

## **DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING**

### **BATH AND NORTH EAST SOMERSET**

#### **MINUTES OF DEVELOPMENT CONTROL COMMITTEE**

Wednesday, 26th October, 2011

Present:- Councillor Gerry Curran in the Chair  
Councillors Liz Hardman, Eleanor Jackson, Les Kew, David Martin, Douglas Nicol, Bryan Organ, Martin Veal, David Veale, Brian Webber, Dine Romero (In place of Lisa Brett) and Jeremy Sparks (In place of Neil Butters)

Also in attendance: Councillors Patrick Anketell-Jones, Andy Furse and Malcolm Lees

#### **60 EMERGENCY EVACUATION PROCEDURE**

The Senior Democratic Services Officer read out the procedure

#### **61 ELECTION OF VICE CHAIR (IF DESIRED)**

A Vice Chair was not required

#### **62 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Lisa Brett and Neil Butters and their respective Substitutes were Councillors Dine Romero and Jeremy Sparks.

#### **63 DECLARATIONS OF INTEREST**

Councillor Liz Hardman informed the meeting that she was present when Paulton Parish Council had considered the planning application at the Closed Polestar Purnell site, Paulton (Item 3, Report 10 of this Agenda) but that she did not participate. She therefore had no interest to declare on this Item and would speak and vote when it was considered.

#### **64 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There were no items of Urgent Business

#### **65 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS**

The Senior Democratic Services Officer informed the meeting that there were speakers wishing to make a statement on the Enforcement Item on The Old Orchard, The Shrubbery, Lansdown, Bath (Report 11) and that they would be able to do so for up to 3 minutes each when reaching that Item. There were also members of the public wishing to make statements on planning applications in Report 10 and they would be able to do so when reaching their respective Items in that Report.

## 66 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were no items from Councillors

## 67 MINUTES: WEDNESDAY 28TH SEPTEMBER 2011

The Minutes of the previous meeting held on Wednesday 28<sup>th</sup> September 2011 were approved as a correct record and signed by the Chair.

## 68 MAJOR DEVELOPMENTS

The Development Manager informed the Members that, if they had any queries on major developments, they should contact the Senior Professional – Major Developments direct.

## 69 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- A report by the Development Manager on various planning applications
- An Update Report by the Development Manager on Items Nos. 2, 3, 5 and 6, a copy of which is attached to these Minutes as *Appendix 1*
- Oral statements by members of the public etc. on Item Nos. 1 – 4 and 6, the Public Speakers List being attached to these Minutes as *Appendix 2*

**RESOLVED** that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached to these Minutes as *Appendix 3*.

**Items 1&2 Kingsmead House, James Street West, Bath – 1) Demolition of Kingsmead House (Ref 10/04868/CA); and 2) Erection of a 177 bed hotel incorporating conference facilities, restaurant, café/bar and associated facilities, servicing and works following demolition of Kingsmead House (Ref 10/04867/FUL)** – The Historic Environment Team Leader reported on the application for consent to demolish Kingsmead House. He stated that the wording of Condition 2 of the Recommendation to permit would need to be amended as more precise wording was required.

The Senior Planning Officer reported on the application to erect a 177 bed hotel etc. on the site of Kingsmead House. He referred to the Update Report which contained the Officer's comments on further representations received from the Council's Development and Regeneration Team and the Bath Preservation Trust.

The public speakers made their statements on these applications. The Ward Councillor Andy Furse then made a statement commenting on various aspects of the proposals.

Members asked questions for clarification purposes on the **application for consent to demolish (Ref 10/04868/CA)** to which Officers responded. Councillor Bryan

Organ moved that **consent be granted** for demolition which was seconded by Councillor Martin Veal. During the debate on the motion, it was considered that a timescale should be included in Condition 2, namely, that a landscaping scheme be implemented if work for redevelopment of the site had not commenced within 6 months. Also, the applicant be required to recycle materials from the demolition of the building. The mover and seconder agreed to these amendments. The motion was put to the vote and was **carried unanimously**.

The **application for the hotel (Ref 10/04867/FUL)** was then considered. Members asked questions about access to the upper floors of the proposed hotel, the arrangements for patrons arriving by car and coach, whether solar panels had been included etc. Some Members made reference to the tourism aspect of the proposal with too many hotels in the area and car parking at full capacity. There was no Master Plan or a Supplementary Planning Document. A Visitor Accommodation Study had been adopted which should have some impact. The Officers responded to these queries. Councillor Eleanor Jackson considered that provision for conferences was a useful benefit to the scheme. She had some concern about the design which didn't look like a hotel although it did link in with the style of some of the adjoining buildings. She moved the **Officer recommendation** – which was seconded by Councillor Liz Hardman - to (A) Authorise the Planning and Environmental Law Manager to secure an Agreement under Section 106 of the Town and Country Planning Act 1990 for (a) a financial contribution to fund the following: an amended Traffic Regulation Order in respect of the layby at the front of the site onto James Street West to restrict parking for the use of taxis and coaches only for limited time periods; an amended Traffic Regulation Order to allow coaches and taxis accessing the site from Green Park Road to turn right into the western end of James Street West; (b) the resurfacing of footways along site frontages to include widened James Street West frontage and dedication as public highway; and (B) upon completion of the Agreement, authorise the Development Manager to Permit the application subject to the conditions set out in the Report.

Members debated the motion and various issues were discussed. The use of the site as offices for employment was mentioned but it was pointed out that the existing office building had been empty for some time and that tourism was important to the City's economy. A Member stated that market forces were encouraging use as a hotel and this would probably be a mainstream hotel rather than a budget or a luxury establishment. The Council, however, should take responsibility for traffic and parking. The design was modern and fitted the context of the street scene and the Conservation Area. The Traffic Regulation Order should be amended at the developers' expense to include (Zone 6) New King Street which was mentioned by the Ward Councillor in his statement. Some Members agreed with these sentiments and made similar comments. However, other Members felt that there were already a number of hotels in the area for which planning permission had recently been granted. More cars would be attracted to the City adding to traffic congestion. The dropping off point for coaches and cars was not adequate. The issue of use of the bar/restaurant by non-residents and the lack of sustainable energy proposals were also concerns raised by some Members. The Chair commented on the proposals and summed up the debate

The Development Manager commented on some of the points raised. She informed Members that the type of hotel was not a factor for consideration and the demand for a hotel did not need to be proved. There was no Master Plan for the area or a

Supplementary Planning Document but the draft Core Strategy supported the proposal. There were concerns regarding traffic and loss of offices but the site was at the centre of public transport provision and the building was outmoded for continued office use. The issues raised by Members relating to solar panels, use of the bar/restaurant by non-residents and amending the Traffic Regulation Order by extending parking restrictions to Zone 6, would be the subject of discussion with the applicants. A restriction on the hours of use of the bar could be dealt with by the imposition of a planning condition.

The motion was then put to the vote: 7 Members voted in favour and 4 against with 1 abstention. **Motion carried.**

(Note: There followed an adjournment for 5 minutes and the meeting resumed at 4.15pm)

**Item 3 Closed Polestar Purnell Factory Site, Access Road to Works, Paulton – Variation of Section 106 Agreement to permission granted for mixed use redevelopment of former print works comprising offices, industrial, residential, continuing care retirement community, pub/restaurant, community building, open space, associated infrastructure, landscaping and access roads (Ref 07/02424/EOUT)** – The Case Officer reported on this application for a Variation to the S106 Agreement. His Recommendation was to agree to the requested variation of the planning obligations entered into in respect of the development and that, if the Committee was minded to accept this recommendation, then it resolve that the Council enter into a supplemental S106 Agreement with the current owners of the land to vary the terms of the S106 Agreement dated 17<sup>th</sup> June 2010 made between the Council, Purnell Property Group and Investec Ltd in respect of land on the north side of Hallatrow Road, Paulton (“the Original Section 106 Agreement”) to provide that the Affordable Housing provision for the development is reduced from 35% to 20% and that the requirement to provide land which shall be of sufficient size to facilitate the provision of a 52 place pre-school nursery, together with ancillary play space and parking space, be removed but the obligation to construct and fit out a building capable of accommodating a 26 place pre-school nursery, together with ancillary play space, be retained. He referred to the Update Report which contained comments from the Parish Council. The Report also updated Members on the proposal as regards discussions held by the Council’s Housing Team with the applicants who have agreed to provide a minimum of 20% affordable housing without subsidy but with the developers using reasonable endeavours, in conjunction with the Council, to secure funding to increase the percentage of affordable housing up to a maximum of 35%.The Officer recommendation was that Members should accept this improved proposal.

Members asked questions for clarification purposes to which the Case Officer replied. The applicants’ Agent made a statement in favour of the application for the Variation.

Councillor Liz Hardman supported the Officer’s Recommendation but considered that the affordable housing should be “pepper potted” through the site rather than be in one area. She accordingly moved the Recommendation which was seconded by Councillor Les Kew. The Case Officer advised that the distribution of affordable housing could be dealt with under applications for the approval of Reserved Matters.

After a short discussion, the motion was put to the vote which was carried unanimously.

**Item 4 No 80 Brookfield Park, Weston, Bath – Erection of a two storey side and rear extension and conversion to 4 flats (Ref 10/02486/FUL) –** The Case Officer reported on this application and her Recommendation to Permit with conditions.

The applicants' Architect made a statement in favour of the proposal which was followed by a statement by the Ward Councillor Malcolm Lees against the proposal.

Members asked questions about the proposal to which the Case Officer responded. Councillor Les Kew could not see that there were good planning reasons to refuse the proposal and therefore moved the Officer Recommendation to Permit with conditions. This was seconded by Councillor David Martin. Members debated the motion and various concerns were raised such as loss of symmetry, impact on the street scene and parking.

The motion was then put to the vote. Voting: 6 in favour; 5 against; and 1 abstention. Motion carried.

**Item 5 Folly Farm, Folly Lane, Stowey – Change of use from Class C2 to Mixed Use Classes C2/D2 for residential/education, wedding ceremonies and receptions with ancillary café, teaching and workshop facilities (Retrospective) (Ref 10/04399/FUL) –** This application was withdrawn from the Agenda to allow further discussions with the applicant.

**Item 6 No 11 Old Newbridge Hill, Newbridge, Bath – Provision of loft conversion with 1 side and 1 rear dormer (Resubmission) (Ref 11/03877/FUL) –** The Chair informed the meeting that the applicants' Agent had not registered to make a statement and had fallen sick. One of the applicants had therefore requested to speak at the meeting instead. Members considered that this was an exceptional circumstance which warranted the applicant making a statement at this meeting.

The Case Officer reported on this application and his Recommendation to refuse permission. The Update Report contained an objection to the proposal. The applicant then made her statement in favour of the proposal.

Councillor Martin Veal considered that it would be useful to have a policy on the installation of dormers. However, he considered that this proposal should be supported and moved that the Recommendation be overturned and Officers be authorised to grant permission subject to appropriate conditions. This was seconded by Councillor Liz Hardman who considered that the reasons for overturning the Recommendation were that there were no other properties affected, the character of the street had already been affected by dormers in the street, there was no clear harm to the character and appearance of the street scene, and it had no detrimental impact on local residents. Members debated the motion. It was felt that a Dormer Policy was required and that the property would benefit from the proposal. The Development Manager commented that it would be difficult to provide a policy on dormers and that the Council had been successful in resisting the installation of side dormers when there had been appeals against refusals of permission.

The motion was put to the vote. Voting: 11 in favour and 1 abstention. Motion carried.

**70 ENFORCEMENT REPORT - THE OLD ORCHARD, THE SHRUBBERY, LANSDOWN**

The Committee considered (1) a report by the Development Manager requesting Members to authorise enforcement action regarding (i) the unauthorised orange coloured stone used in cladding the new dwelling; and (ii) gates to the parking area onto the footpath and surface treatment not built according to approved plans; and (2) oral statements by a representative of St James' Park Residents Association speaking in favour of enforcement action and from the owner of the property speaking against enforcement action.

The Team Leader – Development Management reported on the issues by means of a power point presentation. He informed the Members that he was unable to find any drawing to indicate that the gates on the parking space adjacent to St James' Park had been approved.

Councillor Eleanor Jackson considered that the photographs shown by the Officer and the sample materials used by the applicant as visual aids in her statement were confusing and clarification was required before enforcement action could be considered. She therefore moved that the matter be deferred for a Site Visit which was seconded by Councillor Martin Veal.

**RESOLVED** (1) to defer consideration for a Site Visit; and (2) a report be submitted to the next meeting when the public speakers would have a further opportunity to make statements on the matter.

**71 NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES**

The report was noted

The meeting ended at 5.35 pm

Chair(person) .....

Date Confirmed and Signed .....

Prepared by Democratic Services

**BATH AND NORTH EAST SOMERSET COUNCIL****Development Control Committee****26 October 2011****OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN  
AGENDA****ITEM 10****ITEMS FOR PLANNING PERMISSION**

<b>Item No</b>	<b>Application No</b>	<b>Address</b>	<b>Page No</b>
02	10/04867/FUL	Kingsmead House, James Street West, Bath	37

An additional comment has been received from the Council's Development and Regeneration Team. They note that the emerging Core Strategy seeks significant provision of office space within central Bath.

They advise that they have undertaken an assessment of likely office space provision within Bath which shows at the current rate that there will be an undersupply of office floorspace compared to Core Strategy targets. The loss of a further 4,822sqm at Kingsmead House would significantly add to this undersupply and run contrary to the provisions in Core Strategy policies potentially make it more difficult to defend further losses of space in central Bath. The Development and Regeneration Team therefore advise that they would prioritise the retention of office accommodation over new hotel accommodation.

OFFICER COMMENTS: Policy B2 of the emerging Core Strategy does seek a large increase in office accommodation within the central area to 2026. The same policy also makes allowances for the release of sites comprising in total up to 15,000-30,000sqm within the central area which are least suitable for continued occupation. The Officer's report highlights the inadequacies of Kingsmead House for continued occupation. Appraisal evidence has also been assessed which demonstrates that it would be unviable to refurbish or redevelop the site for office accommodation. The emerging Core Strategy may only be attributed limited weight at this point and the employment policies in the Local Plan should be given primacy. In this case it has been demonstrated that the site is no longer capable of offering office accommodation or an adequate standard and the development is considered to comply with Policy ET.2.

It is also worth reiterating that the emerging Core Strategy seeks the provision of 500-750 additional hotel rooms within the city. The provision of such accommodation therefore likewise represents an aspiration of the Core Strategy.

An additional letter has been received from the Bath Preservation Trust in respect of the revised drawings. They comment that they regret that there has not been a more pro-active approach towards pre-application consultation and that a redevelopment brief for the wider area is not in place.

Advise that the Trust is supportive in principle of proposals to redevelop the site. They are concerned though that the building is overscaled and that the glazed penthouse floors would be visually intrusive and incongruous both in the immediate and wider context, especially at night.

The trust welcomes the idea of a colonnade. The step down of the upper storey to the east also reduces the monolithic effect of the building. The return of the building to the original, larger footprint of the site whilst reducing the height, to maximise available accommodation within the roof line, is also sensible. However, the number of storeys crammed in to this height is unacceptable since it neither conforms to the Georgian proportions to which the eye is so accustomed in Bath, nor produces a new set of harmonising proportions.

They advise that they have serious concerns about the use of Bath stone cladding and question its durability as a thin veneer. The Trust advise that the development will have a detrimental impact on the character, appearance and setting of the Conservation Area and adjacent listed buildings, and would compromise the authenticity and integrity and Outstanding Universal Value of the World Heritage Site.

**OFFICER COMMENTS:** These design points have been addressed within the Officer report. In summary the scale of the building is considered to be appropriate and whilst the upper glazed storey may not be characteristic of Georgian Bath it serves to give the upper storey/s a more lightweight treatment. In respect of the point regarding the visibility of the glazed floors at night this is not considered to be too problematical because lighting in hotel rooms is typically limited, blinds or curtains would also be used within the rooms.

The concerns regarding the use of Bath stone cladding is noted however this is an approach which is commonly being employed around Bath and samples of the materials will be secured prior to development commencing should the application be permitted.

<b>Item No</b>	<b>Application No</b>	<b>Address</b>	<b>Page No</b>
03	07/02424/EOUT	Closed Polestar Purnell Factory Site, Access Road to Works, Paulton	73

#### PARISH COUNCIL

A response has been received from Paulton Parish Council in relation to the revisions to the proposed variation. This states:-



- i) supports the reduction in the total percentage of affordable housing on the site from 35% to 20% on condition that the affordable housing is “pepperpotted” throughout the site
- ii) supports the variation in the Section 106 Agreement to retain the requirement for the 26 place pre-school nursery but remove the requirement to provide land for a further 26 places.

**UPDATE ON THE PROPOSAL**

The applicants have been in discussion with the Council’s Housing Team and have agreed that the proposal is to provide a minimum of 20% affordable housing without subsidy, but with the developers using reasonable endeavours, in conjunction with the Council, to secure funding to increase the percentage of affordable housing, up to a maximum of 35%.

<b>Item No</b>	<b>Application No</b>	<b>Address</b>	<b>Page No</b>
05	10/04399/FUL	Folley Farm, Folley Lane, Stowey	84

This application has been withdrawn from the Agenda.

<b>Item No</b>	<b>Application No</b>	<b>Address</b>	<b>Page No</b>
06	11/03877/FUL	11 Old Newbridge Hill, Newbridge, Bath	89

**BATH PRESERVATION TRUST**

The attached representation has been received from the Bath Preservation Trust since the application was referred to the Development Control Committee. This representation raises concern in relation to the visual impact of the development.

**OBJECT**

The Trust objects to this proposal which is considered to be of an insufficient design quality and would therefore detract from the appearance of the street-scene. While the dormer proposed to the rear will have only a limited impact upon the building and will not be widely visible from the Old Newbridge Hill, the proposed eastern side-dormer will appear as an unsympathetic addition to the existing dwelling and our objection applies principally to this addition to the property.

The appearance, form and design of the window fails to respond sufficiently to the appearance of the existing dwelling. The materials chosen, principally concrete pantiles cladding the walls, are unsympathetic and do not reflect the walling material to the rest of the property and does not engender a sense of cohesiveness to the building. The elevations presented imply that this dormer will be uncomfortably large, giving the dwelling an unbalanced appearance, particularly since it is a semi-detached property with an established sense of symmetry.

We are concerned that this roof extension may have a detrimental impact upon the street-scene and visual amenity of Old Newbridge Hill. Though there have been dormer additions to buildings along this route they have been confined to the rear of the properties, and have not been imposed upon the primary or side facades. As such the integrity of the original street scene, roof profile, and group value remains relatively intact. Permitting this development will threaten this integrity, and though

the aesthetic of the route is only of local significance or interest it is important to maintain and respect this.

This application in our view is therefore contrary to policies D2, D4, BH1 and BH6 of the B&NES Local Plan and should therefore be refused.

**SPEAKERS LIST  
BATH AND NORTH EAST SOMERSET COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**MEMBERS OF THE PUBLIC ETC WHO MADE A STATEMENT AT THE  
DEVELOPMENT CONTROL COMMITTEE AT ITS MEETING ON  
WEDNESDAY 26<sup>TH</sup> OCTOBER 2011**

**SITE/REPORT                      NAME/REPRESENTING                      FOR/AGAINST**

<b>SITE/REPORT</b>	<b>NAME/REPRESENTING</b>	<b>FOR/AGAINST</b>
<b>PLANS LIST REPORT 10</b>		
Kingsmead House, Bath (Items 1&2, Pages 26-72)	Lesley Redwood, Bath Independent Guest House Association <u>AND</u> Rupert Nandi <u>AND</u> Robin Kerr (Bath Federation of Residents Associations)	Against – To share up to 6 minutes
	Martin Stutchbury, Scott Brownrigg (Applicants' Architects)	For – Up to 6 minutes
Closed Polestar Purnell Factory Site, Access Road to Works, Paulton (Item 3, Pages 73-76)	Neil Rowley, Savills (Applicants' Agents)	For
80 Brookfield Park, Weston, Bath (Item 4, Pages 77-83)	David Hadfield (Applicants' Architect)	For
11 Old Newbridge Hill, Bath (Item 6, Pages 89-92)	Caroline Roberts (Applicant)	For
<b>ENFORCEMENT ITEM REPORT 11</b>		
The Old Orchard, The Shrubbery, Lansdown, Bath	Edward Lambah-Stoate, St James' Park Residents Association	Statement in favour of enforcement
	Janet Wilson (Owner)	Statement against enforcement

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**26th October 2011**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	10/04868/CA	
<b>Site Location:</b>	Kingsmead House, James Street West, City Centre, Bath	
<b>Ward:</b> Kingsmead	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Conservation Area Consent	
<b>Proposal:</b>	Demolition of Kingsmead House.	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Forest of Avon, Hotspring Protection, World Heritage Site,	
<b>Applicant:</b>	Telereal Trillium	
<b>Expiry Date:</b>	16th February 2011	
<b>Case Officer:</b>	Ian Lund	

**DECISION** CONSENT with the following conditions

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

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

2 No demolition shall take place until either:

(a) a contract for the carrying out of works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which that contract provides;

or alternatively

(b) a landscaping scheme for the site, including a programme of maintenance, has been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the character and appearance of this part of the Conservation Area.

3 Following substantial completion of the demolition work, either:

a) within six months redevelopment of the site shall be commenced in accordance with the scheme of redevelopment referred to in condition 2 (a) above; or

b) within six months the approved landscaping scheme referred to in condition 2 (b) above shall be implemented and maintained on the site to the written satisfaction of the Local Planning Authority until such time as the site is redeveloped.

Reason: To safeguard the character and appearance of this part of the Conservation Area.

4 No works for the demolition of part or all of the building shall commence until a Materials Recycling Audit, which shall include how the existing construction materials, with particular reference to any natural Bath stone, are to be dismantled and recycled, has first been submitted to and agreed in writing by the Local Planning Authority. The works for clearance of this site shall subsequently be in accordance with the agreed Materials Recycling Audit.

Reason: In the interests of the preserving the character of the conservation area and ensuring sustainable development.

5 No works for the demolition of part or all of the building shall take place within the site until the applicant, or their agents or successors in title, has submitted to and had approved by the Local Planning Authority a written method statement providing for a careful manner of demolition that prevents damage to potential below ground archaeological deposits. The method statement shall include the location, extent and depth of all excavations and these works shall be carried out and completed in accordance with details as approved.

Reason: The site is within an area of significant archaeological interest and the Council wishes to prevent unnecessary damage to features beneath the standing building.

6 Prior to the commencement of demolition at the site details of a Construction Management Plan for all works of demolition shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall comply with the guidance contained in the BRE Code of Practice on the control of dust from construction and demolition activities and shall also include, but not exclusively, details of the location of the site compound and on-site parking provision for vehicles associated with the demolition works and hours of working. The details so approved shall be fully complied with during the construction of the development.

Reason: To protect the amenities of the users of adjacent commercial properties.

7 The demolition hereby granted consent shall only be implemented in accordance with the documents as set out in the plans list below.

Reason: To define the terms and extent of the conservation area consent.

## **PLANS LIST:**

This decision notice relates to the following documents:

### **Existing drawings:**

14126.TP-202-OB1B, -001B, -002B, -003B, -004B, -005B, -006B, -007B, -008B, -203-001B, -002B, -003B, -204-001B, and -204-002B, all date stamped 24 November 2010, and

14126.TP-201-001C, -002D, -003C, -004C, and -202-000C all date stamped 8 December 2010

### **Proposed drawings:**

14126.TP-411-006, -412-301 B, -414-002B, -003B, -201 B, -202B, -204B, -418-001B, -002B, -003B, -101B, -102B, -201B, and -202B all date stamped 24th November 2010, and

14126.TP-41 -003C, and -004C date stamped 8th December 2010, and

14126.TP-414-203B date stamped 16th December 2010.

### **Amended proposal drawings:**

14126.TP-411-002D, -005D, -412-001C, -002C, -003C, -004C, -005C, -006C, -0B1D, -1B1D, -000E, -100E, -101 E, -102 E, 103E, -104E, -105E, -106D, -201D, -202D, -203C, -413-001D, -002D, -003D, -004D, -005D, -006C, -101C, -102C, -414-001D, -101C, -102C, -103C, and -104C all date stamped 24th May 2011.

### **Additional proposal drawings:**

14126.TP-412-401A, -402A, -418-301 and -302 all date stamped 24th May 2011.

Application Summary, Photograph Statement, Design and Access Statement Part 01, Archaeological Desk Based Assessment, Planning Statement, Bat Survey, Site Waste Management Plan, Noise Impact Statement, Statement of Community Involvement all dated stamped 24th November 2010.

**NOTE:** Additional papers submitted including King Sturge report, Energy Strategy Assessment, Transport Assessment, Draft Travel Plan, Flood Risk Assessment, Preliminary Operational Management Plan, Ventilation Strategy, PPS2 Sequential Test Report, Utilities Statement, and Preliminary Risk Assessment are not considered directly relevant to this application and have not been taken into consideration.

## **REASONS FOR GRANTING CONSENT**

The decision to grant consent subject to conditions has been made in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding Conservation Area. The decision is also generally consistent with Planning Policy Statement 5: Planning for the Historic Environment, and has taken into account the views of third parties. Provided an acceptable redevelopment or landscaping of the site follows on immediately, the Council considers the proposals will preserve or enhance the character of the Conservation Area and World Heritage Site.

<b>Item No:</b>	02
<b>Application No:</b>	10/04867/FUL
<b>Site Location:</b>	Kingsmead House, James Street West, City Centre, Bath
<b>Ward:</b> Kingsmead	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of a 177-bed hotel incorporating conference facilities, restaurant, café/bar and associated facilities, servicing and works following demolition of Kingsmead House.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Forest of Avon, Hotspring Protection, World Heritage Site,
<b>Applicant:</b>	Telereal Trillium
<b>Expiry Date:</b>	8th April 2011
<b>Case Officer:</b>	Mark Reynolds

**DECISION** Delegate to PERMIT

(A) Authorise the Planning and Environmental Law Manager to secure an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure:-

(a) A financial contribution to fund the following; An amended traffic Regulation Order in respect of the layby at the front of the site onto James Street West to restrict parking for the use of taxis and coaches only for limited time periods; An amended traffic Regulation Order to allow coaches and taxis accessing the site from Green Park Road to turn right into the western end of James Street West.

(b) The resurfacing of footways along site frontages to include widened James Street West frontage and dedication as public highway.

(B) Upon completion of the Agreement authorise the Development Manager to PERMIT the application subject to the following conditions:-

**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 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 character and appearance of this part of the Conservation Area.



3 No development shall commence, save for demolition works, 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 character and appearance of this part of the Conservation Area.

4 Notwithstanding the submitted plans no development shall commence until full detailed drawings and particulars have been submitted to and approved in writing by the Local Planning Authority of the following; the method of construction of the building with particular reference to the stone cladding; and full details of the form, design and appearance of the ground floor openings

Reason: In order to allow proper consideration of this element of the scheme in the interests of the appearance of the development and the character and appearance of the Conservation Area and setting of neighbouring listed buildings.

5 The development hereby permitted shall not be occupied until the hard landscaping works as detailed on plan ref: 14126 TP-411-005 D have been undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of this part of the site and the Conservation Area and in the interests of highway safety.

6 The development hereby permitted shall not be commenced until such time that a Construction Management Plan, including details of the management of the site, together with the routing and parking of vehicles, has been submitted to and approved in writing by the Local Planning Authority. The said plan shall include, but not exclusively, details of the location of the site compound and on-site parking provision for vehicles associated with the construction and demolition works and hours of working. The details so approved shall be fully complied with during the construction of the development.

Reason: In the interests of highway operation, amenity and safety.

7 The proposed development hereby permitted shall not be occupied until the existing layby fronting the site has been increased to a minimum width of 2.5 metres and the footway fronting the site and James Street West has been increased in width to a minimum of 3.0 metres in width between the front face of the proposed building/covered walkway and the near edge of the proposed layby.

Reason: In the interests of highway operation, amenity and safety.

8 The development hereby permitted shall not be occupied until a Travel Plan, including but not exclusively, detailed measures to minimise arrival by guests in private cars, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be occupied only in accordance with the provisions of the approved travel plan.

Reason: In the interests of highway operation, amenity, sustainability and safety.

9 The development hereby permitted shall not be occupied until an Operational Management Statement for the hotel to include, but not exclusively; details of the methods, frequencies and times of delivering and despatching to and from the hotel and ancillary uses; and details of the management arrangements of the proposed lay-by at the frontage have been submitted to and approved in writing by the Local Planning Authority. Development shall then take place strictly in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the occupants of adjacent residential properties and in the interests of highway safety.

10 No vehicular deliveries shall arrive, be received or despatched from the rear of the site outside the hours of 08:00 to 18:00 Monday-Friday, 08:00 to 13:00 on Saturdays and at no time during Sundays and Public Holidays.

Reason: To safeguard the amenity of nearby residents.

11 The development hereby permitted shall not be occupied until the on-site car parking and servicing facilities have been provided and are available for use. Thereafter they shall be maintained free from obstruction and available for use solely by authorised/permited vehicles at all times.

Reason: In the interests of highway operation, amenity and safety.

12 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.

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

13 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 to be 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.

14 No external lighting shall be installed on any part of the building or within any other part of the site other than in accordance with details (including details of illumination times and luminance levels) that shall first have been submitted to and approved in writing by the

Local Planning Authority, and any lighting shall thereafter be operated in accordance with the approved details.

Reason: To protect the amenities of the occupants of nearby residential properties and to safeguard the character and appearance of this part of the Conservation Area and the World Heritage Site.

15 No materials arising from the demolition of any existing structure(s), the construction of the new development nor any material from incidental works shall be burnt on the site.

Reason: In order to protect residential amenity.

16 The finished floors levels of the proposed development shall be set as shown on plan TP-412-000 D, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development.

17 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

18 No development shall commence until a scheme for flood resilient/resistant construction has been submitted to and approved in writing with the Local Planning Authority. Development shall then take place in accordance with the approved details.

Reason: To reduce the risk and impact of flooding to the proposed development.

19 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.

20 Pursuant to condition 19 if remediation is required 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 submitted to and approved in writing by 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.

21 Pursuant to condition 20 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 (referred to in PPS23 as a validation 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.

22 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 19, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 20, 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 21.

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.

23 Where a remediation scheme is identified as being required, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, 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.

24 Notwithstanding the submitted drawings details of the final proposed conference facilities shall be submitted to and approved in writing by the Local Planning Authority. The said conference facilities shall thereafter be provided in accordance with the approved details prior to the first occupation of the development and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that conference facilities are provided to help to meet the identified lack of such facilities within Bath as outlined in the Visitor Accommodation Study.

25 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.

26 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.

27 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.

28 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 the following drawing numbers; 14126 - TP-112-205 A, TP-112-301 B, TP-202-000 C, TP-202-0B1 B, TP-201-001 B, TP-201-001 C, TP-201-003 C, TP-201-004 C, TP-202-000 C, TP-202-001 B, TP-202-001 B, TP-202-002 B, TP-202-003 C, TP-202-004 B, TP-202-005 B, TP-202-007 B, TP-202-008 B, TP-201-002 D, TP-202-006 B, TP-202-003 B, TP-203-001 B, TP-203-002 B, TP-203-003 B, TP-204-001 B, TP-204-002 B, TP-411-002 D, TP-411-002 D, TP-411-003 D, TP-411-005 D, TP-412-OB1 D, TP-412-1B1 D, TP-412-000 D, TP-412-000 F, TP-412-001 C, TP-412-002 C, TP-412-003 C, TP-412-004 C, TP-412-005 C, TP-412-006 C, TP-412-100 E, TP-411-101 E, TP-412-102 E, TP-412-103 E, TP-412-104 E, TP-412-105 E, TP-412-106 D, TP-412-201 D, TP-412-202 D, TP-412-203 C, TP-412-401 A, TP-412-402 A, TP-413-001 D, TP-413-002 D, TP-413-003 D, TP-413-004 D, TP-413-005 D, TP-413-006 C, TP-413-101 C, TP-413-102 C, TP-414-001 D, TP-414-101 D, TP-414-102 C, TP-414-103 C, TP-414-104 C, TP-418-002 B, TP-418-301, TP-418-302, SK 314

#### REASONS FOR GRANTING PERMISSION:

The decision to recommend approval has taken account of the Development Plan and any approved Supplementary Planning Documents. The development would accord with guidance within PPS 1, PPS 4, PPS 5 and PPG13. The loss of the existing office accommodation has been justified in the context of Local plan employment policies. The use of this city centre site as a hotel is an appropriate use which accords with policy guidance. The removal of the existing building and the erection of this replacement

building would enhance the character and appearance of the Conservation Area and would not harm the setting of listed buildings or the World Heritage Site. The proposal to not provide on-site car parking is consistent with Local Plan and National Policy and the objectives of sustainability. Highway safety would not be jeopardised by this proposal.

The development is capable of being adequately serviced and operated without resulting in any significant harm to neighbouring amenity. The building has been designed to minimise any impact in terms of overshadowing or overlooking of neighbouring properties. The development would not significantly increase the risk of flooding at the site. A bat assessment has been undertaken at the site which indicates that no evidence of bats within or surrounding the buildings was discovered. The development would not therefore require a license from Natural England. Officers are satisfied that the requirements of the Habitats Directive have been met. The development is not considered to be EIA development.

The proposed development is in accordance with Policies IMP.1, D.2, D.4, ET.1, ET.2, SR.3, S.6, S.7, ES.2, ES.5, ES.15, WM.3, NE.14, BH.1, BH.2, BH.6, BH.7, BH.13, T.3, T.5, T.6, T.18, T.19, T.24, T.25 and T.26 of the Bath & North East Somerset Local Plan (including minerals and waste policies) 2007.

The applicant is requested to comply with the BRE Code of Practice to control dust from construction and demolition activities (ISBN No. 1860816126). The requirements of the Code shall apply to all work on the site, access roads and adjacent roads.

The applicant should strongly consider putting in place a flood evacuation plan. Particular attention should be given to evacuation from the basement levels if a flood event were to occur in this area.

The applicant is advised to put in place safeguards during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use machinery, oils/chemicals and materials, the routing of heavy vehicles, the location of work and storage areas, and the control and removal of spoil and wastes.

The applicant is referred to the Environment Agency's Pollution Prevention Guidelines, which can be found at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

The applicant is advised to supply flow rates for foul and surface water discharge for further appraisal to Wessex Water. The FRA accompanying the application states a surface water discharge rate of 5l/s will be passed to the foul sewer if previous connection proved. Wessex Water advise that the discharge rate should be limited to 5 l/s per hectare.

The applicant is advised to provide Wessex Water with details of water supply demand figures for further appraisal. There should be no gravity connections from basement areas to the public sewers.

The applicant is advised to submit a prior approval application under Section 61 of the Control of Pollution Act 1974. This application should contain the detailed reasonably practicable measures which the applicant/developer will take to control and minimise construction site noise.

<b>Item No:</b>	03	
<b>Application No:</b>	07/02424/EOUT	
<b>Site Location:</b>	Closed Polestar Purnell Factory Site, Access Road To Works, Paulton, Bath And North East Somerset	
<b>Ward:</b> Paulton	<b>Parish:</b> Paulton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application with an EIA attached	
<b>Proposal:</b>	Mixed use redevelopment of former printworks comprising offices, industrial, residential, continuing care retirement community, pub/restaurant, community building, open space, associated infrastructure, landscaping and access roads	
<b>Constraints:</b>	Forest of Avon, General Development Site,	
<b>Applicant:</b>	Purnell Property Partnership	
<b>Expiry Date:</b>	2nd November 2007	
<b>Case Officer:</b>	Mike Muston	

## DECISION

Authorise the Council to enter into a supplemental Section 106 Agreement with the current owners of the land to vary the terms of the Section 106 Agreement dated 17 June 2010 made between the Council, Purnell Property Group and Investec Ltd in respect of land on the north side of Hallatrow Road, Paulton ("the Original Section 106 Agreement") to provide that the Affordable Housing provision for the Development is reduced from 35% to 20% and that the requirement to provide land which shall be of sufficient size to facilitate the provision of a 52 place pre-school nursery together with ancillary play space and parking space be removed but the obligation to construct and fit out a building capable of accommodating a 26 place pre-school nursery together with ancillary play space and parking space be retained.



<b>Item No:</b>	04
<b>Application No:</b>	11/02486/FUL
<b>Site Location:</b>	80 Brookfield Park, Upper Weston, Bath
<b>Ward:</b> Weston	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of a two storey side and rear extension and conversion to 4no. flats.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,
<b>Applicant:</b>	Mr & Mrs E Benham
<b>Expiry Date:</b>	24th August 2011
<b>Case Officer:</b>	Alice Barnes

**DECISION** PERMIT with 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 Notwithstanding the submitted drawings, 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.

3 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.

4 Plans showing a secure and sheltered cycle parking area (providing for a minimum of 4 cycles) shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced. This area shall be available prior to occupation of the development and shall not be used other than for the parking of cycles in connection with the development hereby permitted.

Reason: In the interests of sustainable development.

5 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:

Site survey 630:S:001  
Survey: ground 630:S:002  
Survey: first 630:S:003  
Elevation: north 630:S:004  
Elevation: south 630:S:005  
Elevation: west 630:S:006  
Elevation: east 630:S:007  
Site location plan 630:1:000  
Plan: site 630:2:001.  
Plan: ground 630:2:002  
Plan: first 630:2:003  
Elevation: north 630:2:004  
Elevation: south 630:2:005  
Elevation: west 630:2:006  
Elevation: east 630:2:007

## REASONS FOR GRANTING APPROVAL

1. The proposed development would not have an adverse impact upon the streetscene or the amenity of the surrounding residential occupiers. Due to the siting of the extension to the rear and side of the property and the use of an appropriate design the proposed extension will not cause undue harm to the character of the World Heritage Site. The proposed development will not cause harm to highway safety.
2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A.

D2, D4, Bh.1 and T.24 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

### Informative

1. The applicant should be advised to contact the Highway Maintenance Team on 01225 394337 with regard to securing a Licence under Section 184 of the Highways Act 1980 for the construction of a vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.
2. The development is located within a foul sewerage area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the property. There is a foul sewer crossing the site and Wessex Water requires a 3m easement width on either side of the apparatus. Diversion or protection of the sewer may need to be agreed.

The developer is required to protect the integrity of Wessex Water systems and agree protection of the infrastructure prior to the commencement of the development.

<b>Item No:</b>	05
<b>Application No:</b>	10/04399/FUL
<b>Site Location:</b>	Folly Farm, Folly Lane, Stowey, Bristol
<b>Ward:</b> Chew Valley South	<b>Parish:</b> Stowey Sutton <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Change of use from Class C2 to Mixed Use combining Classes C2/D2 for residential education, wedding ceremonies and receptions with ancillary cafe, teaching and workshop facilities (Retrospective)
<b>Constraints:</b>	Agric Land Class 1,2,3a, Agric Land Class 1,2,3a, Coal fields, Forest of Avon, Greenbelt, Sites of Nature Conservation Imp (SN), Water Source Areas,
<b>Applicant:</b>	Avon Wildlife Trust
<b>Expiry Date:</b>	16th February 2011
<b>Case Officer:</b>	Andy Pegler

**DECISION** This application was withdrawn from the Agenda.

<b>Item No:</b>	06
<b>Application No:</b>	11/03877/FUL
<b>Site Location:</b>	11 Old Newbridge Hill, Newbridge, Bath, BA1 3LX
<b>Ward:</b> Newbridge	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Provision of loft conversion with 1no side and 1no rear dormer (Resubmission)
<b>Constraints:</b>	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,
<b>Applicant:</b>	Mr And Mrs N Roberts
<b>Expiry Date:</b>	31st October 2011
<b>Case Officer:</b>	Jonathan Fletcher

**DECISION** PERMIT with 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 The vertical planes of the dormer windows hereby approved shall be finished with tile hanging to match the colour of the tiles to the roof of the host building.

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

3 All external roofing materials to be used for the side dormer window hereby approved shall match those of the host building.

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

4 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:**

1, 2, 3 and 10 received 05 September 2011.

**REASONS FOR GRANTING APPROVAL**

1. The design of the proposed dormer windows would preserve the character and appearance of the host building and the surrounding area. There are other examples of side dormer windows in the area. The proposal would maintain the residential amenity of adjoining occupiers.

2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A

D.2, D.4 and BH.1 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.