

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 6th June, 2012

Present:- Councillor Gerry Curran in the Chair
Councillors Neil Butters, Liz Hardman, Eleanor Jackson, Les Kew, Malcolm Lees,
David Martin, Douglas Nicol, Bryan Organ, Vic Pritchard (Substitute for Martin Veal),
David Veale and Brian Webber

Also in attendance: Councillors Sally Davis, Caroline Roberts and Tim Warren

1 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

2 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received from Councillor Martin Veal whose substitute was Councillor Vic Pritchard. There was also an apology from Councillor Nicholas Coombes.

4 DECLARATIONS OF INTEREST

There was none

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none

6 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

The Senior Democratic Services Officer stated that there were members of the public etc wishing to make statements on planning applications in Report 10 and that they would be able to do so when reaching those respective items in that Report.

7 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There was none

8 MINUTES: WEDNESDAY 9TH MAY 2012

The Minutes of the meeting held on Wednesday 9th May 2012 were approved as a correct record and were signed by the Chair

9 MAJOR DEVELOPMENTS

The Development Manager stated that there were no updates on major developments at this time but that if Members had any questions they could be sent to the Senior Professional – Major Development direct

10 PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

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

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

Item 1 Land rear of Holly Farm, Brookside Drive, Farmborough – Residential development comprising 35 dwellings with associated access, car parking and landscaping (Resubmission) – The Case Officer reported on this application and her recommendation (A) that the application be referred to the Secretary of State as a Departure from the Development Plan; (B) to authorise the Planning and Environmental Law Manager to secure an Agreement under S106 of the Town and Country Planning Act 1990 as detailed in the report to the Committee; and (C) upon completion of the Agreement, to authorise the Development Manager to permit the application subject to conditions. She drew attention to the Update Report which referred to a S52 Agreement in place on part of the application site which would need to be discharged. There was therefore an additional recommendation for the submission of a request for the revocation of the existing S52 Agreement. The Officer also pointed out that there was a requirement that a village shop be delivered before the new dwellings were occupied (Condition 21). (Note: Since the meeting, it became apparent that the provision of a shop could not be dealt with by condition and therefore this would need to be included as part of the S106 Agreement.)

The public speakers made their statements on the proposal which were followed by a statement by the Ward Councillor Sally Davis.

Members discussed the proposal. Councillor Bryan Organ gave his reasons for being against the proposal. He added that the Parish Council's views should be taken into account. Councillor Eleanor Jackson raised queries concerning public rights of way and provision of a village shop to which the Case Officer and the Senior Highways Development Control Engineer responded. The Development Manager referred to the provisions of the Draft Core Strategy regarding the level of housing to be met and stated that the village shop had to be provided otherwise the development would be contrary to the policies in the Draft Core Strategy. Members continued to discuss the provision of the shop and also raised various other issues

including the housing mix, the retirement age for occupation of the elderly housing provision and the access to the site. In response to a query concerning the effect of the National Planning Policy Framework (NPPF) on this application, the Development Manager stated that it was a material consideration and did not change the Officer recommendation. The application should not be considered as premature regarding the Local Plan and the Draft Core Strategy as, whilst the NPPF was silent on the matter, guidance still existed in the document Planning System – General Principles which followed the general theme that a pragmatic approach to the application should be considered, notwithstanding the fact that the Council has yet to adopt its Placemaking Plan. Councillor Eleanor Jackson moved that the Officer's recommendation be approved on the basis that the permission be delegated to the Development Manager to resolve the issue of the village shop. This was seconded by Councillor Liz Hardman.

Members debated the motion. Some concerns raised by Members were that the affordable housing should be "peppercotted" through the site and that the highway access was not ideal also being near a school. However, the details of the layout could be considered at the Reserved Matters stage. It was considered that the school should be consulted on the construction management plan. Most Members considered that it was a good site for housing with a good mix of development. The Chair summed up the debate and put the motion to the vote. Voting: 9 in favour and 3 against. Motion carried.

Item 2 Bowling Green and Tennis Courts, Royal Avenue, Bath – Erection of temporary ice rink 23rd November – 7th January for 2 consecutive years 2012/13 and 2013/14 – The Case Officer reported on this application and her recommendation to Permit with conditions. The Update Report commented on a further representation received. She stated that, although the application was for a temporary period of 5 years, she recommended a condition for a trial period of 1 year. She informed Members that a late representation had been received from the Bath Society objecting to the proposal.

The public speakers made their statements on the application. The applicants' agent stated that, although the application was for closing the ice rink at 10pm, it would actually close at 9pm. He also stated that a trial period of 2 years was preferred due to the setting up costs of the proposal.

Councillor Doug Nicol was unhappy about the proposed use of the site for 5 years. The noise from continuous music was a concern and there should be longer breaks to avoid repetition of music. Members raised concerns regarding wheel/push chair and emergency services access to the site. The Case Officer stated that staff would be available to assist on this aspect with a Manager taking full responsibility. Councillor Les Kew considered that this was an exciting proposal for the period around Christmas in the City. He felt that there would not be a particular problem for local residents from noise but that Officers in Environmental Services could deal with this issue. He therefore moved that the application be approved as recommended but for a trial period of 2 years rather than 1 year. Councillor Bryan Organ seconded the motion and stated that the financial outlay justified a 2 year trial period.

Members debated the motion and asked questions regarding consultation and security etc to which the Case Officer responded. In response to a query concerning the possibility of a Licence being required, the Senior Legal Adviser stated that it

would only be the case if late night food/alcohol was being served. Some Members raised other concerns and still felt that a 1 year trial period was better. The Development Manager responded to some of the queries by Members and stated that there were conditions recommended which would allow for the control of noise from the use in order to protect nearby residents and that this was normal practice. The access and security issues could be picked up in the Operational Statement. There was a safeguard in that this was a temporary permission. The Chair summed up the debate and put the motion to the vote. Voting: 7 in favour and 5 against. Motion carried.

Item 3 Parcel 1100 Compton Martin Road, West Harptree – Change of use of land from agricultural (sui generis) to the keeping of horses (sui generis) and erection of stables and formation of replacement access and track – The Case Officer reported on this application and her recommendation to permit with conditions.

The applicant's Agent made a statement in favour of the application followed by a statement by the Ward Councillor Tim Warren speaking against the proposal.

A Member queried whether the proposal was a commercial, as opposed to a private, use. The Development Manager responded that the proposal had been assessed on the basis of being a non-commercial use since there was no proposal to operate the stables for teaching/hiring out of the horses to third parties and no staff would be employed on the site. Members discussed the levels of the site and the potential impact of the proposal on the bungalow on the adjoining land. The issues of external lighting and materials were raised. Councillor Vic Pritchard felt that the siting of the stables was in the least obtrusive part of the field as it was close to other structures on the adjoining land. He felt that lighting would not be a problem. He therefore moved the Officer recommendation to Permit which was seconded by Councillor Liz Hardman who agreed that this was the best location. The Chair had concerns regarding the impact on the adjoining bungalow particularly with regard to the potential numbers of people and vehicles using the track to the proposed stables. He then put the motion to Permit with conditions to the vote. Voting: 6 in favour and 6 against. The Chair stated that he would use his casting vote against and therefore the voting was 6 in favour and 7 against. Motion lost. A motion to Refuse due to the proximity of the development to the nearby property and likely harm to the residential amenities of the adjoining occupiers by virtue of the likely noise and disturbance from use of the stables and track, together with the potential for the level of use to be similar to a commercial use, was therefore moved and seconded and put to the vote. Voting: 7 in favour and 5 against. Motion carried.

Item 4 Designer Composites, Fosseyway, Westfield, Radstock – Erection of 4 four bed detached dwellings, 2 two bed detached dwellings and 1 three bed detached dwelling following demolition of existing industrial buildings – The Case Officer reported on this application and her recommendation to (A) authorise the Planning and Environmental Law Manager to prepare an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure a contribution of £9,923.72 for education and a sum to be agreed for Highways; and (B) upon completion of the Agreement, authorise the Development manager to permit the application subject to conditions. The Update Report referred to the receipt of some revised drawings and recommended that the contribution to Highways should be £10,084.80.

Councillor Eleanor Jackson referred to the objections raised by the Parish Council. She considered that the proposal would create traffic congestion and that density was an issue on this small site. Councillor Les Kew considered that this was a good application with a good mix of development and therefore moved the Officer recommendation. This was seconded by Councillor Doug Nicol.

Members debated the motion. Councillor Eleanor Jackson reiterated that the density was too high and had misgivings regarding the loss of another employment site to residential development. The Development Manager advised that the employment use in this case was not one that was protected by Local Plan Policy. Members generally felt that this was needed development with a good mix of styles suitable for its location. The motion was put to the vote and was carried, 11 voting in favour and 1 against.

Item 5 No 17 Lockingwell Road, Keynsham – Erection of a two storey side and a single storey side/rear extension (Resubmission) – The Planning Officer reported on this application and the recommendation to Authorise the Development Manager to Permit subject to conditions. The Update Report referred to a letter of objection from the adjoining resident.

The applicant spoke in favour of his proposal.

Councillor Bryan Organ considered the application to be satisfactory and was not overbearing on the adjoining property. He therefore moved the Officer recommendation which was seconded by Councillor Les Kew. The motion was then put to the vote and was carried unanimously.

Item 6 No 9 Old Newbridge Hill, Bath – Provision of a loft conversion including side dormers (Revised resubmission) – The Planning Officer reported on this application and the recommendation to refuse permission. The applicant made a statement in support of his application. The Ward Councillor Caroline Roberts made a statement supporting the proposal.

Councillor Doug Nicol moved that the recommendation be overturned and that the application be permitted as he considered that the streetscape was not significantly affected by the proposal. The motion was seconded by Councillor Liz Hardman.

Members debated the motion. Various Members had concerns regarding the impact on the streetscape and on the host building. One Member considered that the design was inappropriate for a World Heritage site and that the applicant's expanding family were not planning reasons for the development. The Chair summed up the debate and considered personally that the design was inappropriate for the dwelling in question having regard to its particular design and prominence in the street scene. He put the motion, which would include appropriate conditions, to the vote. Voting: 4 in favour and 8 against. Motion lost.

A motion to approve the Officer recommendation to Refuse was then moved by Councillor Eleanor Jackson and seconded by Councillor David Martin. Voting: 8 in favour and 2 against with 2 abstentions. Motion carried.

11 TREE PRESERVATION ORDER - 62 HIGH STREET, TWERTON, BATH

The Committee considered the report of the Senior Arboricultural Officer which (1) referred to a Tree Preservation Order provisionally made on 23rd February 2012 to protect an individual Sycamore which made a contribution to the landscape and amenity of the Conservation Area; (2) advised that an objection to the Order had been made by the owner of the land; and (3) considered the objection and recommended that the Order be confirmed without modification.

The Senior Arboricultural Officer reported on the matter by means of a power point presentation and explained the reasons for making the Order. Councillor Vic Pritchard considered that, although some pruning may be required to rebalance the shape of the tree, it was worthy of retention. He therefore moved the Officer recommendation that the Order be confirmed without modification which was seconded by Councillor Eleanor Jackson.

Members debated the motion. The issue of whether the tree was dangerous to people and children, as raised by the owner in his objection letter, was discussed. The Officer reassured Members that there was no evidence of the tree being dangerous and that Network Rail who owned the adjoining land had not raised any concerns. The Chair stated that the owner could still apply for work to be undertaken to the tree even if the Order was confirmed. The motion was then put to the vote.

RESOLVED to confirm the Tree Preservation Order entitled "Bath and North East Somerset Council (62 High Street, Twerton, Bath No 270) Tree Preservation Order 2012" without modification.

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

To note the report

The meeting ended at 4.40 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

June 6th 2012

**OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN
AGENDA**

ITEM 10

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
01	12/00722/OUT	Land Rear Of Holly Farm Brookside Drive Farmborough

It has been brought to the Local Planning Authority's attention since the finalisation of the Committee Report that a Section 52 Agreement is in place on part of the application site. This relates to the area where the access is proposed and cites that the land shall not be developed or used for any purpose other than the provision of playing fields and in particular shall not be used for the erection of dwelling houses.

As the Council is the owner of the land to which this relates (the school fields), Property Services would need to apply to discharge this legal agreement. There is no 'planning' reason why this S52 need not be discharged, particularly as the agent proposes a land swap and as such a playing field of an acceptable standard will be retained. Sports England has no objections to the development.

RECOMMENDATION

- (A) Application be referred to Secretary of State as a departure from the Development Plan.
- (B) Authorise the Planning and Environmental Law Manager to secure an Agreement under Section 106 of the Town and Country Planning Act 1990 as detailed in the report to Committee.
- (C) The submission of a request for the revocation of the existing S52 Agreement.
- (D) Upon completion of the Agreement and the revocation authorise the Development Manager to PERMIT the application subject to the following conditions: (as set out on the main agenda)

Item No.	Application No.	Address
02	12/00558/FUL	Bowling Green And Tennis Courts Royal Avenue Bath

A letter has been received from a third party who is unable to speak at Committee. This neighbour has previously objected and the comments have been summarised within the representation section of the Committee Report. The objector has requested that the additional letter be circulated to Members, but as Members will be aware, this is not a process that Officers would undertake. The letter is on the Public Access section of the website and Members can view it via this method.

The comments within this letter expand upon the objectors previous representations. Whilst the comments have been noted, they are not considered to present any new issues that would alter the recommendation as set out in the Committee Report.

It should be noted that the description of the original application stated - 'the erection of temporary ice rink 23rd November - 7th January for five consecutive years 2012/3 - 2017/8'. If Members are minded to follow the Officers recommendation, the description would need to be amended to follow the timescales as outlined in the Committee Report.

Item No.	Application No.	Address
04	12/00107/FUL	Designer Composites Fosseway Westfield Midsomer Norton Radstock

DESCRIPTION OF SITE AND APPLICATION:

Revised drawings have been received to address further the concerns of amenity. The two end plots of building type E have altered the roof profiles from half hipped to full hipped roofs which aids in reducing the bulk impact from the side elevation along the neighbouring boundaries.

House type F has been altered to a similar design to house type D, whereby the eaves have been lowered and the first floor windows are of a dormer style, this aids in reducing the overall bulk of the dwelling and balances out the proposed cul-de-sac.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

HIGHWAYS: Would estimate approx 20 additional trips a day, therefore 20 x £504.24 = £10,084.80. At present the Cobblers Way estate is subject to a Section 38 Agreement to adopt the highways. Until such time the applicant would need the consent of the developer to extend/alter the existing highway. Once adopted it will be under the Local Authorities control and permission from the LPA highways department would be required.

RECOMMENDATION

A. Authorise the Planning and Environmental Law Manager to prepare an Agreement under section 106 of the Town and Country Planning Act 1990 to secure; - a contribution of £9,923.72 for education and £10,084.80 for Highways.

PLANS LIST

This decision relates to drawing no's ORD-002, ORD-008, ORD-009, ORD-001 and the design and access statement date stamped 21st December 2011. Drawing no. ORD-006 date stamped 11th January 2012 and ORD-002 Rev D, RD00007A, RD00007A, RD00008A and RD00012A date stamped 28th May 2012.

REASONS FOR GRANTING APPROVAL

1. The proposed development is considered acceptable in terms of design, layout, scale and siting and is considered to have a neutral impact on the local built environment in this locality.

The proposed development is not considered to cause significant harm to the amenity of neighbouring occupiers.

The proposed development is not considered to impact highway safety in this locality and provides adequate parking and turning in accordance with the Local Plan.

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

SC.1 - Settlement Classification

HG.4 - Residential Development in the urban areas and R.1 settlements

CF.3 - Contributions from new development to community facilities

D.2 - General Design and public realm considerations

D.4 - Townscape considerations

NE1 - Landscape character

T24 - General development control and access policy

T26 - On site parking and servicing provision

of the Bath & North East Somerset Local Plan (including minerals and waste policies) 2007.

Bath and North East Somerset Submission Core Strategy (May 2011) is out at inspection stage and therefore will only be given limited weight for development management purposes. The following policies should be considered:

SV1 - Somer Valley Spatial Strategy (replaces policy HG.4)

D.2, D.4, CF.3, NE.1, T.24 and T.26 of the local plan are proposed as saved policies within the submission core strategy.

National Planning Policy Framework (March 2012) should be awarded significant weight, however this proposes little change to the polices of the Local Plan that are relevant to this application.

Item No.	Application No.	Address
05	12/01627/FUL	17 Lockingwell Road Keynsham

A further representation has been received on 30 May 2012 subsequent to the submission of the committee report for this application. This representation reiterates the concerns of the adjoining occupier at number 19 Lockingwell Road in relation to the visual impact of the development and the affect on residential amenity.

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

**MEMBERS OF THE PUBLIC ETC WHO MADE A STATEMENT AT THE
MEETING OF THE DEVELOPMENT CONTROL COMMITTEE ON
WEDNESDAY 6TH JUNE 2012**

SITE/REPORT NAME/REPRESENTING FOR/AGAINST

PLANS LIST - REPORT 10		
Land rear of Holly Farm, Brookside Drive, Farmborough (Item 1, Pages 69-93)	John Clay Catherine Jackson (Applicants' Agent)	Against For
Bowling Green and Tennis Courts, Royal Avenue, Bath (Item 2, Pages 94-101)	Anna Rutherford <u>AND</u> Major Tony Crombie (Bath Society) David Hambly (Applicants' Agent)	Against – To share 3 minutes For
Parcel 1100, Compton Martin Road, West Harptree (Item 3, Pages 102-108)	Nigel Salmon (Applicant's Agent)	For
17 Lockingwell Road, Keynsham (Item 5, Pages 118-122)	Mr Pollock (Applicant)	For
9 Old Newbridge Hill, Bath (Item 6, Pages 123-126)	George Rowntree (Applicant)	For

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BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

6th June 2012

DECISIONS

Item No:	01	
Application No:	12/00722/OUT	
Site Location:	Land Rear Of Holly Farm, Brookside Drive, Farmborough, Bath	
Ward: Farmborough	Parish: Farmborough	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Residential development comprising 35 dwellings with associated access, car parking and landscaping (Resubmission)	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenfield site, Housing Development Boundary, Public Right of Way, Safeguarded Land,	
Applicant:	Blue Cedar Homes	
Expiry Date:	13th June 2012	
Case Officer:	Tessa Hampden	

DECISION

(A) Application be referred to Secretary of State as a departure from the Development Plan.

(B) Authorise the Planning and Environmental Law Manager to secure an Agreement under Section 106 of the Town and Country Planning Act 1990 as detailed in the report to Committee.

(C) The revocation of the existing S52 Agreement.

(D) Upon completion of the Agreement and the revocation authorise the Development Manager to PERMIT the application subject to conditions:

REASONS FOR GRANTING APPROVAL:

1 The proposed development is considered to be acceptable in principle, and it is not considered reasonable to refuse the application on the prematurity grounds. Although the development is not within the Green Belt, policy GB1 applies. The applicant is considered to have provided very special circumstances which allow for a departure from the normal policies of constraint. An acceptable access is to be provided for the development and the scheme is not considered to result in significant harm to highway safety. Although there are concerns with the indicative layout, the concerns can be addressed at reserved matters stage. The development is not considered to result in an increase in flooding, or significantly harm residential amenity. Subject to a satisfactory design, siting and scale, it is considered that the development will integrate successfully with the surrounding area.

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.

IMP1, D2, D4, ET7, GB1, GB2, CF1, CF2, SR1A, SR3, S9, ES14, HG1, HG7, HG8, HG10, NW1,

NE4, NE10, NE11, NE12, BH12, T1, T25, T26, of the Bath & North East Somerset Local Plan

including minerals and waste policies - adopted October 2007.

The developer is advised to contact the development engineer Peter Weston (01225 522157) at Wessex Water to discuss the options above to ensure that the layout of the on site sewers meet existing and imminent legislation

Item No:	02	
Application No:	12/00558/FUL	
Site Location:	Bowling Green And Tennis Courts, Royal Avenue, City Centre, Bath	
Ward: Kingsmead	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of temporary ice rink 23rd November - 7th January for two consecutive years 2012/13 - 2013/14.	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, World Heritage Site,	
Applicant:	Excel Tennis Ltd	
Expiry Date:	24th April 2012	
Case Officer:	Tessa Hampden	

DECISION PERMIT

1 The use hereby permitted shall operate only between 23rd November 2012 - 7th January 2013, and 23rd November 2013 - 7th January 2014. The use hereby permitted shall be discontinued and the land reinstated to its use as tennis courts outside of these dates.

Reason: To enable the Local Planning Authority to review the impact of the development in particular in relation to the impact of the development upon the living conditions of neighbouring occupiers.

2 Noise from any amplified music or amplified voices shall not be audible at the nearest noise sensitive property outside the hours of 1000 to 1900 hours on any day.

Reason: To minimise the effect of noise from the development on occupiers of nearby properties in the interest of amenity.

3 The use hereby approved shall not be carried on and no customer shall be served or remain on any part of the premises outside the hours of 1000 to 2100 hours on any day.

Reason: To safeguard the amenities of nearby occupiers.

4 No works or deliveries required to implement this permission shall take place outside the hours of 0800 and 1800 on Mondays to Fridays and 0900 to 1300 on Saturdays. No works or deliveries shall take place on Sundays or Public Holidays.

Reason: To safeguard the amenities of nearby occupiers.

5 No development shall commence until an Operational Statement has been submitted to and approved in writing by the Local Planning Authority to include details of an emergency 24 hour contact number, a programme of works relating to the setting up and dismantling of the ice rink and other structures, refuse collection, details of associated music facilities, and emergency access. The development shall be carried out in accordance with the approved Operational Statement unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential amenity of the neighbouring occupiers

6 Noise emissions from the ice rink shall not exceed 55 dB LAeq (30min) at the nearest noise sensitive premises.

Reason: In the interest of residential amenity.

7 At all times during the operation of the ice rink, the noise mitigation measures detailed in section 9 of Environmental Noise Report dated February 2012 shall be fully complied with.

Reason: In the interest of residential amenity

8 No development shall take place on site until details of the external lighting to be installed on the site have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include details of the measures to be taken in order to prevent the spillage of light beyond the site boundaries and the lighting shall thereafter be installed and maintained in accordance with the approved plans. No additional lighting shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of local residents and in order to safeguard the character and appearance of this part of the Conservation Area and World Heritage Site.

9 The external lighting approved under condition No 8, with the exception of the scheme for security lighting, shall not be used outside the hours of 1000 to 2130 hours on any day.

Reason: To protect the amenity of nearby occupiers and the character and appearance of this part of the Conservation Area and World Heritage Site.

10 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: 3515/002, 3515/003, 3515/010, 3515/011, 3515/15, 3515/016, design and access statement and environmental noise report date stamped 6th February 2012

REASONS FOR GRANTING APPROVAL

1. 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 Bath and North East Somerset Local Plan (including minerals and wastes) adopted October, D.2, D.4, S.6, S.7 BH.1, BH.2, BH.6, BH22, NE5, NE11, NE13a T.24, T26, ES12

Subject to conditions, the development is not considered to result in a detrimental impact upon the living conditions of neighbouring occupiers. Given the temporary nature of the development, there is not considered to be significant harm to the character and appearance of this part of the City of Bath Conservation Area, the setting of listed buildings, or the wider World Heritage Site. Given the sustainable location there are not considered to be any significant issues with regards to highway safety. No other significant issues have arisen as a result of the proposed development.

Item No:	03	
Application No:	12/00426/FUL	
Site Location:	Parcel 1100, Compton Martin Road, West Harptree, Bristol	
Ward: Mendip	Parish: West Harptree	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use of land from agricultural (Sui Generis) to the keeping of horses (Sui Generis) and erection of stables and formation of replacement access and track.	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Water Source Areas,	
Applicant:	Mr Richard Curry	
Expiry Date:	16th April 2012	
Case Officer:	Tessa Hampden	

DECISION REFUSE

1 Due to the size of the stables, the development has the potential to have a similar impact as a commercial enterprise, and the noise and disturbance resulting from the use of the stables and the track in close proximity to the neighbouring dwelling is considered to result in undue harm to these neighbouring occupiers. The development is therefore considered to be contrary to policy D2 of the Bath and North East Somerset Local Plan, October 2007

PLANS LIST: PL 2995/2A, PL3045/1A, PL2995/5, PL3045/3A, PL2995/3A, PL2995/4 date stamped 20th February 2012 and PL3045/3A date stamped 27th January 2012

Item No:	04	
Application No:	12/00107/FUL	
Site Location:	Designer Composites, Fosseway, Westfield, Midsomer Norton	
Ward: Westfield	Parish: Westfield	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 4no. four bed detached dwellings, 2no. two bed detached dwellings and 1no. three bedroom detached dwelling following demolition of existing industrial buildings.	
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, General Development Site, Housing Development Boundary, Tree Preservation Order,	
Applicant:	Oval Estates (Bath) Limited	
Expiry Date:	7th March 2012	
Case Officer:	Rebecca Roberts	

DECISION

A. Authorise the Planning and Environmental Law Manager to prepare an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure ; - a contribution of £9,923.72 for education and £10,084.80 for Highways.

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

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

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

2 No development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including

roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

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

3 No development shall be commenced until a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

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

4 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.

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

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

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority to safeguard the amenities of the surrounding area.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or

without modification) no garages or other free standing buildings shall be erected within the curtilage of the dwelling(s) hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

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

8 The garage(s) hereby approved shall be retained for the purpose of parking a motor vehicle(s) associated with the dwelling.

Reason: To retain adequate off-street parking provision.

9 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 drawing no's ORD-002, ORD-008, ORD-009, ORD-001 and the design and access statement date stamped 21st December 2011. Drawing no. ORD-006 date stamped 11th January 2012 and ORD-002 Rev D, RD00007A, RD00007A, RD00008A and RD00012A date stamped 28th May 2012.

REASONS FOR GRANTING APPROVAL

1. The proposed development is considered acceptable in terms of design, layout, scale and siting and is considered to have a neutral impact on the local built environment in this locality.

The proposed development is not considered to cause significant harm to the amenity of neighbouring occupiers.

The proposed development is not considered to impact highway safety in this locality and provides adequate parking and turning in accordance with the Local Plan.

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.

SC.1 - Settlement Classification

HG.4 - Residential Development in the urban areas and R.1 settlements

CF.3 - Contributions from new development to community facilities

D.2 - General Design and public realm considerations

D.4 - Townscape considerations

NE1 - Landscape character

T24 - General development control and access policy

T26 - On site parking and servicing provision

of the Bath & North East Somerset Local Plan (including minerals and waste policies) 2007.

Bath and North East Somerset Submission Core Strategy (May 2011) is out at inspection stage and therefore will only be given limited weight for development management purposes. The following policies should be considered:

SV1 - Somer Valley Spatial Strategy (replaces policy HG.4)

D.2, D.4, CF.3, NE.1, T.24 and T.26 of the local plan are proposed as saved policies within the submission core strategy.

National Planning Policy Framework (March 2012) should be awarded significant weight, however this proposes little change to the policies of the Local Plan that are relevant to this application.

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 proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of the Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Item No:	05	
Application No:	12/01627/FUL	
Site Location:	17 Lockingwell Road, Keynsham, Bristol, Bath And North East Somerset	
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a two storey side and single storey side/rear extension (Resubmission)	
Constraints:	Airport Safeguarding Zones, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary,	
Applicant:	Mr B Pollock	
Expiry Date:	20th June 2012	
Case Officer:	Jonathan Fletcher	

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

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

3 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.

4 The area allocated for access and 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.

5 Any entrance gates erected or maintained within the site access shall be hung to open away from the highway only and shall not be capable of opening out over any part of the public highway, including footway.

Reason: In the interests of highway safety and amenity.

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

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

PLANS LIST: BLOCK PLAN, EXISTING AND PROPOSED ELEVATIONS, EXISTING AND PROPOSED PLANS, SITE LOCATION PLAN received 11 April 2012.

REASONS FOR GRANTING APPROVAL

1. The proposed development is considered to be of an acceptable siting, scale, size and design and uses appropriate material which complements the design of the existing dwelling and would not be visually detrimental to the character and appearance of the street scene. The proposal is not considered to have a detrimental impact on the residential amenity of the occupiers of the neighbouring properties.

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: General design and public realm considerations

D.4: Townscape considerations

BH.1: Impact of development on World Heritage Site of Bath or its setting.

Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

Bath & North East Somerset Draft Core Strategy - December 2010. Consideration has also been given to the Bath & North East Somerset Draft Core Strategy however only limited weight can be attached to this document until it is formally adopted.

The National Planning Policy Framework was published on 27 March 2012 and has been considered in relation to this application. The NPPF guidance in respect of the issues which this particular application raises is in accordance with the Local Plan policies set out above.

Item No:	06	
Application No:	12/01706/FUL	
Site Location:	9 Old Newbridge Hill, Newbridge, Bath, BA1 3LX	
Ward: Newbridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Provision of a loft conversion including side dormers (revised resubmission).	
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,	
Applicant:	Mr George And Mrs Joanne Rowntree	
Expiry Date:	18th June 2012	
Case Officer:	Jonathan Fletcher	

DECISION REFUSE

1 The proposed side dormer windows, by reason of their design, scale, massing and prominent siting, would have a detrimental impact on the character and appearance of the host building and the street scene contrary to policies D.2 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

PLANS LIST:01 A received 13 April 2012.