

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 4th July, 2012

Present:- Councillor Gerry Curran in the Chair
Councillors Sally Davis (Substitute for Martin Veal), Nicholas Coombes, Liz Hardman, Eleanor Jackson, Malcolm Lees, David Martin, Douglas Nicol, Bryan Organ, David Veale and Brian Webber

Also in attendance: Councillors John Bull, Nathan Hartley and Jeremy Sparks

13 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

14 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

15 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Les Kew and Martin Veal and their respective substitutes were Councillors Vic Pritchard and Sally Davis. An apology was also received from Councillor Neil Butters.

16 DECLARATIONS OF INTEREST

Councillor Eleanor Jackson declared a personal and non-prejudicial interest in the planning application at Filers Coaches, Wick Lane, Stanton Wick (Item 1, Report 10) as she was acquainted with the Director of the Company but did not consider that it affected her judgement of the application and would therefore speak and vote on the matter. Councillor Nicholas Coombes declared a personal and non-prejudicial interest in the application at Paulton Engine, Hanham Lane, Paulton (Item 2, Report 10) as he had previously been employed by the applicant but did not consider that it affected his judgement of the matter. He would therefore remain in the meeting and vote on the application.

17 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none

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

The Senior Democratic Services Officer informed the meeting that there were members of the public etc wishing to make statements on the planning applications

in Report 10 and that they would be able to do so when reaching those Items in that Report.

19 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

The Chair read out a Question previously submitted by Councillor Nigel Roberts relating to replacement of a wall on land at the rear of 4 Bloomfield Drive, Bath, and possible enforcement action. The Chair read out a reply on progress of this matter.

20 MINUTES: 6TH JUNE 2012

The Minutes of the meeting held on Wednesday 6th June 2012 were approved as a correct record and were signed by the Chair

21 MAJOR DEVELOPMENTS

The Senior Professional – Major Development gave Members an Update on the following major developments:

- Former Cadbury's site, Keynsham – Taylor Wimpey were the selected developer who had submitted a Master Plan but there were archaeological concerns that needed to be addressed
- K2, Keynsham – An application had been received for discharge of conditions and some demolition work had commenced which had raised some contamination issues
- Bath Spa Railway Station – The vaults were being fitted out with most being let which were expected to be open in time for Christmas
- Bath Spa University, Newton Park – Work had now commenced on the first phase of development

Members asked questions on some of the developments to which the Officer responded. At the request of a Member, he gave an update on the key elements of the development at the former Alcan Factory, Midsomer Norton.

The Senior Planning Officer gave an update on Bidwells Metals sites at Bath Old Road and Clandown as regards alleged unauthorised works being undertaken and advised that investigations were taking place.

Members noted the reports.

22 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. 2-5, the Report being attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos. 1-5, 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 Filers Coaches, Wick Lane, Stanton Wick – Variation of Condition 4 of application WC6174/E to increase number of coaches kept on site from 12 to 20 (continued use of land as a coach depot on land at Pensford Colliery, Pensford, Bristol) – The Case Officer reported on this application and his recommendation to refuse permission. The public speakers made their statements on the application which were followed by a statement by the Ward Councillor Jeremy Sparks who spoke in support of the proposal.

Members asked questions about the proposal regarding size of coaches, routes, other sites to be considered etc. The Case Officer responded. As a result, Councillor Doug Nicol felt that there was insufficient information to make a decision. He therefore moved that the application be deferred in order to allow the applicant to provide further information regarding routes served by the depot and the need for additional coaches, the size of coaches, the benefits to the local community and the suitability of other available sites for a depot for the additional coaches. The motion was seconded by Councillor Vic Pritchard who felt that the applicants needed to be given an opportunity to show that there were very special circumstances that existed that would allow the proposed increase in use. The benefits to the community needed to be specified. Members briefly debated the motion including whether there were other possible sites that could accommodate the extra coaches. The Chair summed up the debate and stated that very special circumstances should be provided in order to allow this proposal in the Green Belt. The motion was then put to the vote. Voting: 10 in favour and 2 against. Motion carried.

Item 2 Paulton Engine, Hanham Lane, Paulton – Extension and alteration of existing 3 bed house to provide 2 further bedrooms and dining room, and demolition of 1960's single storey extension; reconstruction of roofless outbuilding to provide garage, workshop and studio over; erection of a pair of semi-detached 2 bed holiday cottages; repair of derelict pigsties to provide potting sheds with bat loft; rebuilding of derelict stable; roofing and repair of 2 walls as open woodshed; lean-to greenhouse to replace kennels; rubbish clearance within site; and landscape improvements – The Case Officer reported on this application and his recommendation to refuse permission. He drew Members' attention to the Update Report which added 2 further reasons for refusal. The public speakers made their statements on the application which were followed by a statement by the Ward Councillor John Bull who raised various issues and felt that a Site visit would be useful.

Councillor Liz Hardman opened the debate and considered that this was a good opportunity to preserve some industrial heritage. The proposal had a number of good points in its favour although there were also some concerns. She felt that a site visit would assist Members' consideration. Councillor Bryan Organ felt that the site could be developed but that consideration should be deferred for a site visit in order to see the access to the site and assess the proposed layout in the context of its

surroundings, and he so moved. The motion was seconded by Councillor Eleanor Jackson. The Chair summed up the debate and considered that a site visit would be worthwhile to assess this complex site. The motion was put to the vote. Voting: 11 in favour and 1 against. Motion carried.

Item 3 The Beacon, Mount Beacon, Beacon Hill, Lansdown, Bath – Erection of new dwelling within existing domestic curtilage with refurbishment of existing garage building – The Case Officer reported on this application and his recommendation to refuse permission. He referred to the Update Report which informed of an objection by the Bath Preservation Trust and that, as an ecology report had now been submitted, the second reason for refusal had been withdrawn. The applicants' agent made a statement in support of the application.

Members discussed the design of the proposal and the implications for the trees. Councillor Nicholas Coombes, on the basis that the proposal was not detrimental to the character and appearance of the Conservation Area, it would not be readily visible and was a good design, moved that the recommendation to refuse permission be overturned and that permission be delegated to the Development Manager subject to appropriate conditions. The motion was seconded by Councillor Vic Pritchard.

Members debated the motion. Issues of land stability, design and glazing were discussed. Members were fairly divided in their opinions of the proposal. It was felt that the issue of glazing could be covered by a specific condition to minimise reflection and light pollution. The mover and seconder agreed to this condition being included. After further discussion, the motion was put to the vote, voting being 7 in favour and 5 against. Motion carried.

Item 4 Farleigh House, 17 Bath Road, Peasedown St John – Change of use of public land to private garden and erection of a palisade fence – The Case Officer reported on this application and his recommendation to refuse permission. The Update Report provided Officer's comments on further representations received from the applicant. The applicant made a statement in support of the proposal which was followed by a statement by the Ward Councillor Nathan Hartley who spoke in favour of the application.

Councillor Eleanor Jackson considered that the proposal would aggravate anti-social behaviour on a well-used footpath and that the site would benefit from some planting. She therefore moved the Officer recommendation to refuse permission. The motion was seconded by Councillor Vic Pritchard.

Members debated the motion and asked questions to which the Case Officer responded. Some Members considered that there were benefits to both the applicant and the community by the site being taken over as a private garden particularly as the fence could be moved back to the inside of the garden once new planting on the boundary had matured. Other Members felt that the fence would create an oppressive "tunnel" effect which would not be to the benefit of users of the footpath or to its appearance. The motion to refuse permission was put to the vote. Voting: 5 in favour and 7 against. Motion lost.

The Team Leader – Development Management advised the Committee that, if they were minded to grant permission, appropriate conditions would need to be imposed

including landscaping, a time period of 5 years (unless agreed otherwise) following which the new fence should be removed, and the removal of permitted development rights. In this regard, another application would be required to erect another fence but, depending on its height, there would be no fee charged. Councillor Doug Nicol moved that permission be delegated to Officers accordingly which was seconded by Councillor Brian Webber. The motion was put to the vote and was carried, 7 voting in favour and 5 against.

Item 5 Breach Farm, Lower Bristol Road, Clutton – Erection of a two storey rear extension to enlarge the kitchen and add utility, wc, bedroom with en suite
– The Case Officer reported on this application and his recommendation to refuse permission. The Update Report provided the Officer’s comments on further representations received from the applicants as regards increase in volumes. The applicants’ agent made a statement in favour of the proposal.

A Member felt that the extension would be an improvement to the property. Councillor Nicholas Coombes considered that the extension would have a detrimental effect on the adjoining property and would be inappropriate development in the Green Belt and therefore moved the Officer recommendation to refuse permission. The motion was seconded by Councillor Liz Hardman.

After a brief discussion, the motion was put to the vote. Voting: 8 in favour and 2 against with 2 abstentions. Motion carried.

23 QUARTERLY PERFORMANCE REPORT - JANUARY TO MARCH 2012

The Committee considered the report of the Development Manager which provided Members with performance information across a range of activities within the Development Management function for the period from 1st January to 31st March 2012.

Members asked questions to which the Team Leader – Development Management responded. They complimented Officers on improved performance figures. The Chair referred to the appointment of additional Officers in the Enforcement Team and thanked Development Control staff for their hard work.

The Committee noted the report.

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

Members noted the report

The meeting ended at 5.40 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

4th July 2012

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

ITEMS FOR PLANNING PERMISSION

Item No.	Application No:	Address:
02	12/00879/FUL	Paulton Engine Hanham Lane Paulton

Representations

Local resident Objects on the grounds that the proposals are contrary to the Core Strategy, Community Plan and Village Design Statement and it would not enhance this landscape Character Area.

Local resident Objects on the grounds of increased traffic using the lane that leads to the site.

Local resident Very concerned about construction traffic access; proposals are too big and overpowering and unnecessary; queries why parking is required for 12 cars; there is no need for holiday cottages.

Local resident Objects on the grounds that the access is inadequate; decline in wildlife that has already happened following clearance of vegetation on the site; precedent set by holiday cottages; overlooking from holiday cottages; oppressive feel and design of garage/studio/workshop; but does not object to renovation of existing house.

Consultation Responses

Environment Agency In response to further information supplied by the applicant, continues to recommend conditions to address the potential contamination at the site and drainage

Council's Contaminated Land Officer Has received further information from the applicant, but continues to recommend that any permission be the subject of conditions to address land contamination. Also expresses concern about how the proposed waste mound could be protected from disturbance by future residents.

Council's Archaeologist Following pre-application discussions, it was anticipated that a suitably qualified and experienced industrial archaeologist to prepare an archaeological assessment and strategy for the site. The submitted statement does not give sufficient confidence that the impact of the proposed development has been adequately assessed or mitigated.

A pre-determination desk-based archaeological assessment is carried out to assess all the known historic assets on the site, the likely impact of the proposed development, and a proposed mitigation. In the absence of such a study, recommend refusal.

Council's Ecologist Objects on the basis that the submitted ecology reports:

- do not address the habitat regulations;
- the proposals do not consider how bat roosts could be provided within the existing buildings occupied by bats; and
- it is unclear whether the proposed bat mitigation measures meet good practice guidelines.

Appropriate mitigation and details of mitigation are needed prior to a planning consent, to demonstrate that favourable conservation status can be maintained and the mitigation proposals can be achieved within the scheme.

Also notes that there is a high population of grass snakes and a reptile method protection statement will be required.

The proposals should demonstrate that the water course and adjoining habitat used by otters will not be disturbed and will be protected.

Planning Officer

The key additional matters arising from the above are those of the site's archaeology and ecology.

The Committee Report suggests that the impact of the development on the site's archaeology could be addressed by planning conditions or a s106 agreement. However, in the context of the Council's Archaeologist's comments, an additional reason for refusal is recommended on the basis that the proposals do not adequately address the requirements of Policy BH.12:

5. The submitted archaeological evaluation fails to adequately assess the significance of the site's archaeology and the impact of the proposals on that archaeology. In the absence of this information, the proposals do not adequately demonstrate whether they would avoid harm to important archaeological remains or their setting or whether any adverse impacts can be mitigated. The proposals are therefore contrary to saved policy BH.12 of the Bath and North East Somerset Local Plan.

On the issue of ecology, Local Plan policy NE.10 states that development that would adversely affect, directly or indirectly, species which are internationally or nationally protected or the habitat of such species will not be permitted. In the context of the Council's Ecologist's comments, the proposals fail to adequately address the Habitat Regulations and whether the proposals would adversely affect, directly or indirectly, the bats that use the site. It is therefore recommended that the following additional reason for refusal be included:

6. The submitted ecology surveys and other information fail to demonstrate that the proposals are for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest and that there is no satisfactory alternative to the mitigation measures proposed. They do not therefore meet the requirements of the Habitat Regulations.

Item No. 03	Application No: 12/01653/FUL	Address: The Beacon, Mount Beacon, Beacon Hill Bath
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Updates:

1. A revised ecology report has been submitted to the Council since the application was referred to the Development Control Committee. The Council's Ecologist has confirmed that the details of this report are acceptable and consequently the second reason for refusal can now be omitted.
2. An objection to the application has been received from the Bath Preservation Trust raising concern in relation to the impact of the development on the Bath World Heritage Site and the Bath Conservation Area. Please see below.

Bath Preservation Trust Comments:

We note that the following application is being decided by the DCC on the 4th July - please can Members be made aware of the following objection from Bath Preservation Trust.

12/01653/FUL - The Beacon, Mount Beacon, Beacon Hill, Bath

Erection of new dwelling within existing domestic curtilage with refurbishment of existing garage building

OBJECT Whilst we do not object to the development of a contemporary building the Trust objects to this planning application. The inappropriate rectangular form, design, scale massing, and excessive amount of glass proposed would be incongruous and visually intrusive and harmful to the coherence and integrity of Bath's townscape, which in this location follows the contours of the hillsides. The excessive amount of glass and elevated siting would emit light and reflection from the building. This would impact on views across the city and have a harmful impact on the low lit eighteenth century townscape and the special qualities of the World Heritage Site

The proposed building would fail to preserve or enhance the character and appearance of the Bath Conservation Area or make a positive contribution to Bath's townscape and local distinctiveness, and would have a harmful impact on the special qualities of the Bath World Heritage site. The proposal therefore fails to comply with Policy D2, D4, BH1 and BH6 of the B&NES Local Plan, the NPPF and the Planning (Listed Buildings & Conservation Areas) Act

1990 and should be refused.

Item No. 04	Application No: 12/00787/FUL	Address: Farleigh House 17 Bath Road Peasedown St. John Bath
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Applicant

Wishes to improve the footpath for the benefit of the community using it, for their own security and to allow some additional garden space for the “new build”.

The path is used late at night and is subject to littering, noise, disturbance and other anti social behaviour from the users of the path.

The existing and previous boundary fences have been the subject of vandalism and graffiti.

Much rubbish has already been removed from this area of land by the applicant.

Planning Officer

In respect to the “new build” referenced by the applicant, outline planning permission and reserved matters approval have been granted to develop a new detached house on the land in the applicant’s ownership to the south of Farleigh House under the references 08/01167/OUT and /10/02781/RES. A new 1.8m close boarded timber fence is to be erected along the east boundary of the site of the new dwelling adjacent to this application site, with a new beech and hawthorn hedge planted on the inside of that fence.

Item No. 05	Application No: 12/01597/FUL	Address: Breach Farm Lower Bristol Road Clutton
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Applicant’s Agent

Disputes the volume figures that are set out in the Committee Report and states that the increase in volume is only approximately 40%.

Planning Officer

The current house has previously been extended by the addition of an annex in 1991. The volume calculations have been reviewed in the context of the figures provided by the applicant’s agent and:

- the volume of the “original” dwelling (including the lean- to at the rear) is approximately 448 cubic metres;
- the annex extension was developed following the demolition of a previously existing outbuilding that the applicant states had a volume of 138 cubic metres

(although there are no plans of the previously existing outbuilding available, it is clear that an outbuilding was previously demolished to accommodate the annex that now exists);

- the volume of the original dwelling and outbuilding would therefore have been approximately 586 cubic metres;
 - the annex extension has a volume of approximately 242 cubic metres;
 - the lobby extension that was developed with the annex has a volume of approximately 54 cubic metres (the applicant's agent suggests that this lobby formed part of the original dwelling, but the previously approved plans appear to show that the lobby was developed as part of the annex extension);
 - the overall net increase in volume created by the annex and lobby extension (allowing for the demolition of the outbuilding) was therefore 158 cubic metres;
 - the net increase in volume of the proposed extension that is the subject of this application (taking account of the lean-to that will be demolished) is approximately 170 cubic metres;
 - the increase in the volume of the original dwelling is therefore approximately 328 cubic metres;
 - as a proportion of the original dwelling, this represents an increase in volume of about 55%, rather than the 67% stated in the Committee Report.
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**PUBLIC SPEAKERS LIST
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 4TH JULY 2012**

SITE/REPORT NAME/REPRESENTING FOR/AGAINST

PLANS LIST – REPORT 10		
Filers Coaches, Wick Lane, Stanton Wick (Item 1, Pages 34-45)	Judith Chubb-Whittle, Chair, Stanton Drew Parish Council Mike Swinton (Objectors Agent) Nigel Salmon, Salmon Planning (Applicants' Agents)	For Against For
Paulton Engine, Hanham Lane, Paulton (Item 2, Pages 46-59)	Andy Parker (representing local residents) Shelagh Hetreed <u>AND</u> Jonathan Hetreed (Applicants) <u>AND</u> Mike Chapman (Somerset Coal Canal Society)	Against For – To share 3 minutes
The Beacon, Mount Beacon, Beacon Hill, Lansdown, Bath (Item 3, Pages 60-65)	Joel Smith, CMS Bath Ltd (Applicants' Agents)	For
Farleigh House, 17 Bath Road, Peasedown (Item 4, Pages 66-69)	Chris Fry (Applicant)	For
Breach Farm, Lower Bristol Road, Clutton (Item 5, Pages 70-75)	Dave Cross (Applicant's Agent)	For

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BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

4th July 2012

DECISIONS

Item No:	1	
Application No:	11/05078/VAR	
Site Location:	Tia Filers Coaches, Wick Lane, Stanton Wick, Bristol	
Ward: Clutton	Parish: Stanton Drew	LB Grade: N/A
Application Type:	Application for Variation of Condition	
Proposal:	Variation of condition 4 of application WC 6174/E to increase number of coaches kept on site from 12 to 20 (Continued use of land as a coach depot on land at Pensford Colliery, Pensford, Bristol)	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Greenbelt,	
Applicant:	Mr Pat Filer	
Expiry Date:	24th January 2012	
Case Officer:	Mike Muston	

DECISION

Application deferred in order to allow the applicant to provide further information regarding routes served by the additional coaches, the size of coaches, the benefits to the local community and the suitability of other available sites for a depot for the additional coaches.

Item No:	2	
Application No:	12/00879/FUL	
Site Location:	Paulton Engine, Hanham Lane, Paulton, Bristol	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Extension and alteration of existing 3 bed house to provide 2 further bedrooms and dining room and demolition of 1960s single storey bathroom extension; reconstruction of roofless outbuilding to provide garage, workshop & studio over; erection of pair of semi-detached 2-bed holiday cottages; repair of derelict pigsties to provide potting sheds with bat loft; rebuilding of derelict stable; roofing & repair of 2 walls as open woodshed; lean-to greenhouse to replace kennels; rubbish clearance within site and landscape improvements.	
Constraints:	Agric Land Class 1,2,3a, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Public Right of Way, Sites of Nature Conservation Imp (SN),	
Applicant:	Jonathan & Shelagh Hetreed	

Expiry Date:	22nd June 2012
Case Officer:	Andrew Strange

DECISION

Application deferred for a site visit to enable the members to see the access to the site and assess the proposed layout in the context of its surroundings.

Item No:	3	
Application No:	12/01653/FUL	
Site Location:	The Beacon, Mount Beacon, Beacon Hill, Bath	
Ward: Lansdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of new dwelling within existing domestic curtilage with refurbishment of existing garage building	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Sites of Nature Conservation Imp (SN), Tree Preservation Order, World Heritage Site,	
Applicant:	Mr & Mrs D Magner	
Expiry Date:	8th June 2012	
Case Officer:	Jonathan Fletcher	

DECISION

Delegate to permit subject to appropriate conditions to include details of the glazing of the development.

Item No:	4	
Application No:	12/00787/FUL	
Site Location:	Farleigh House, 17 Bath Road, Peasedown St. John, Bath	
Ward: Peasedown St John	Parish: Peasedown St John	LB
Grade:	N/A	
Application Type:	Full Application	
Proposal:	Change of use of public land to private garden and erection of a palisade fence.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary,	
Applicant:	Mr Chris Fry	
Expiry Date:	1st May 2012	
Case Officer:	Andrew Strange	

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 palisade fence hereby permitted shall be removed from the site within five years of the date of this permission unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the future appearance of the site 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 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 fences, gates, walls or other means of enclosure shall be erected or placed within the application site without a further planning permission being granted.

Reason: In the interests of the visual amenity and character of the area.

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:

This decision relates to the following documents:

- Site Location Plan
- Site Plan (Drawing 1481.02 Rev C)
- Fencing Details (Drawing 1481.34)
- Photographs/Email Trail

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 and Documents. This is in accordance with the policies set out below at A.
2. All other material considerations, including the views of third parties, have been considered and they do not outweigh the reasons for approving the proposed development.
3. The proposed change of use and the erection of the palisade fence, with appropriate conditions, will not harm the appearance of the area and will maintain the safety of the public using the adjoining footpath.

A

BATH & NORTH EAST SOMERSET LOCAL PLAN INCLUDING MINERALS AND WASTE POLICIES ADOPTED FOR OCTOBER 2007

CF.1 - Protection of land and buildings used for Community Purposes.

D.2 - General Design and public realm considerations.

T.2 - Overarching access policy.

T.3 - Promotion of walking.

T.24 - Development and Access

NATIONAL PLANNING POLICY FRAMEWORK

The NPPF came into immediate effect on the 27th March 2012 however confirms that existing Local Plan Policies will remain extant for a period of 12 months. Due consideration has been given to the NPPF however it does not raise any issues that conflict with the existing Local Plan policies.

ADVICE NOTE:

Where a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to a planning permission or where a request to discharge conditions is submitted a fee shall be paid to that authority. Details of the fee can be found on the "what happens after permission" pages of the Council's Website. Please send your requests to the Registration Team, Planning Services, PO Box 5006, Bath, BA1 1JG. Requests can be made using the 1APP standard form which is available from the Planning Portal at www.planningportal.gov.uk.

Item No:	5	
Application No:	12/01597/FUL	
Site Location:	Breach Farm, Lower Bristol Road, Clutton, Bristol	
Ward: Clutton	Parish: Chelwood	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a two storey rear extension to enlarge the kitchen and add utility, wc, bedroom with ensuite	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt,	
Applicant:	Mr Stuart Liddle	

Expiry Date:	11th June 2012
Case Officer:	Andrew Strange

DECISION REFUSE

1. The proposed extension would, taking into account the previous annex and lobby extensions, represent a disproportionate addition to the original dwelling. It would therefore be inappropriate development in the green belt and would be contrary to saved policies GB.1 and HG.15 of the Bath and North East Somerset Local Plan, including minerals and waste policies, adopted October 2007.

2. The proposed extension, by reason of its height, mass and bulk, would overshadow and have a harmful impact on the outlook of the occupiers of the attached house contrary to Policy D.2 of the Bath and North East Somerset Local Plan, including minerals and waste policies, adopted October 2007.

PLANS LIST:

Location Plan

BFB.EXP.001 - As-Existing Plans and Elevations

BFB.PRP.002 - Proposed Plans and Elevations

BFB.BLK.003 - Block and Roof Plan Existing

BFB.BLK.004 - Block and Roof Plan Proposed

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