

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

29th July 2015

DECISIONS

Item No:	01	
Application No:	15/02435/MDOBL	
Site Location:	Parcel 0006, Maynard Terrace, Clutton, Bristol	
Ward: Clutton	Parish: Clutton	LB Grade: N/A
Application Type:	Modify/Discharge a Planning Obligation	
Proposal:	Modification of Planning Obligation 12/01882/OUT to reduce the affordable housing provision to 33% (Erection of 36no. dwellings and associated works (revised resubmission))	
Constraints:	Coal - Standing Advice Area, Coal - Referral Area, Coal Vein, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Housing Development Boundary, Public Right of Way,	
Applicant:	Curo	
Expiry Date:	23rd July 2015	
Case Officer:	Suzanne D'Arcy	

DECISION REFUSE

1 It has not been adequately demonstrated that the scheme would be unviable

2 The Council is seeking to provide the level of affordable housing previously approved

Item No:	02	
Application No:	14/05836/FUL	
Site Location:	Land Rear Of Yearten House, Water Street, East Harptree, Bristol	
Ward: Mendip	Parish: East Harptree	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 8 dwellings and access.	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Housing Development Boundary, SSSI - Impact Risk Zones, Water Source Areas,	
Applicant:	John Sainesbury & Co.	
Expiry Date:	17th February 2015	
Case Officer:	Christine Moorfield	

DECISION

Deferred for site visit

Item No:	03	
Application No:	15/00741/MRES	
Site Location:	Fosseway Environment Park, Fosseway, Englishcombe, Bath	
Ward: Bathavon West	Parish: Combe Hay	LB Grade: N/A
Application Type:	Minerals and Waste Reserved Matters App	
Proposal:	Approval of Reserved Matters in relation to application 14/00839/EMINW for the proposed erection of residual waste facility including a materials recovery facility, anaerobic digestion plant, reception building, weighbridge, outdoor storage areas and other ancillary development.	
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, MOD Safeguarded Areas, Regionally Important Geological Site RIG, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, Tree Preservation Order,	
Applicant:	Waste Recycling At Bath Ltd	
Expiry Date:	8th June 2015	
Case Officer:	Chris Herbert	

DECISION

Go with recommendation to Approve – subject to conditions

Item No:	04	
Application No:	15/01226/FUL	
Site Location:	153 Newbridge Hill, Newbridge, Bath, BA1 3PX	
Ward: Newbridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Provision of additional 5 parking spaces at the rear of 153/155 Newbridge Hill	
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:	Ms Amy Fry	
Expiry Date:	7th August 2015	
Case Officer:	Martin Almond	

DECISION

Delegate to PERMIT

Item No:	05	
Application No:	15/01425/OUT	
Site Location:	Wansdyke House, Claverton Down Road, Claverton Down, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Outline application with all matters reserved for the erection of a new house in the rear garden of Wansdyke House. (Resubmission)	
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:	Mrs Sharon Jackson	
Expiry Date:	21st May 2015	
Case Officer:	Alice Barnes	

DECISION APPROVE

1 The development hereby approved shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

2 Approval of the details of the scale, layout, appearance, landscaping and access of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development is commenced.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act (as amended) and Parts 1 and 3 of the General Development Procedure Order 2015.

3 In the event that contamination is found at any time when carrying out the approved development, work must be ceased and it must be reported immediately to the Local Planning Authority. The Local Planning Authority Contaminated Land Department shall be consulted to provide advice regarding any further works required. Contamination may be indicated by soils that have unusual characteristics such as: unusual colour, odour, texture or containing unexpected foreign material.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

4 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 hours of working, deliveries (including storage arrangements and timings), contractor parking, traffic management. A programme of condition surveys of the local highway network shall be included, and all damage resulting from development made good.

Reason: To ensure the safe operation and ongoing condition of the highway and in the interest of residential amenity.

5 Prior to any occupation of the dwelling a hard and soft landscape scheme shall be submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

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

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

7 Plans showing access, parking and turning areas shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the dwelling. All areas shall be surfaced in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority, and constructed to the satisfaction of the Local Planning Authority before the dwelling is occupied and shall not be used other than for access and parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

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

Reason: To retain adequate off-street parking provision.

9 No demolition or development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and details within 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 records and certificates of completion. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, alteration and creation of above and below ground services including soakaway locations and movement of people and machinery.

Reason: The method statement is required prior to development as any works undertaken could impact on trees and the method statement is required to ensure that trees to be retained are not adversely affected by the development proposals

10 No demolition or 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.

11 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:

Existing location plan 01A
Proposed location plan 01B
Existing site plan 02
Proposed site plan 08A

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Advice Note

The applicant is advised that the proposals should accord with the Building Regulation requirement for refuse collection and emergency vehicle access. It is recommended that Parts B and H of the current Building Regulations documents are reviewed.

Application No:	15/01872/FUL
Site Location:	10 Grove Street, Bathwick, Bath, BA2 6PJ
Ward: Abbey	Parish: N/A LB Grade: II
Application Type:	Full Application
Proposal:	Change of use from 4no student flats to 4no cohesive self-contained residential flats, openings in existing partition walls, additions of new doors and creation of en-suite shower rooms.
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Mr Tony Merkin
Expiry Date:	30th July 2015
Case Officer:	Laura Batham

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:

This decision relates to drawings 5619-2015-1 and 5619-2015-11 received on 27th April 2015 and proposed first floor plan, proposed second floor plan and proposed front elevation received on 6th July 2015.

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/revised proposals was taken and consent was granted.

Item No:	07
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Application No:	15/01873/LBA
Site Location:	10 Grove Street, Bathwick, Bath, BA2 6PJ
Ward: Abbey	Parish: N/A LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Internal alterations for the creation of 2no cohesive self-contained residential flats and openings in existing partition walls, additions of new doors and creation of en-suite shower rooms.
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Mr Tony Merkin
Expiry Date:	30th July 2015
Case Officer:	Laura Batham

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 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 5619-2015-1 and 5619-2015-11 received on 27th April 2015 and proposed first floor plan, proposed second floor plan and proposed front elevation received on 6th July 2015.

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/revised proposals was taken and consent was granted.

Item No:	08
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Application No:	15/01996/FUL
Site Location:	11 Holloway, Widcombe, Bath, BA2 4PS
Ward: Widcombe	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Extension of kitchen into existing balcony with provision of roof and glazing to cover balcony.
Constraints:	Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, British Waterways Major and EIA, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Mrs R Simcox
Expiry Date:	4th August 2015
Case Officer:	Nicola Little

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 details and prior to the commencement of development, samples of all external materials to be used in the construction of the extensions hereby approved shall be submitted to and approved in writing by the Local Planning Authority.

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:

The development shall be carried out strictly in accordance with the details shown on

EXISTING BALCONY SECTION - DRAWING 5643-2015/06 - received 01 May 2015

EXISTING ELEVATION - DRAWING 5643-2015-02 - received 01 May 2015

EXISTING FIRST FLOOR PLAN - DRAWING 5643-2015-02 - received 01 May 2015

PROPOSED ELEVATION - DRAWING 5643-2005-05 A - received 10 July 2015

PROPOSED FIRST FLOOR PLAN - DRAWING 5643-2015-04 - received 01 May 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 Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. The Council publicises the pre-application service it offers however the applicant did not seek to enter into correspondence with the Local Planning Authority prior to submitting this application. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal.

Item No:	09	
Application No:	15/01757/FUL	
Site Location:	Joseph House, Church Lane, Englishcombe, Bath	
Ward: Bathavon West	Parish: Englishcombe	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a wooden garden pagoda.	
Constraints:	Agric Land Class 1,2,3a, Conservation Area, Forest of Avon, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Dr William Fulton	
Expiry Date:	17th June 2015	
Case Officer:	Sasha Berezina	

DECISION REFUSE

1 The proposal constitutes inappropriate development within Green Belt, which is harmful by definition. Furthermore, due to its size, bulk and location it would be harmful to the openness of the Green Belt. No very special circumstances have been demonstrated to clearly outweigh the harm, and as such the application is contrary to the National Planning Policy Framework, The Core Strategy Policy B8, and the saved policies GB.2 of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007.

PLANS LIST:

22 Apr 2015 OS Extract SITE LOCATION PLAN
22 Apr 2015 Drawing BLOCK PLAN
19 Apr 2015 Drawing 001 POSTS PLAN
19 Apr 2015 Drawing 002 PR'S PLAN
19 Apr 2015 Drawing 003 JACK PLAN
19 Apr 2015 Drawing 004 SPIRE PLAN
19 Apr 2015 Drawing 005 ROOF PLAN
19 Apr 2015 Drawing 007 WALLS B&D

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. 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 choose 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:	10	
Application No:	15/00006/CONSLT	
Site Location:	Parcel 3100, Charlton Road, Keynsham,	
Ward: Keynsham South	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Consultation	
Proposal:	Comprehensive Masterplan and Design Principles for the proposed redevelopment of the site at Charlton Road, Keynsham pursuant to Policy KE4 of the Bath & North East Somerset Core Strategy 2014.	
Constraints:	,	
Applicant:	Bloor Homes And Persimmon Homes	
Expiry Date:	12th June 2015	
Case Officer:	Rachel Tadman	

DECISION

Agreed by committee