

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

22nd October 2014

DECISIONS

Item No:	01	
Application No:	13/04456/FUL	
Site Location:	Temple Inn, Main Road, Temple Cloud, Bristol	
Ward: Mendip	Parish: Cameley	LB Grade: II
Application Type:	Full Application	
Proposal:	Mixed use development comprising a 10 bed letting rooms building, 9 residential dwellings, and renovation of the existing public house	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Listed Building,	
Applicant:	Red Oak Taverns Limited	
Expiry Date:	4th July 2014	
Case Officer:	Heather Faulkner	

DECISION Delegate to PERMIT

A. Authorise the Planning and Environmental Law Manager to enter into 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
- £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 Group 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 30dBLAeq,16hr and 30dBLAeq,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 45dBLAmax.

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:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- 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.

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

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

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

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

Item No:	02	
Application No:	14/02887/FUL	
Site Location:	Lower Tunley Farm, Stoneage Lane, Tunley, Bath	
Ward: Bathavon West	Parish: Dunkerton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Part retention and adaptation of a general purpose agricultural storage building (partly retrospective)	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,	
Applicant:	A & J Farming Limited	
Expiry Date:	19th August 2014	
Case Officer:	Tessa Hampden	

DECISION REFUSE

1 The development, due to the unacceptable scale, height and its siting in close proximity to Stoneage Lane, would have a significant detrimental impact upon the visual amenities of the immediate area and the wider landscape. The development would therefore be contrary to policy CP6 of the adopted Core Strategy and saved policies D2 and D4 of the Bath and North East Somerset Plan 2007.

PLANS LIST:

Plans:

Drawing	24 Jun 2014		SITE PLAN
Drawing	24 Jun 2014	1	PRIOR NOTIFICATION - FLOOR AND ROOF PLAN
Drawing	24 Jun 2014	2	PRIOR NOTIFICATION - ELEVATIONS
Drawing	24 Jun 2014	3	FLOOR AND ROOF PLAN
Drawing	24 Jun 2014	4	ELEVATIONS
Drawing	24 Jun 2014	5	PROPOSED FLOOR AND ROOF PLAN
Drawing	24 Jun 2014	6	PROPOSED ELEVATIONS
Drawing	24 Jun 2014	7	ELEVATIONS - AS BUILT WITH PROPOSED BUILT
Drawing	24 Jun 2014	8	ELEVATIONS - AS BUILT WITH PROPOSED BUILT
Drawing	24 Jun 2014	9	ELEVATIONS PROPOSED BUILDING WITH THE PROPOSED

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. Despite a recommendation for approval the Development Control Committee, for the reasons given, refused the application.

Item No:	03	
Application No:	14/03180/FUL	
Site Location:	Cleveland House, Sydney Road, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: IISTAR
Application Type:	Full Application	
Proposal:	Change of use from B1 offices to C3 residential including the erection of a single storey side extension with first floor terrace including internal alterations following the demolition of the existing single storey lavatory block (Revised proposal).	
Constraints:	Airport Safeguarding Zones, Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area,	

Cycle Route, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,

Applicant: Trevor Osborne Property Group
Expiry Date: 5th September 2014
Case Officer: Sasha Coombs

DECISION

Deferred awaiting site visit: To allow Members to view the listed building and its surroundings

Item No:	04	
Application No:	14/03181/LBA	
Site Location:	Cleveland House, Sydney Road, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: IISTAR
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Internal alterations and external alterations for the change of use from B1 offices to C3 residential including the erection of a single storey side extension with first floor terrace following the demolition of existing single storey extension lavatory block.	
Constraints:	,	
Applicant:	Trevor Osborne Property Group	
Expiry Date:	5th September 2014	
Case Officer:	Sasha Coombs	

DECISION

Deferred awaiting site visit: To allow Members to view the listed building and its surroundings

Item No:	05	
Application No:	14/03709/FUL	
Site Location:	Greenlands, Bath Road, Farmborough, Bath	
Ward: Farmborough	Parish: Farmborough	LB Grade: N/A
Application Type:	Full Application	

Proposal:	Erection of detached garage and creation of new driveway and provision of acoustic fence. Provision of additional patio doors and WC window to bungalow. (Resubmission)
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,
Applicant:	Mr And Mrs S Gould
Expiry Date:	7th October 2014
Case Officer:	Alice Barnes

DECISION

Deferred awaiting site visit: To allow Members to view the site in its surroundings

Item No:	06
Application No:	14/02457/FUL
Site Location:	Week Cottage, Combe Hay Lane, Combe Hay, Bath
Ward: Bathavon West	Parish: Combe Hay LB Grade: N/A
Application Type:	Full Application
Proposal:	Erect a two storey rear extension, to include external and internal alterations to the existing cottage.
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Sites of Nature Conservation Interest,
Applicant:	Mr P. O'Connor
Expiry Date:	26th September 2014
Case Officer:	Suzanne D'Arcy

DECISION PERMIT

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

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

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

3 No development shall take place until an arboricultural method statement with tree protection plan identifying the woodland edge trees and individual trees in proximity to the electricity cables to be retained and measures to protect them has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures and identify appropriate arboricultural supervision during site preparation (including clearance and level changes), during construction and landscaping operations. The statement should also include the control of potentially harmful operations such as the position or relocation of service runs and soakaways, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the surrounding trees to be retained.

4 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority.

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

5 Prior to occupation of the development hereby approved, the recommendations within the Protected Species Survey by Tyler Grange and received by the Council on 3rd September 2014, shall be implemented unless otherwise agreed in writing by the Local Planning Authority in writing. These measures shall thereafter be retained in perpetuity.

Reason: To safeguard protected species that may be affected by the development.

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

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

PLANS LIST:

This decision relates to drawings numbered 1887-SLP, -BP, -SE, -SP, .PE, -PP, -TS and .L01, received by the Council on 29th May 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. Despite the recommendation to refuse the application, the Development Control Committee considered that there were Very Special Circumstances to outweigh the harm caused, as the building needed to support modern living standards and the extension would be set into the bank at the rear of the property where it would not readily be seen from public viewpoints. The application was therefore permitted.

Item No:	07		
Application No:	14/03061/OUT		
Site Location:	Janton, Eckweek Lane, Peasedown St. John, Bath		
Ward: Peasedown St John	Parish: Peasedown St John	LB	
Grade:	N/A		
Application Type:	Outline Application		
Proposal:	Erection of detached bungalow.		
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, SSSI - Impact Risk Zones,		
Applicant:	Mr D Taylor		
Expiry Date:	29th August 2014		
Case Officer:	Mike Muston		

DECISION REFUSE

1 The proposal amounts to an overdevelopment of the site, resulting in an unacceptably cramped form of development, out of keeping with the pattern of development in the area, with insufficient amenity space provided for the existing and new dwellings, and adversely affecting the living conditions of the occupiers of the adjoining property, contrary to saved Policies D.2 and D.4 of the Bath and North East Somerset Local Plan 2007.

2 The visibility from the access to the proposed new property and Janton is unacceptably restricted, particularly in a westerly direction, to the detriment of highway safety, contrary to saved Policy T.24 of the Bath and North East Somerset Local Plan 2007.

PLANS LIST:

Drawings 2014062, 2104063 and 2014064, received 4 July 2014.

In determining this application, the Local Planning Authority has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Whilst the application was recommended for permission for the reasons given the Development Control Committee refused planning permission.

Item No:	08		
Application No:	14/03564/FUL		
Site Location:	Lower Lodge, Kelston Road, Kelston, Bath		
Ward: Bathavon North	Parish: Kelston	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Construction of a pitched roof to accommodate new staircase, 2 no. new bedrooms and bathroom, 3 no. dormer windows and 1 no.		

dormer doorway with associated balcony, 1 no. cat-slide dormer to high level window and 1 no. conservation rooflight, to include internal accommodation and fenestration alterations.

Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, Hotspring Protection, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Mr & Mrs I Cardiff
Expiry Date:	30th September 2014
Case Officer:	Suzanne D'Arcy

DECISION PERMIT

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

2 All external walling and roofing materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

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

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

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

PLANS LIST:

This decision relates to drawings numbered 14.221/21, /22, /23, /24 and /25 and related site location plan, received by the Council on 5th August 2014.

DECISION TAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Despite the recommendation to refuse the application, the Development Control Committee considered the proposal did represent a proportionate addition to the host building and it was not harmful to Green Belt. The application was therefore approved.