

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

19th November 2014

DECISIONS

Item No:	01
Application No:	14/01853/EFUL
Site Location:	Ministry Of Defence Ensleigh, Granville Road, Lansdown, Bath
Ward: Lansdown	Parish: N/A LB Grade: N/A
Application Type:	Full Application with an EIA attached
Proposal:	Full planning permission sought for the erection of 181 residential units (Use Class C3), a neighbourhood retail store of up to 267 sqm GIA (Use Class A1), associated highways works, infrastructure and public open space. Outline planning permission sought for a 72 unit Extra Care Facility (Use Class C3).
Constraints:	Agric Land Class 1,2,3a, Article 4, Core Employment Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, Tree Preservation Order, World Heritage Site,
Applicant:	IM Properties, Linden Homes Western & Bloor Homes South West
Expiry Date:	27th August 2014
Case Officer:	Gwilym Jones

DECISION

Delegated to permit subject to S106 agreement.

Item No:	02
Application No:	14/04184/FUL
Site Location:	Hope House, The Royal High School, Lansdown Road, Lansdown
Ward: Lansdown	Parish: N/A LB Grade: II
Application Type:	Full Application
Proposal:	Residential development for the erection of 54 no. dwellings, including the conversion of Hope House, and associated infrastructure and parking following demolition of existing school buildings. (Resubmission of 13/04235/FUL)
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, Tree Preservation Order, World Heritage Site,

Applicant:	Hope House Developments LLP
Expiry Date:	12th December 2014
Case Officer:	Sarah James

DECISION Delegate to PERMIT subject to an agreement under Section 106 of the Town and Country Planning Act 1990.

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

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

2 The 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.

3 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.

4 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

5 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.

6 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:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
 - (c) human health,
 - (d) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - (e) adjoining land,
 - (f) groundwaters and surface waters,
 - (g) ecological systems,
 - (h) archaeological sites and ancient monuments;
- (i) 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.

7 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.

8 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.

9 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 and where remediation is necessary a remediation scheme must be prepared 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.

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 receptor

10 No development shall take place until full details of an Ecological and Landscape Management and Enhancement Scheme, in accordance with the approved Ecological Assessment Report by ACD dated September 2014 have been submitted to and approved in writing by the local planning authority. These details shall include all necessary wildlife protection measures during the demolition and construction phases, including exclusion zones and details of protective fencing; specifications for provision of all recommended ecological features and enhancement measures, including details of numbers, positions and specifications of bat and bird boxes; long term wildlife friendly habitat management including details of ecological objectives; management prescriptions, personnel, funding mechanisms and future monitoring and remediation 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: for the long term safeguarding of wildlife habitat at the site and retention of habitat for protected species including bats

11 Prior to the commencement of construction, final details of proposed lighting shall be submitted to the LPA for approval in writing. The scheme shall demonstrate using lux level contour plans where applicable, avoidance of light spill onto trees and vegetation that form flight lines for bats, and shall include details of post-construction measurement and monitoring of light levels, reporting of this to the LPA, and proposed remedial measures (replacement of or adjustment to lights if necessary) if light spill onto tree lines exceeds levels that would enable their use by bats.

Reason: to avoid harm to bat activity and other wildlife

12 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 and any need for cranes for construction. Development shall thereafter proceed in accordance with the approved plan.

Reason: To ensure the safe operation of the highway.

13 Notwithstanding any landscaping details submitted with the application the commencement of development of the new buildings hereby approved shall not begin until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme shall include details of all street furniture and street lighting, walls, fences, trees, hedgerows and other planting which are to be retained; details of 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

14 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

15 The commencement of development of the new buildings hereby approved shall not begin until samples of the materials to be used in the construction of the external surfaces, including roofs, gates, railings, and boundary walls, 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

16 No works or deliveries required to implement this development shall take place outside the hours of 0800 to 1800 each day Monday to Friday and 0900 to 1300 on Saturday. No works or deliveries shall take place on Sundays or Bank Holidays.

Reason: To safeguard the amenity of nearby occupiers.

17 Prior to the commencement of development at the site details of a Construction Dust Management Plan for all works of construction and demolition shall be submitted to and approved in writing by the Local Planning Authority. The Construction Dust Management Plan shall comply with the guidance for London as set out in The Control of Dust and Emissions from Construction and Demolition: Best Practice Guidance, published in 2006. The details so approved shall be fully complied with during the construction of the development.

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

18 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the 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.

19 No development shall take place until a plan showing existing and proposed ground levels across the site and details of slab levels for the dwellings has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development

20 Prior to the commencement of development a scheme for the management of Japanese knotweed shall be submitted and approved in writing by the Local Planning authority. Development shall take place in accordance with the approved scheme.

Reason : In the interest of protection of the environment

21 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.

22 No development shall commence until a Landscape Management Plan, detailing how the communal areas or other open or landscaped areas will be maintained in the future, has been submitted to and approved in writing by the Local Planning Authority. The agreed Landscape Management Plan shall thereafter be fully implemented.

Reason In the interest of the appearance of the development

23 The development hereby approved shall not be occupied until works for the disposal of sewage have been provided on site to serve the development in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason : In the interests of the amenity of residents

24 No site works or clearance shall be commenced until protective fences which conform to British Standard 5837:2005 have been erected around any existing trees and other existing or proposed landscape areas in positions indicated on the approved plans. Until the development has been completed these fences shall not be removed and the protected areas are to be kept clear of any building, plant, material, debris and trenching, with the existing ground levels maintained, and there shall be no entry to those areas except for approved arboriculture or landscape works.

Reason : To safeguard the areas to be landscaped and the existing trees and planting to be retained within the site.

25 Prior to the commencement of any form of site works or clearance the Local Planning Authority shall be given not less than two weeks notice in writing of these works to ensure that appropriate measures of landscape protection required under condition 24 have been implemented in accordance with the approved plans or conditions.

Reason : To ensure that adequate protection is given to the areas to be landscaped and the existing trees and planting to be retained within the site.

26 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 lines, mains, pipes, cables or other apparatus shall be installed or laid on the site other than in accordance with drawings first submitted to and approved in writing by the Local Planning Authority.

Reason : To safeguard the existing and proposed trees, vegetation and open spaces on the site.

27 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.

28 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages or other free standing buildings or boundary fences or walls shall be erected within the curtilage of the dwelling(s) hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

Reason : The introduction of further curtilage buildings or boundary structures requires detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of the surrounding area.

29 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no solar PV or solar thermal shall be installed on the dwelling house(s) or other building(s) hereby approved unless a further planning permission has been granted by the Local Planning Authority.

Reason : In the interests of the appearance of the building(s) and the character of the area.

30 The gradient of the access shall not at any point be steeper than 1 in 12.5 for a distance of 10 metres from its junction with the public highway.

Reason: In the interests of highway safety.

31 The proposed access roads, including footpaths and turning spaces, 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

32 The garaging 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

33 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 to encourage residents to try public transport. The packs shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

34 Prior to the commencement of development the applicant shall submit further evaluation of structural options for the re-instatement of the entrance wall adjacent to the Yew tree with a view to establishing the optimum method of reconstruction so as to allow retention of the yew tree. In the event that retention of this tree is agreed in writing by the Local Planning Authority as impractical to achieve, a replacement tree of a size, species and in a location agreed in writing with the Local Planning Authority shall be planted and maintained for a minimum period of 5 years.

Reason : In the interest of visual amenity.

35 The development shall not commence on site until details of measures to control roof top nesting (by gulls) have been submitted to and approved in writing by the Local Planning Authority. No occupation of any part of the development shall take place until the approved measures have been installed on that part of the development.

Reason: In the interests of amenity.

36 Prior to the commencement of development large scale details of the following shall be submitted to the local planning authority for approval in writing:

- a) the sash window joinery including the position/set-back of the frames in window reveals the front and rear entrance doors
- b) the stone work, including detailing (chimney stacks, cornices, string bands, canopies etc) - this should include erection of a sample panel(s) of the stonework which are to be agreed in writing by the LPA and thereafter retained on site during the works.
- c) the glazed verandas/sun rooms on Block D.
balconies.
- d) dormer windows.

The development shall be completed in accordance with the approved details.

Reason : In the interests of the appearance of the development and the visual amenities of the conservation area and world heritage site.

37 No development shall commence until a sample panel of all external walling materials to be used shall be 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 character and appearance of the Conservation Area.

38 No demolition, site preparation 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 the approved document 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 phasing and provision of records and certificates of completion to the local planning authority. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery.

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

39 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. A signed certificate of compliance shall be provided by the appointed arboriculturalist to the local planning authority on completion.

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

PLANS LIST:

Site Location Plan, 0158/72826, 1866 - PE- 32 rev C - Block B Main Elevations, 1866 - PE- 33 rev C - Block A and B End Elevations, 1866 - PE- 34 rev C - Block C Front Elevation, 1866 - PE- 36 rev D - Block C End Elevation, 1866 - PP- 31 rev G - Block A Plans, 1866 - PP- 32 rev E - Block B LGF and GF Plans 1866 - PP- 33 rev E - Block B FF and Roof Plans, 1866 - PP- 34 rev C - Block C LGF Plans, 1866 - PP- 35 rev A - Block C GF and FF Plans, 1866 - PP- 36 rev A - Block C SF Plan, 1866 - PP- 37 rev A - Block D LGF Flats and GF and FF Plans, 1866 - PP- 38 rev B - Block E GF and FF Plans, GA Roof Plan rev D, AN1083:110 Site Plan: Landscape Proposals, AN1083:111 Landscape Proposals (north part of site), AN1083:112 Landscape with existing tree outlines & existing building footprints, AN1083:113 Landscape Sections (Blocks A, B and C), AN1083:114 Landscape Section (30 St James' Park Blocks A & B, Block B Unit 10 and 11 Plans, 1866 PE 31 Block A Main Elevations, 1866 PE 35A Block C Rear Elevations, 1866 PE 37 Block D and E Main Elevations, 1866 PE 38 Hope House Elevations, 1866 PP 39 Hope House LGF and GF Plans, 1866 PP 40 Hope House 1st and 2nd Floor Plans, WSP-1642-GA-630-ST-201 Existing Lighting - Lux Measurement Site Survey, WSP-1642-GA-630-ST-202 External Lighting Initial Concept Scheme, WSP-1642-GA-630-ST-203 External Lighting Revised Concept Scheme, GF1, FF1, SF1, TF1, ELEV1, ELEV2, ELEV 3, BAT13, BAT15, 3160-1, 3160-2, 3160-3, DB31, 32, PS31, PD31, PD32, PD33, PD34, PD35.

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. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Informative: residents of this development will not be eligible for parking permits.

Item No:	03	
Application No:	13/04185/LBA	
Site Location:	Hope House, The Royal High School, Lansdown Road, Lansdown	
Ward: Lansdown	Parish: N/A	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Internal and external alterations for the conversion of existing building to provide 6 no. residential apartments and demolition of modern extension.	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, Safeguarded Roads, Tree Preservation Order, World Heritage Site,	
Applicant:	Hope House Developments LLP	
Expiry Date:	17th September 2014	
Case Officer:	Sarah James	

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 development large scale details of the glazed link structure are to be submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

3 Prior to commencement of works full details of any installations required as a result of fire prevention and other such regulations together with any external vents, meter boxes or other such fixtures are submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

4 Prior to commencement of works full details of all rainwater goods are submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

5 Prior to commencement of works large scale detailed drawings of the sash windows at 1:2 scale are to be submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

6 Prior to commencement of works a sample panel shall be erected on site to illustrate the treatment for any areas of new stonework, including mortar mix and pointing for approval in writing by the local planning authority, and retained on site as a reference for the duration of the works. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

7 Prior to commencement of works details of the proposed stonework repair method are to be submitted to the local planning authority for approval in writing. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

8 Prior to commencement of development large scale detailed drawings are to be submitted to the local planning authority for approval in writing of the replacement dormer window on the west elevation. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

9 Prior to commencement of development any proposed changes to existing boundary walls, railings, gates or other such structures are to be submitted to and approved in writing by the local planning authority. Development shall only proceed thereafter in accordance with the approved details.

Reason To safeguard the character and appearance of the listed building

PLANS LIST:

PLANS LIST

Site Location Plan 0158/72826, GF1revA, FF1revA, SF1revA, TF1revA, ELEV1, ELEV 2, ELEV 3, 17revA, 15revA, 3160-1, 3160-2, 3160-3, DP-31, DP-32, PS-31, PD-31, PD-32revA, PD-33, PD-34, PD-35, 1866 PE 38, 1866 PP 39, 1866 PP 40.

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. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Item No:	04	
Application No:	14/03702/FUL	
Site Location:	40 Bryant Avenue, Westfield, Radstock, Bath And North East Somerset	
Ward: Westfield	Parish: Westfield	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a detached three bedroom two storey dwelling (Resubmission)	
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Mrs K Lewis	
Expiry Date:	26th November 2014	
Case Officer:	Heather Faulkner	

DECISION REFUSE

1 The proposed dwelling due to its scale, bulk and siting within close proximity of the neighbouring boundaries is considered to have an overbearing impact. The windows on the rear elevation would also result in a greater perception of being overlooked. The residential amenity currently enjoyed by these neighbouring occupiers is therefore considered to be significantly harmed. This would be contrary to policy D2 of the Bath and North East Somerset Local Plan (including minerals and waste) 2007 and the National Planning Policy Framework (March 2012).

2 The proposed development by reason of its scale and siting would result in the overdevelopment of the site and would result in a cramped form of development which fails to respond positively to the built form of this locality and is considered detrimental to the character and appearance of the streetscene and surrounding area contrary to policy D.2 and D.4 of the Bath & North East Somerset Local Plan (including minerals and waste policies) 2007 and the Nation Planning Policy Framework (March 2012).

PLANS LIST:

Drawing Sheet No's 1,2,3 and 4, and Site Location Plan received 12th 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. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Further advice was sought following the previous application being refused and changes were made to the proposals. However, the proposal is still considered to be unacceptable for the reasons given and the agent was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to this the Local Planning Authority moved forward and issued its decision.

Item No:	05	
Application No:	14/03511/FUL	
Site Location:	Newhaven, Chilcompton Road, Midsomer Norton, Radstock	
Ward: Midsomer Norton Redfield	Parish: Midsomer Norton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of detached chalet style bungalow with access and car parking in the garden of 'Newhaven' Chilcompton Road.	
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Miss Lisa Thompson	
Expiry Date:	21st November 2014	
Case Officer:	Heather Faulkner	

DECISION REFUSE

1 The development, due to the unacceptable siting and scale would form an incongruous proposal that would be at odds with the established pattern of development in the area, appearing cramped in the street scene and would have a resultant harmful impact upon the character and appearance of the area. The development would therefore be contrary to saved policies D2 and D4 of the of the Bath and North East Somerset Local Plan - 2007 and policy CP6 of the Core Strategy July 2014

2 The proposed dwelling due to its scale and siting within close proximity of the neighbouring boundaries is considered to have an overbearing impact creating an increased sense of enclosure. The windows on the rear elevation would also result in increased overlooking and an unacceptable loss of privacy. The proposals would lead to an unacceptable reduction in private amenity space for the occupants of Newhaven. The residential amenity currently enjoyed by these neighbouring occupiers is therefore considered to be significantly harmed. This would be contrary to policy D2 of the Bath and North East Somerset Local Plan (including minerals and waste) 2007 and the National Planning Policy Framework (March 2012).

PLANS LIST:

This application relates to the following drawing 14416-1B received 5th November 2015.

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 proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	06	
Application No:	14/03261/FUL	
Site Location:	Land Rear Of 62, Sladebrook Road, Southdown, Bath	
Ward: Southdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 1no three bed dwelling.	
Constraints:	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Alan & Pamela Bevan & Lewis	
Expiry Date:	11th September 2014	
Case Officer:	Chris Griggs-Trevarthen	

DECISION

Deferred for site visit to better understand the context of the site including the access lane and the relationship with Lytton Gardens and other neighbouring properties.

Item No:	07	
Application No:	14/02693/FUL	
Site Location:	39 High Street, Keynsham, BS31 1DU,	
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of Use of Ground Floor from offices (B1) to Cafe/ Bar (A3) with alteration to street frontage windows to folding sliding doors, new extract flue and use of public highway for siting of 2no tables and 8no chairs.	
Constraints:	Agric Land Class 3b,4,5, City/Town Centre Shopping Areas, Conservation Area, Forest of Avon, Housing Development Boundary, Prime Shop Front,	

Applicant:	Cafe Grounded
Expiry Date:	22nd October 2014
Case Officer:	Suzanne D'Arcy

DECISION

Deferred for site visit to view the property in relation to surrounding residential neighbours and Baptist Church. Two additional conditions to be added regarding opening hours and the timing of the use of the garden.

Item No:	08
Application No:	14/03465/FUL
Site Location:	Carisbrooke, Bathampton Lane, Bathampton, Bath
Ward: Bathavon North	Parish: Bathampton LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of new house following the demolition of an existing 20th Century house
Constraints:	Agric Land Class 1,2,3a, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Forest of Avon, Hotspring Protection, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,
Applicant:	Mr Edward Lang
Expiry Date:	22nd October 2014
Case Officer:	Suzanne D'Arcy

DECISION

Deferred for site visit to understand the context better in particular the relationship with the Green Belt and Conservation Area.

Item No:	09
Application No:	14/03372/OUT
Site Location:	52 Sladebrook Road, Southdown, Bath, Bath And North East Somerset
Ward: Southdown	Parish: N/A LB Grade: N/A
Application Type:	Outline Application
Proposal:	Erection of 1 No. dwellings, a replacement garage, and associated works.
Constraints:	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Mr & Mrs Baker

Expiry Date:	24th October 2014
Case Officer:	Suzanne D'Arcy

DECISION

Deferred for site visit to better understand the context of the site including the access lane and the relationship with other neighbouring properties.

Item No:	10	
Application No:	14/04167/FUL	
Site Location:	10 Chapel Road, Clandown, Radstock, Bath And North East Somerset	
Ward: Radstock	Parish: Radstock	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of single storey rear extension	
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs G Peters	
Expiry Date:	6th November 2014	
Case Officer:	Alice Barnes	

DECISION

Deferred for site visit to judge the impact of the development on the Conservation Area and neighbouring property.

Item No:	11	
Application No:	14/04493/FUL	
Site Location:	9 Bloomfield Road, Bloomfield, Bath, Bath And North East Somerset	
Ward: Lyncombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Proposed enlargement of 2no. cellar windows and the formation of 2no. external light wells to the facade	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Dr J Farrar	
Expiry Date:	28th November 2014	
Case Officer:	Sasha Coombs	

DECISION PERMIT

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

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

2 The 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:

OS Extract	03 Oct 2014	14.234/10	SITE LOCATION PLAN
Drawing	03 Oct 2014	14.234/11	EXISTING PART CELLAR AND SITE PLAN
Drawing	03 Oct 2014	14.234/12	EXISTING PART CELLAR AND SITE SECTIONS
Drawing	03 Oct 2014	14.234/13	PROPOSED PART CELLAR AND SITE PLAN AND WINDOW DETAILS
Drawing	03 Oct 2014	14.234/14	PROPOSES PART CELLAR AND SITE SECTIONS LIGHT WELL KERB DETAIL
Drawing	03 Oct 2014	14.234/15	EXISTING AND PROPOSED ELEVATION
Correspondence	04 Nov 2014		BALUSTRADE FINISH

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. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted