

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT CONTROL COMMITTEE

10th December 2014

SITE VISIT DECISIONS

Item No:	001	
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:	12th December 2014	
Case Officer:	Alice Barnes	

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.

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:

Location plan/block plan 04C
Existing plans 01
Proposed plans 02D
Proposed elevations 03D

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:	002		
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 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 submitted plans, no external plant, machinery, ventilation ducting or other similar apparatus shall be installed other than in accordance with details, which may include screening measures, that shall first have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: In the interests of residential amenity and the appearance of the development.

3 No development shall commence until a Noise Assessment of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The assessment shall inter alia determine the rating levels of noise arising from plant and equipment mounted on the buildings and background noise levels at the boundaries with the nearest noise sensitive properties, and include details of noise mitigation measures for the development taking into account the proposed uses of the building and hours of use. The development shall be carried out in accordance with the approved details and the

building shall not be occupied until the noise mitigation measures have been implemented. The said noise mitigation measures shall be retained in perpetuity.

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

4 The development shall not commence until a scheme for treating fumes and odours, so as to render them innocuous before their emission to the atmosphere, has been submitted to and approved in writing by the Local Planning Authority and the means of treating the fumes and odours shall be installed and be operational before the development is brought into use or occupied and maintained as such thereafter.

Reason: To protect the amenity of the locality, especially for people living and working nearby.

5 The use hereby approved shall not be carried on and no customer shall be served or remain on the premises outside the hours of 0900 - 2200 Sunday to Thursday and 0900 - 2300 Friday and Saturday

Reason: To safeguard the amenities of nearby occupiers.

6 The garden shown on the approved plans shall not be used by customers after 1900 on any day.

Reason: To safeguard the amenities of nearby occupiers

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:

This decision relates to drawings numbered 419 02, 03 and 09, received by the Council on 12th June 2014, drawing numbered 419 08 A, received by the Council on 15th July 2014, drawings numbered 419 04 B, 05 A, 06 B and 07 B, received by the Council on 26th August 2014 and drawing numbered 419 01 A, received by 27th 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 Policy Framework. For the reasons given, a positive view of the submitted proposals was taken and permission was granted.

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.

The applicant should note that a separate highways licence is needed to allow the seating to be placed on the highway, and this should be applied for well in advance of the proposed opening.

Item No:	003		
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 PERMIT Subject to conditions requiring the erection of a fence along with Number 54 Sladebrook Road.

Item No:	004	
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 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, except site clearance and preparation works, 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 The first floor windows in the south-west and north-east elevations of the dwelling hereby approved shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Reason: To prevent overlooking of adjoining properties and in the interests of protecting residential amenity.

4 The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

5 The dwelling hereby approved shall not be occupied until a soft landscape scheme, incorporating wildlife friendly planting and features for wildlife such as bird and bat boxes, has been first submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation.

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

6 All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained.

7 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:

ST01
ST02A
ST03A
ST04A
ST05
PL01A
PL02A

DECISION MAKING 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.

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.

Item No:	005		
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 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 sample panel of all external walling 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.

3 The area shown as zinc on the drawings hereby approved shall be Rheinzink Preweathered in Graphite Grey unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development and surrounding areas

4 No development shall commence until an evaluation of the infiltration capacity of the land has been carried out to prove the viability of soakways. The Infiltration test results and soakaway design calculations shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved.

Reason: In the interests of flood risk management

5 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 (but not exclusively) details of deliveries (including storage arrangements and timings), contractor parking, traffic management and supervision, access restrictions, pedestrian safety and repair of damage to the public highway. The development shall thereafter be carried out in accordance with details so approved.

Reason: To ensure the safe operation of the highway.

6 The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose without the prior written permission of the Local Planning Authority.

Reason: To retain adequate off-street parking provision.

7 The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

8 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 290-P101 - P1, -P102-P1, -S001-P1, -S101-P1, -S102-P1 and -S201-P1, received by the Council on 29th July 2014, drawings numbered 290-A101-002 and -S202, received by the Council on 13th August 2014 and drawings numbered 290-P001-B, -P201-B, -P203-B, -P205-B, -P301-B, -P302-B, -S202-B and -S204-B, received by the Council on 30th October 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 Policy Framework. For the reasons given, a positive view of the submitted proposals was taken and permission was granted.

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 does not convey or imply any civil or legal consents required to undertake the works.

Item No:	006	
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 REFUSE

1 The proposed works of alteration lack justification and would lead to substantial harm to the protected building by loss of important architectural features and composition, historic fabric and character. Furthermore the proposal would fail to either preserve or enhance the character and appearance of Bath Conservation Area and would be harmful to the setting of the listed building. For these reasons the proposed works are regarded as not preserving the architectural or historic interest and character of the heritage asset contrary to saved policies BH.2, BH.6 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

PLANS LIST:

OS Extract	09 Jul 2014	CH12	SITE LOCATION PLANS
Drawing	09 Jul 2014	CH20	DINING ROOM EXTERNAL DOOR
Drawing	09 Jul 2014	CH15	DOOR AND WINDOW DETAIL
Drawing	09 Jul 2014	CH21B	SECTIONS A, B, C, D AND RAILINGS
Drawing	09 Jul 2014	CH4C	SURVEY ELEVATIONS
Drawing	09 Jul 2014	CH3D	SURVEY PLANS
Revised Drawing	12 Nov 2014	CH.16.B	ROOF GARDEN, STEPS, HANDRAIL
Revised Drawing	12 Nov 2014	CH.18.C	PRELIMINARY SECTION
Revised Drawing	12 Nov 2014	CH.29	COMPARATIVE PARAPET LEVELS
Revised Drawing	12 Nov 2014	CH.30	ROAD ELEVATION
Revised Drawing	12 Nov 2014	CH.8.K	PROPOSED PLANS
Revised Drawing	12 Nov 2014	CH.9.H	PROPOSED ELEVATIONS

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. Despite the advice provided during the pre-application stages and the previous applications, the applicant chose to submit the scheme in its current form. The proposals were considered unacceptable for the reasons given and the applicant did not wish to withdraw the scheme. Having regard to the need to avoid unnecessary delay, the Local Planning Authority moved forward and issued its decision

Item No:	007
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 REFUSE

1 The proposed works of alteration lack justification and would lead to substantial harm to the protected building by loss of important architectural features and composition, historic fabric and character. Furthermore the proposal would fail to either preserve or enhance the character and appearance of Bath Conservation Area and would be harmful to the setting of the listed building. For these reasons the proposed works are regarded as not preserving the architectural or historic interest and character of the heritage asset contrary to Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework.

PLANS LIST:

OS Extract	09 Jul 2014	SITE LOCATION PLANS
Drawing	09 Jul 2014	DOOR AND WINDOW PLANS
Drawing	09 Jul 2014	EXISTING SKIRTING AND EXTERNAL DOOR
Drawing	09 Jul 2014	PRELIMINARY SECTION
Drawing	09 Jul 2014	PROPOSED ELEVATIONS
Drawing	09 Jul 2014	PROPOSED ELEVATIONS
Drawing	09 Jul 2014	PROPOSED FLOOR PLANS
Drawing	09 Jul 2014	ROOF GARDEN DOOR, STEPS & HANDRAIL
Drawing	09 Jul 2014	SECTIONS
Drawing	09 Jul 2014	SURVEY ELEVATIONS
Drawing	09 Jul 2014	SURVEY PLANS

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. Despite the advice provided during the pre-application stages and the previous applications, the applicant chose to submit the scheme in its current form. The proposals were considered unacceptable for the reasons given and the applicant did not wish to withdraw the scheme. Having regard to the need to avoid unnecessary delay, the Local Planning Authority moved forward and issued its decision

