED PLANS 01  
 463TE\_2151\_C TERRACE - PROPOSED PLANS 02  
 463TE\_2160\_C SEMI-DETACHED - PROPOSED PLANS  
 463TE\_2201\_B PUB - EXISTING ELEVATIONS 01  
 463TE\_2202\_B PUB - EXISTING ELEVATIONS 02  
 463TE\_2203\_B ANNEX - EXISTING ELEVATIONS 01  
 463TE\_2204\_B ANNEX - EXISTING ELEVATIONS 02  
 463TE\_2220\_C PUB - PROPOSED ELEVATIONS 01  
 463TE\_2221\_C PUB - PROPOSED ELEVATIONS 02  
 463TE\_2230\_C ANNEX - PROPOSED ELEVATIONS  
 463TE\_2240\_C LETTING ROOMS - PROPOSED ELEVATIONS  
 463TE\_2250\_C TERRACE - PROPOSED ELEVATIONS 01  
 463TE\_2251\_C TERRACE - PROPOSED ELEVATIONS 02  
 463TE\_2260\_C SEMI-DETACHED - PROPOSED ELEVATIONS  
 463TE\_P\_2030\_C SIDE ELEVATION 01  
 463TE\_P\_2031\_D SIDE ELEVATION 02  
 463TE\_P\_2501\_B PROPOSED DETAILS  
 463TE\_P\_2020 REV E PROPOSED SITE PLAN  
 463TE\_2000 REV A SITE LOCATION PLAN  
 DESIGN AND ACCESS STATEMENT  
 DESIGN & ACCESS STATEMENT - ADDENDUM  
 PLANNING STATEMENT  
 EXTENDED PHASE 1 HABITAT SURVEY  
 GROUNDSURE GEOINSIGHT FIND 36469 AND FIND 36470  
 HERITAGE IMPACT ASSESSMENT  
 SITE WASTE MANAGEMENT PLAN  
 NOISE IMPACT ASSESSMENT  
 PHASE 1 SITE INVESTIGATION  
 TRANSPORT STATEMENT  
 TREE REPORT (APPENDIX A - TREE SCHEDULE TABLE and APPENDIX B - TREE  
 CONSTRAINTS PLAN)  
 SUSTAINABLE CONSTRUCTION CHECKLIST  
 DRAINAGE STRATEGY  
 CARBON FILTER DETAILS  
 CRIME PREVENTION DESIGN REPORT  
 SUSTAINABILITY STATEMENT  
  
 DECISION TAKING STATEMENT

In determining this application, the Local Planning Authority has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Pre-application advice was sought and provided and amendments made to the proposals. For the reasons given, a positive view of the revised submitted proposals was taken and permission was granted subject to a legal agreement.

**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](http://www.planningportal.gov.uk).

This permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990.

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

Inform the applicant that the Local Planning Authority should be consulted before any external signs are displayed on the property.

<b>Item No:</b>	004
<b>Application No:</b>	13/04457/LBA
<b>Site Location:</b>	Temple Inn, Main Road, Temple Cloud, Bristol
<b>Ward:</b> Mendip	<b>Parish:</b> Cameley <b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)
<b>Proposal:</b>	Mixed use development comprising a 10 bed letting rooms building, 9 residential dwellings, and renovation of the existing public house
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Listed Building,
<b>Applicant:</b>	Red Oak Taverns Limited
<b>Expiry Date:</b>	30th December 2013
<b>Case Officer:</b>	Heather Faulkner

## DECISION CONSENT

1 The works hereby approved shall be begun before the expiration of three years from the date of this consent

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Prior to commencement of works a detailed method statement for the cleaning and repair of stonework shall be submitted to the local planning authority for approval in writing.

Reason: To safeguard the character and appearance of the listed building and curtilage listed building.

3 Prior to commencement of works details of the weather louvre extract grate on the north end elevation are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the character and appearance of the listed building.

4 Prior to commencement of works details of the method of opening, finishes and colours of the windows in the curtilage listed building conversion are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the appearance and character of the curtilage listed building and the setting of the listed building.

5 Prior to commencement of the works details of the proposed re-rendering of the south gable wall are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the character, appearance and historic fabric of the listed building.

6 Prior to commencement of the works full details of the closure of the existing cellar access and stairs formation of the new access and stairs are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the character, appearance and historic fabric of the listed building.

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:**

463TE\_E\_2010\_A EXISTING SITE PLAN  
463TE\_P\_2022 SITE PLAN AREAS  
463TE\_2101\_B PUB - EXISTING PLANS 01  
463TE\_2102\_B PUB - EXISTING PLANS 02  
463TE\_2103\_B PUB - EXISTING PLANS  
463TE\_2120\_B PUB - PROPOSED PLANS 01  
463TE\_2121\_C PUB - PROPOSED PLANS 02  
463TE\_2130\_C ANNEX - PROPOSED PLANS  
463TE\_2201\_B PUB - EXISTING ELEVATIONS 01  
463TE\_2202\_B PUB - EXISTING ELEVATIONS 02  
463TE\_2203\_B ANNEX - EXISTING ELEVATIONS 01  
463TE\_2204\_B ANNEX - EXISTING ELEVATIONS 02  
463TE\_2220\_C PUB - PROPOSED ELEVATIONS 01  
463TE\_2221\_C PUB - PROPOSED ELEVATIONS 02  
463TE\_2230\_C ANNEX - PROPOSED ELEVATIONS  
463TE\_P\_2030\_C SIDE ELEVATION 01  
463TE\_P\_2031\_D SIDE ELEVATION 02  
463TE\_P\_2501\_B PROPOSED DETAILS  
463TE\_P\_2020 REV E PROPOSED SITE PLAN  
463TE\_2000 REV A SITE LOCATION PLAN  
DESIGN AND ACCESS STATEMENT  
PLANNING STATEMENT  
HERITAGE IMPACT ASSESSMENT

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 the related case officer's report, a positive view of the proposals was taken and permission was granted.

#### **ADVICE NOTE:**

When a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to an approved application, or where a request to discharge conditions is submitted, it will assist the Local Planning Authority if the 1APP standard form is used. The form is available from the Planning Portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). Requests can be submitted via the Planning Portal or sent direct to the Registration Team, Planning Services, PO Box 5006, Bath, BA1 1JG.

<b>Item No:</b>	005
<b>Application No:</b>	13/04975/OUT
<b>Site Location:</b>	Parcel 3567, Stitchings Shord Lane, Bishop Sutton, Bristol
<b>Ward:</b> Chew Valley South	<b>Parish:</b> Stowey Sutton <b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application
<b>Proposal:</b>	Outline planning application for a residential development of up to 32 dwellings and associated infrastructure.
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Forest of Avon, Greenfield site, Water Source Areas,
<b>Applicant:</b>	Charles Church Severn Valley & Edward Ware Homes Ltd
<b>Expiry Date:</b>	19th February 2014
<b>Case Officer:</b>	Daniel Stone

## DECISION REFUSE

1 The Council's Draft Core Strategy has been submitted to the Secretary of State and is currently being examined by an appointed Inspector. The proposal, which is outside of the existing Housing Development Boundary, combined with other recently permitted housing developments within Bishop Sutton is so significant that to grant planning permission would undermine the Council's plan-making process by predetermining decisions about the scale location and phasing of new housing development that are central to the Council's emerging Core Strategy. The proposed housing development is therefore contrary to the provisions of the National Planning Framework and National Planning Practice Guidance.

This decision relates to drawing nos 100-1 Revision D proposed Illustrative block plan, 100-1 proposed block plan colour, 102 site location plan, 112 illustrative site sections, Landscape and visual impact assessment, Affordable housing statement, Archaeological desk-based assessment, Coal Mining risk assessment report, Design And access statement, Ecological survey, Flood Risk assessment, Planning statement, Statement of community involvement, Sustainable construction checklist, Transport statement and 130923-cfmph3-tcp-nc-1.0 tree constraints plan all received 20th November 2013 and 22nd January 2014.

## DECISION TAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. Whilst negotiations were undertaken during the processing of the application, the Council's Development Control committee considered the proposals to be unacceptable for the reasons given. This objection could not be overcome by further amendments to the scheme.

<b>Item No:</b>	006
<b>Application No:</b>	13/02728/OUT
<b>Site Location:</b>	Milford Head, Stitchings Shord Lane, Bishop Sutton, Bristol
<b>Ward:</b> Chew Valley South	<b>Parish:</b> Stowey Sutton <b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application
<b>Proposal:</b>	Demolition of existing buildings and redevelopment of the site to provide 9no. dwellings (Outline with all matters reserved except access). (Resubmission of 12/05599/OUT)
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Coal - Referral Area, Forest of Avon, Greenbelt, Public Right of Way, Water Source Areas,
<b>Applicant:</b>	Keynsham Property Developments Ltd
<b>Expiry Date:</b>	21st August 2013
<b>Case Officer:</b>	Daniel Stone

**DECISION:** DEFER for clarification as to the boundaries of The AONB and drainage issues