

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 21st November, 2012

Present:- Councillor Gerry Curran in the Chair
Councillors Neil Butters, Nicholas Coombes, Liz Hardman, Eleanor Jackson, Les Kew, Malcolm Lees, Douglas Nicol, Bryan Organ, Manda Rigby (In place of David Martin), Martin Veal, David Veale and Brian Webber

Also in attendance: Councillors Mathew Blankley, Anthony Clarke and Jeremy Sparks

81 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

82 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

83 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received from Councillor David Martin whose substitute was Councillor Manda Rigby

84 DECLARATIONS OF INTEREST

Councillor Nicholas Coombes declared interests in the planning applications at Paulton Engine, Hanham Lane, Paulton (Item 4, Report 11) as he had worked with the applicant, and Hope House, Shaftesbury Road, Oldfield Park, Bath (Item 8, Report 11) as he had studied with the applicant. Therefore he would leave the room for the consideration of those Items. Councillor Les Kew declared an interest in the application at Parcel 0006, Maynard Terrace, Clutton (Item 3, Report 11) as he was the subject of a complaint arising from the previous consideration of this application by Committee and, as such, he did not feel it appropriate for him to speak or vote. He would therefore leave the meeting for its consideration. Councillor Bryan Organ declared a non-pecuniary interest in the planning application at Saltford Golf Club (Item 5, Report 11) as he was a member of the Club and therefore he would leave the room for its consideration. Councillor Neil Butters declared an interest in the application at the Paulton Engine site (Item 4, Report 11) as he was a non-active member of the Somerset Coal Canal Company but as this was considered not to be prejudicial, he would remain for its consideration. Councillor Malcolm Lees declared an interest in the application at 12 High Street, Weston, Bath (Site Visit Report 10) as he had been involved in arranging a public meeting to discuss the application and he was concerned that, although he had an open mind, there might be a perception that he had pre-determined the matter. He would therefore make a statement as Ward Member and then leave the meeting for its consideration.

85 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none

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

The Senior Democratic Services Officer informed the meeting that there was a speaker wishing to make a statement on the Tree Preservation Order at Governor's House, Stuart Place, Twerton, Bath (Report 13) and that she would be able to do so when reaching that Item on the Agenda. There were also various members of the public etc wishing to make statements on planning applications in Reports 10 and 11 and that they would be able to do so when reaching their respective Items in those Reports.

87 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

The Chair referred to notice of a Question by Councillor Brian Webber regarding appeals during 2011/12 where costs had been awarded against the Council, the response to which had been circulated. Councillor Webber felt that there was a lesson to be learnt here and that Members needed to be particularly careful when considering overturning Officers' recommendations on planning applications. The Chair concurred and added that Members could attend at Appeal Inquiries to justify reasons for refusal on decisions that had gone against Officers' advice.

88 MINUTES: 24TH OCTOBER 2012

The Minutes of the previous meeting held on Wednesday 24th October 2012 were approved as a correct record and signed by the Chair

89 MAJOR DEVELOPMENTS

The Senior Professional – Major development gave an update on the following major developments:

- MoD sites, Bath – The first part of the Ensleigh site had now been sold to developers and preliminary discussions were being held with the prospect of a planning application early next year
- Somerdale, Keynsham – The bad weather conditions had hampered investigations but results were expected in December and a further update would be made to Members in January
- Southgate, Bath – The Station Vaults would be occupied by a number of cafes and restaurants which would likely open before Christmas.

The Committee noted.

90 SITE VISIT LIST - APPLICATION FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered:

- A report by the Development Manager on a planning application at 12 High Street, Weston, Bath
- An Update Report by the Development Manager on the matter, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by public speakers on the application, the Speakers List being attached as *Appendix 2* to these Minutes

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

12 High Street, Weston, Bath – Erection of rear ground floor extension (totalling approx. 206 sq m) to create an enlarged retail unit together with rear first and second floor extensions to create 6 two bed apartments and alterations to existing shop fronts at 12 – 20 High Street, Weston – The Case Officer reported on this application and her recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to cover the provision of £18,000 for the improvement of local public transport infrastructure; and (B) subject to the prior completion of the above Agreement, authorise the Development Manager to Permit subject to conditions. The Update Report provided Officers' comments on further information received and amended the reasons for granting approval as set out in the Report. She referred to a further letter of representation received that day.

The public speakers made their statements which were followed by a statement by the Ward Councillor Colin Barrett who spoke against the proposal. Councillor Malcolm Lees, as the other Ward Member, made a statement raising various concerns and then left the meeting.

Councillor Martin Veal opened the debate referring to various concerns including the problems of car parking, the loss of character and amenity to local residents and villagers and the impact of more cars and shoppers in the area. Councillor Eleanor Jackson considered that the objections were not significant enough to refuse the application - the development would tidy up the rear of the building and enhance the Conservation Area. She therefore moved the Officer recommendation but considered that a Parking and Construction Management Plan should be included in the conditions. The motion was seconded by Councillor Bryan Organ who felt that delivery times to the shop should be limited.

Members debated the motion. Some Members raised concerns regarding car parking, delivery times and problems during the construction period. It was also felt that the village would lose some of its historic character. Other Members cited examples of other similar stores that had been approved because a refusal couldn't be defended on appeal. The development provided much needed housing and was of a good design. Issues regarding the highways were raised to which the Senior Highways Engineer responded that levels of parking were appropriate for the size of store and that its viability rested on good access and parking being provided. The Development Manager referred to the National Planning Policy Framework as applied to this application. She felt that no additional problems regarding parking were envisaged and that the appropriate authorities had the powers to manage parking in the area. The issue of parking and also noise from delivery vehicles were covered in the recommended Condition 7. Members considered that a condition

needed to be included to secure a Construction Management Plan but that the details of delivery times could be left to Officers to decide.

After a thorough debate, the motion was put to the vote. Voting: 9 in favour and 3 against. Motion carried

91 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 Item Nos. 1, 3 and 7, a copy being included as *Appendix 1* to these Minutes
- Oral statements by members of the public etc on Item Nos. 1-9, 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 4* to these Minutes.

Item 1 The Wharf, Greensbrook, Clutton – Erection of 15 dwellings following demolition of existing workshop and stone shed – The Development Manager updated Committee on the policy position regarding residential development outside the housing development boundary as this was relevant to the next 3 applications on the Agenda. She explained that recent appeal decisions indicated that, where residential development was proposed outside of the housing development boundary, Inspectors and the Secretary of State were likely to find that the presumption in favour of sustainable development in the National Planning Policy Framework outweighed local housing policies if the local planning authority was unable to demonstrate a 5 year supply of housing land. Because the Council had been unable to demonstrate to the Core Strategy Inspector that it had a 5 year supply of housing land, it would therefore be very difficult to defend a refusal of planning permission on this basis unless the land was protected in some other way, for example, it was within an Area of Outstanding Natural Beauty or where a European Protected Species was affected. The Development Manager also explained that the local policies preventing isolated development in the countryside were still considered to be sound.

The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to secure an Agreement under S106 of the Town and Country Planning Act 1990 to secure (i) the provision of 5 dwellings as affordable housing comprising social rent and shared ownership accommodation; (ii) a financial contribution of £7,089.33 towards improvements to pedestrian facilities and/or traffic management in the village of Clutton; and (iii) a financial contribution of £16,313.51 towards primary School Places and Youth Services; and (B) upon completion of the Agreement, authorise the Development Manager to Permit subject to conditions. He referred to the Update Report which contained Officers' comments on further consultation responses and added further provisos for the S106 Agreement regarding (a) a financial contribution of £6,037.51 to reflect omission of employment space on the site; and (b) provision of a

pedestrian connection to the village avoiding the use of the main road. He recommended that a hard and soft landscaping condition be added.

The public speakers made their statements on the matter which was followed by a statement by the Ward Councillor Jeremy Sparks supporting the application but with conditions. The Development Manager commented on the proposal as regards the National Planning Policy Framework. This was a sustainable development which, despite the site being outside the housing development boundary, would contribute to the 5 year supply of housing.

Councillor Neil Butters referred to a stone shed on site which was probably the last surviving Bristol and North Somerset Railway Weighbridge Office. The weighbridge itself appeared to be still in situ, albeit partly tarmacked over. The Case Officer stated historical records had been checked and all other railway infrastructure had been removed. Councillor Liz Hardman moved the Officer recommendation as she felt it was an ideal development supported by the Parish Council and some residents and provided social housing on a brownfield site. The only issue was that it was outside the housing development boundary but other benefits outweighed this restriction. The motion was seconded by Councillor Martin Veal.

Members debated the motion. Some Members considered that the railway assets that remained should be preserved and that a local tie be included as condition regarding social housing. Councillor Neil Butters stated that, as the developer had kindly offered to dismantle the items, he could advertise them in the Heritage Railway Association's Journal "Sidelines". The Development Manager responded that the railway assets would be best dealt with by adding an Informative and that the local tie on housing could be negotiated through the S106 Agreement. Regarding provision of a footpath, the Senior Highways and Development Engineer stated that this could be achieved through the S106 Agreement and was aided by the fact that the adjoining development had been completed.

The Chair summed up the debate and put the motion to the vote. Voting: unanimously in favour. Motion carried.

Item 2 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 which had been determined by Committee in June when Members resolved to Delegate to Permit subject to a S106 Agreement that included an obligation that a village shop was operational prior to development commencing. However, this requirement, and a requirement for payment of certain highway contributions, had been rejected by an Inspector at a planning appeal relating to a similar development on the site. The application was being brought back to Committee with a recommendation to (A) 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; and (B) upon completion of the Agreement, authorise the Development Manager to Permit subject to conditions.

The applicants' agent made a statement in favour of the application.

Councillor Bryan Organ opened the debate. He considered that the Appeal Inspector's report was not helpful. A number of accesses had been considered and

he personally felt that Brookside Drive was the most suitable. Councillor Nicholas Coombes stated that the land was allocated for housing post 2011 and therefore there was no other option than to approve the application and he therefore moved the Officer recommendation. This was seconded by Councillor Brian Webber.

Members debated the motion. It was queried whether any financial contributions were included in the S106 Agreement to which the Case Officer responded that there was approximately £6,000 towards Children's Services. The motion was then put to the vote and was carried, 12 voting in favour and 1 against.

Item 3 Parcel 0006, Maynard Terrace, Clutton – The Case Officer reported on this application and his recommendation to authorise the Planning and Environmental Law Manager to enter into a S106 Agreement as detailed in the Report to Committee and, upon completion of the Agreement, authorise the Development Manager to permit the application subject to the conditions contained in the Report.

The public speakers made their statements on the application which was followed by a statement by the Ward Councillor Jeremy Sparks who referred to the benefits and drawbacks of the scheme as expressed by local residents. He felt that the application should be deferred for a traffic and pedestrian safety audit.

Councillor Nicholas Coombes opened the debate. He stated that the same policies applied to this application as to the previous application and that Members shouldn't be swayed by the possibility of the applicants going to appeal if it was refused. He considered that the reasons for refusal for the application in September still applied, namely, that the proposal was unsustainable and outside of the housing development boundary, and that insufficient information had been submitted with regard to ecology. He therefore moved that the application be refused on that basis. The motion was seconded by Councillor Bryan Organ.

Members debated the motion. Councillor Eleanor Jackson explained the changes to the previous application, referred to the Ecology Officer's objections/comments in the Report and considered that the Committee should keep to its original refusal reasons as before. Councillor Liz Hardman felt that there were benefits to the scheme and would vote in favour, which was also supported by Councillor Brian Webber. The Development Manager referred to her previous advice regarding the Council's inability to demonstrate a 5 year supply of housing land and explained why the recommendation was to grant permission. The site was not covered by any special designations or protections and the impact would only be in the immediate vicinity. There was no objection from the Ecology Officer. The development would provide much needed housing and a high percentage of social housing. Most issues of concern could be covered by conditions. The Senior Highways Development Engineer advised Members on the changes to the road layout which had certain advantages and would be subject to some provisos to address issues of safety.

The Chair expressed his views on the proposal and summed up the debate. The motion was put to the vote. Voting: 10 in favour and 2 against. Motion carried At this point, however, the Development Manager informed the meeting that, as the decision was contrary to Officer advice, she would invoke her power to refer the application to a subsequent meeting of the Committee for reconsideration. (Note: Councillor Les Kew was not present for consideration of this application.)

Item 4 Paulton Engine, Hanham Lane, Paulton – Extension and alteration of existing 3 bed house to provided 2 further bedrooms and dining room and demolition of 1960’s single storey bathroom extension; reconstruction of roofless outbuilding to provide garage, workshop and studio over; erection of pair semi-detached holiday cottages; repair of derelict pigsties to provide potting sheds and 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. The public speakers made their statements and this was followed by a statement by the Ward Councillor John Bull who spoke against the proposal.

The Ward Member on the Committee, Councillor Liz Hardman, opened the debate. She considered that a number of issues had been raised since the advertisement for the Departure from the Development Plan and there were now issues of concern. Councillor Les Kew still considered this to be an excellent development and only minor issues had been raised. He felt that the Committee should keep to its original decision and therefore moved that the application be delegated to Officers to permit subject to appropriate conditions and a S106 Agreement as before. The motion was seconded by Councillor Doug Nicol.

Members debated the motion. Most Members supported the motion but some felt that the heritage assets were not being preserved and that the development would totally change this peaceful rural location. The views of the Parish and Ward Councillors should be taken into account. The Development Manager clarified the Committee’s reasons for approval, namely, that the development would not be detrimental to the character and appearance of the Conservation Area, that Members had afforded some weight to the argument that the holiday cottages would help the viability of the scheme, it would provide economic development in a rural area, and the extension and new build were of an appropriate design that would not impact adversely on the ruins or on the overall development.

The Chair summed up the debate and put the motion to the vote. Voting: 7 in favour and 3 against with 2 abstentions. Motion carried (Note: Councillor Nicholas Coombes was not present for consideration of this application in view of his declared interest).

Item 5 Saltford Golf Club, Golf Club Lane, Saltford – Change of use of land and extension of existing golf course to create new golf academy, including contouring and landscaping; erection of driving range building; provision of a car park; and installation of ground level flood lighting to driving range – The Case Officer reported on this application and his recommendation to refuse permission. The representative for the Golf Club spoke in favour of the application. The Ward Councillor Mathew Blankley made a statement in support of the proposal.

The Development Manager advised that the issues of archaeology and lighting that had been raised were important considerations. However, the applicants were willing to address the issue of archaeology to mitigate any impact. Regarding lighting, Members would need to make a judgement as to the impact on the area and she informed Committee that a time limit could be imposed to restrict lighting at night. Councillor Les Kew considered that the issue of archaeology would be covered by the Club and that lighting could be controlled and restricted by condition. On the basis that he considered that the development would not be detrimental to the Green

Belt, would provide youth and social benefits and that the lighting would not impact significantly on the night sky, he moved that the recommendation be overturned and that it be delegated to Officers to permit subject to appropriate conditions. The motion was seconded by Councillor Liz Hardman.

Members debated the motion. The issues of archaeology and lighting were discussed and it was generally accepted that the archaeology aspect could be addressed by the Club but that the impact of the lighting was a big concern. There would be a substantial increase in the upward sky glow above the Institute of Lighting Engineers Standards. Members considered times for lighting and felt that 9pm would be an appropriate cut-off time.

The Chair summed up the debate and put the motion to the vote. Voting: 8 in favour and 1 against with 3 abstentions. Motion carried (Note: Councillor Bryan Organ was not present for consideration of this application).

Item 6 No 11 Mount Beacon, Beacon Hill, Bath – Erection of a single dwelling and associated works – The Case Officer reported on this application and his recommendation to Permit with conditions. The public speakers made their statements on the application which was followed by a statement by the Ward Councillor Anthony Clarke supporting the proposal.

Councillor Les Kew considered that this was a good application and landscaping would address the issue of any overlooking. He therefore moved the Officer recommendation but including a condition that a close-boarded fence be erected prior to the landscaping maturing - this was seconded by Councillor Martin Veal.

Members debated the motion. The issue of overlooking was discussed but it was generally felt that this was not of significant importance as the adjoining garden could already be overlooked. Councillor Les Kew withdrew the condition that a fence be erected. The amended motion was then put to the vote and was carried, 9 voting in favour and 2 against (Notes: 1) Councillors Manda Rigby left the meeting before the consideration of this application as did Councillor Neil Butters who had to attend a function as Vice Chairman of the Council; and 2) Members had previously undertaken a Site Visit of the property).

Item 7 No 489B Bath Road, Saltford – Change of use to restaurant and takeaway (Use Class A3/A5) to include extension in rear courtyard and new shop front (Resubmission) – The Case Officer reported on this application and his recommendation to Permit with conditions. The Update Report recommended an additional condition in relation to the parking area for the premises. The public speakers made their statements on the application. Councillor Les Kew read out a statement prepared by Councillor Mathew Blankley who was opposed to the proposal.

Councillor Bryan Organ felt that there was no problem with this application and moved the Officer recommendation which was seconded by Councillor Eleanor Jackson. Members debated the motion and generally considered that, with a condition to the effect that the car parking spaces were exclusively available for customers of the proposed restaurant, the proposal was acceptable.

The motion was put to the vote and was carried unanimously.

Item 8 Hope House, Shaftesbury Road, Oldfield Park, Bath – Erection of a two storey side extension and single storey rear extension following demolition of existing car port – The Case Officer reported on this application and her recommendation to Permit with conditions. The public speakers made their statements on the application.

Councillor Brian Webber considered that there were no strong reasons to refuse this application which in terms of size was not much above permitted development. There could be some light loss to the adjoining property but it would not be significant enough to refuse permission. He therefore moved the Officer recommendation which was seconded by Councillor Les Kew. The motion was then put to the vote and was carried, 9 voting in favour and 1 against (Note: Councillor Nicholas Coombes was not present for consideration of this application in view of his declared interest).

Item 9 Maylou, 118A Rush Hill, Southdown, Bath – Erection of two storey extension and a single storey garage extension (Revised resubmission) – The Case Officer reported on this application and her recommendation to Permit with conditions. The public speakers made their statements on the application.

Members discussed the proposal. Councillor Brian Webber considered that a Site Visit would be useful to fully understand the proposal in the context of its surroundings and therefore so moved. This was seconded by Councillor Les Kew. On being put to the vote, the motion was carried without dissension.

92 QUARTERLY PERFORMANCE REPORT - JULY TO SEPTEMBER 2012

The Committee considered the report of the Development Manager which provided performance information across a range of activities within the Development Management function.

The Committee noted the report and thanked Officers for their hard work.

93 TREE PRESERVATION ORDER - GOVERNOR'S HOUSE, STUART PLACE, TWERTON, BATH

The Committee considered

- The report of the Senior Arboricultural Officer which recommended that a Tree Preservation Order made on 16th August 2012 to protect a Tulip tree, which made a contribution to the landscape and amenity of the Conservation Area, be confirmed without modification
- A statement by a resident of the property supporting the Tree Preservation Order
- A statement by the Ward Councillor June Player also supporting the Order

It was moved by Councillor Eleanor Jackson and seconded by Councillor Doug Nicol and **RESOLVED** that the Tree Preservation Order entitled "Bath and North East Somerset Council (Governor's House, Stuart Place, Twerton, Bath No 281) Tree Preservation Order 2012 be confirmed without modification.

(NOTE: Referring to Minute Nos. 77 and 78 of the previous meeting held on 24th October 2012, the Senior Arboricultural Officer, prior to this Item, updated Members that, since the Site Visits (1) the objection to the Tree Preservation Order on trees at **Hillscroft, Bulls Hill, Wellow**, had been withdrawn and therefore confirmation of the Order could be dealt with under Delegated Powers; and (2) that a new Order on a tree at **35 West Hill Gardens, Radstock**, was made on 31st October and consultees had been given until 13th December to make representations; therefore if objections were received, a further report would be submitted, probably to the January Committee meeting.)

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

The Committee considered the report of the Development Manager on planning appeals.

After some comments by Members, the report was noted.

95 MONTHLY UPDATE ON FORMER FULLERS EARTHWORKS, COMBE HAY, BATH

By this stage of the meeting, the Team Leader, Development Management, had taken over from the Development Manager who had to leave. He was not in a position to update the Committee.

The meeting ended at 8.05 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

**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 21ST
NOVEMBER 2012**

SITE/REPORT NAME/REPRESENTING FOR/AGAINST

SITE/REPORT	NAME/REPRESENTING	FOR/AGAINST
SITE VISIT - REPORT 10		
12 High Street, Weston, Bath (Pages 43-56)	Georgina Clampitt Dix Jeff Richards, WYG Planning (Applicants' Agents)	Against For
MAIN PLANS LIST- REPORT 11		
The Wharf, Greensbrook, Clutton (Item 1, Pages 60- 78)	Anthony Marwood (Clutton Parish Council) Clive English <u>AND</u> Steve Willcox Peter White (for the applicant) <u>AND</u> Rosemary Naish (Campaign for Protection of Rural Clutton)	For Against – To share 3 minutes For – To share 3 minutes
Land rear of Holly Farm, Brookside Drive, Farmborough (Item 2, Pages 79-98)	Catherine Jackson (Applicants' Agent)	For
Parcel 0006, Maynard Terrace, Clutton (Item 3, Pages 99-134)	Anthony Marwood (Clutton Parish Council) Clive English <u>AND</u> Rosemary Naish (Campaign for Protection of Rural Clutton) James Reid (Curo) <u>AND</u> Jack Dury <u>AND</u> George Price (local residents)	Against Against – To share 3 minutes For – To share 3 minutes
Paulton Engine, Hanham Lane, Paulton (Item 4, Pages 135-152)	Mr Stirling Jonathan and Shelagh Hetreed (Applicants)	Against For – To share 3 minutes
Saltford Golf Club, Golf Club Lane, Saltford (Item 5, Pages 153-173)	Trevor Watts, Saltford Golf Club (Applicants)	For
11 Mount Beacon, Beacon Hill, Lansdown, Bath (Item 6, Pages 174-181)	Susan Sloman Max Woodward (Applicant)	Against For

489B Bath Road, Saltford (Item 7, Pages 181-185)	Councillor Kevin Reeves (Saltford Parish Council)	Against
	Tom Roche (Applicants' Agents)	For
Hope House, Shaftesbury Road, Oldfield Park, Bath (Item 8, Pages 186-190)	Robert Ambridge (for objector)	Against
	Mr Ashburner (Applicant)	For
Maylou, 118A Rush Hill, Bath (Item 9, Pages 191- 197)	Christine Gibbons	Against
	Talvinder Rae (for the applicant)	For
TREE PRESERVATION ORDER – REPORT 13		
Governor's House, Stuart Place, Twerton, Bath	Margaret Orzabal	Statement in favour of TPO

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

21st November 2012

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

ITEM 10 (Site Inspection Application)

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
01	12/02848/FUL	12 High Street Upper Weston Bath

Following the submission of the report the following updates are made;

Further information has been submitted by the applicant with regards to the enforcement of car parking within the site. In this case car parking is limited to 30 minutes per car and this being enforced by the issuing of fines for cars parked for longer than 30 minutes.

In a verbal representation at the previous meeting the question was raised as to whether the parking restrictions were enforceable.

The parking within the car park is now being enforced to 30 minutes parking per car. The Protection of Freedoms Act 2012 gained royal assent in May. Sections 54 to 56 and Schedule 4 of the Act specifically relate to the car parking industry and came into force on 1 October 2012. This now means that clamping and towing in private car parks is unlawful.

In summary, section 54 states that it is an offence to immobilise a motor vehicle by the attachment of an 'immobilising device' (in other words a clamp), or to move, or restrict the movement of such a vehicle by any means. Section 56 of the Act gives effect to Schedule 4 of the Act. Schedule 4 sets out a detailed procedure which must be complied with in order to recover unpaid parking charges. Importantly, Schedule 4 allows the land owner/occupier (e.g. a parking operator) to recover the charges from the registered keeper of the vehicle if the whereabouts of the driver is unknown.

Officer comment

With regards to the above officers are satisfied that the proposed parking enforcement measures are adequate to secure compliance with the parking management plan.

The reasons for granting approval have been reviewed are amended as follows;

1. The proposed development would not have an adverse impact upon the streetscene or the amenity of the surrounding and future residential occupiers. The proposed development will not result in increased overlooking of nearby dwellings. Deliveries can be controlled to occur to outside of unsociable hours.

Due to the use of appropriate materials and design the proposed development will enhance the character of the surrounding Conservation Area. The proposed building and associated works will enhance the appearance of the surrounding public realm.

The proposed development will not cause harm to highway safety. Parking within the car park will be managed and therefore a reduction in car parking spaces 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, Bh.6, S.2 and S.8 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

21st November 2012

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

ITEM 10

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
01	12/00293/FUL	The Wharf Greensbrook, Clutton

Consultation Responses

Following publication of the report there have been 10 additional comments received, 8 in support and 2 against the proposed development.

The reasons for support for the application are:

- it is a suitable use of the site
- the development of brownfield land is preferable to greenfield sites
- the small scale of the development is appropriate for the village and its facilities
- it is in a central location
- the development will improve the appearance of the site

The reasons for objection to the application are:

- contamination of the site and out-of-date assessment
- increased traffic from the site and limited junction visibility
- lack of facilities within the village
- outside the housing development boundary
- limited sewage disposal capacity

Officer Comments

The Council's Contaminated Land Officer has proposed conditions requiring the submission, approval and implementation of a detailed site contamination assessment and remediation strategy. They have advised that this will adequately control potential contamination risks.

The Council's Highways Officer has advised that the traffic impacts from the development can be accommodated on the public highway and that visibility from Greensbrook onto Station Road is acceptable.

The Council's School Organisation Manager has advised that subject to a financial contribution to meet projected education services needs the proposed development is acceptable.

The issue of the site being located outside the Housing development Boundary is considered within the main report.

Wessex Water have advised that the site should be connected to the existing mains sewerage system and the application has been amended to comply with this requirement. Capacity issues will be addressed by Wessex Water.

In addition, an objection from the Police that there is no consideration of crime, security and safety issues in the Design & Access Statement has been addressed by the applicant in a revised Statement. The Police have not commented on this additional information however Officers consider that the concerns raised have been satisfactorily addressed.

Transport and Access

The Council's Highways Officer has advised that the financial contribution for highway works should be £6,037.51 to reflect to omission of employment space on the site (originally part of amended proposals for the site). This will be reflected in the Heads of Terms for the s.106 agreement.

The scheme provides for a potential pedestrian connection to the village (via the route of the former railway line and thereby avoiding use of the main road). It is appropriate that the provision of this connection (a gate in the existing boundary fence) is secured, at no cost to the Council, through the s.106 agreement. The Heads of Terms for the s.106 agreement should be amended accordingly.

Item No.	Application No.	Address
03	12/01882/OUT	Parcel 0006 Maynard Terrace Clutton

RECOMMENDATION

It is recommended that the Section 106 Agreement is completed before planning permission is issued. Once completed, permission would be issued with the stated conditions.

DRAFT PLANNING OBLIGATIONS:

The following are proposed to be dealt with via a Section 106 agreement:

HIGHWAYS:

- A contribution of £120,000 towards the support and enhancement of bus services to Bath, Midsomer Norton, Radstock with the aim of improving frequency and usability for residents wishing to work, study or make visits to these settlements.
- A contribution of £140,000 for and towards pedestrian/safety for pedestrians works in the village of Clutton, and strategic highway works in the B&NES Administrative area.
- Highway alterations to Maynard Terrace, Station Road and Clutton Hill, including the re-configuration of the junction and the provision of new footways.

EDUCATION:

- A contribution to ensure that adequate provision is made for education will be required however the final figure will be dependent upon the final number and mix of housing that is brought forward at the reserved matters stage. Details of the education contribution will therefore be determined with the reserved matters application.

OPEN SPACES:

The total contribution to open space provision will be dependent upon the final layout and number of dwellings brought forward which will be determined at the reserved matters stage. The figures below are therefore maximum values and are subject to change.

- A contribution of up to £86,640 for off-site provision of open space
- A contribution of £4,445 in respect of the provision of off-site allotments

ECOLOGY:

Prior to development details of an Ecological Protection, Compensation and Management Scheme will be produced for land to be known as the Wildlife Area. This Scheme must demonstrate retention, enhancement and creation of ecologically valuable habitats to adequately compensate for ecological impacts of the development to at least an equivalent ecological value. The Scheme must specify long term ecological management objectives, costed management practices and methods to achieve them, and provide details of funding, resourcing, insurance and management responsibility, sufficient to achieve feasible long term management of the Wildlife Area.

STRATEGIC HOUSING:

- 53% of the overall residential provision must be secured as affordable and grant free housing with a max 53/47 per cent split between Social Rent and Intermediate Market housing. (Affordability, including service charges and size mix as set out in the Strategic Housing Development Manager's report).
- The affordable housing obligation is secured in perpetuity through a section 106 Agreement as set out in the Strategic Housing Development Manager's report.
- Lift the staircasing restrictions for New Build Homebuy lessees and instead ring-fence the released equity.
- The Council has full nomination rights as set out in the section 106 Agreement.
- The affordable housing units to be benchmarked against Housing Corporation's 'Design and Quality Standards' and that Code for Sustainability level 3, 4 or 5 be achieved depending upon the timing of each construction phase and as required by the Design and Quality Standards at the time and availability of any grant being subject to a full economic viability assessment.
- All the affordable housing units to be benchmarked against the design requirements contained within the B&NES Planning Obligations SPD & annexes.

- 60% of the affordable housing to reach Lifetime Homes standards & identified on plan.
- To transfer the units to an approved partnering Registered Social Landlord (RSL) or other Affordable Housing Provider (AHP) as approved by the Council.
- The affordable housing land (secured via policy HG.8) is transferred to a RSL or AHP at nil cost.
- Public subsidy (grant) will only be made available in the event that the RSL's or AHP's supportable deficit is insufficient to pay for the build costs. Grant will be subject to a comprehensive financial viability assessment. Where the assessment justifies a 35% contribution cannot be achieved, the full 35% affordable housing must still be identified on plan to ensure a later transfer of all affordable dwellings subsequent to grant aid being available.
- A 'pepper potting' strategy is included in the Section 106 Agreement and that the development is tenure blind.
- Phasing conditions on affordable housing triggers to be set out in the Section 106 Agreement.
- A Local Tie to give priority to people in the local community:

Item No.	Application No.	Address
07	12/03325/FUL	489B Bath Road, Saltford BS31 3BA

Signage has been displayed in the car park located within the blue line boundary which identifies parking bays which have been allocated for the adjacent Vauxhall Dealership. This would reduce the level of parking available for the other commercial uses within the centre including the proposed restaurant and takeaway. A further condition is therefore recommended to confirm that the parking area within the blue line boundary shall be not restricted for individual uses.

Condition:

The parking area within the blue line boundary shall not be restricted for individual uses and shall be retained for the purposes of off-street parking.

Reason: To ensure that sufficient off-street parking is available to serve the adjacent commercial uses.

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

21st November 2012

DECISION LIST

Item No:	00	
Application No:	12/02848/FUL	
Site Location:	12 High Street, Upper Weston, Bath, Bath And North East Somerset	
Ward: Weston	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of rear ground floor extension (totalling approximately 206 sq metres) to create an enlarged retail unit together with rear first and second floor extensions to create 6no 2-bed apartments and alterations to existing shop fronts at 12-20 High Street, Weston	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Local Shops, World Heritage Site,	
Applicant:	Bathweston One Limited & Bathweston Two Limited	
Expiry Date:	28th August 2012	
Case Officer:	Alice Barnes	

DECISION

A. Authorise the Planning and Environmental Law Manager to enter into a Section 106 Agreement to cover the following:-

1) £18,000 for the improvement of local public transport infrastructure.

B. Subject to the prior completion of the above agreement, authorise the Development Manager for Planning and Transport Development to PERMIT 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 commence until a sample panel of the permitted boundary wall shall be 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 interest of the appearance of the surrounding Conservation Area.

4 Prior to the occupation of the development, an operation statement for the retail unit shall be submitted to and approved in writing by the Local Planning Authority and shall include details of opening hours and deliveries. The development shall thereafter be occupied in accordance with the approved operational statement.

Reason: In the interests of residential amenity and highway safety.

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

Reason: In the interests of amenity and highway safety.

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

Reason: In the interests of amenity and highway safety.

7 Prior to the commencement of the development, a Parking and Service Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of parking enforcement, delivery management (including restricted times as appropriate).

Reason: To ensure the safe operation of the car park and highway.

8 Within two months of occupation of the development the Staff Travel Plan shall have been instigated. The development shall thereafter be operated in accordance with the Travel Plan in liaison with Bath and North East Somerset Council's Transportation Planning Team.

Reason: In the interests of sustainable development.

9 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., together with complimentary bus tickets for each household to encourage residents

to try public transport. The content of such packs shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

10 On completion of the works but prior to any occupation of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise in accordance with BS8233:1999. The following levels shall be achieved: Maximum internal noise levels of 30dBLAeq,T for living rooms and bedrooms. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLAmax.

Reason: To minimise the impact of noise to existing and future occupiers of the property and the amenity of neighbouring occupiers to the site.

11 No development shall take place within the site 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 been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works within the previously undeveloped areas of the site, with provision for excavation of any significant deposits or features encountered.

Reason: The site is within an area of potential archaeological interest and the Council will wish to examine and record items of interest discovered.

12 Prior to the commencement of development at the site details of a Construction Management Plan for all works of construction and 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 Councils Code of Construction Site Noise practice note and the BRE Code of Practice on the control of dust from construction and demolition activities. The details so approved shall be fully complied with during the construction of the development.

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

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

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

PLANS LIST:

Location plan P_050
Exisitign site plan P_051
Propsoed site plan P_052
Topographical Survey 915/6262/1
Streetscapes 2

Ground floor plan 4
First floor plan 5
Lower ground floor (High Street) P_053
Upper ground floor (Crown Road) P_054
First floor plan P_055
Roof

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

21st November 2012

DECISIONS

Item No:	01	
Application No:	12/00293/FUL	
Site Location:	The Wharf, Greensbrook, Clutton, Bristol	
Ward: Clutton	Parish: Clutton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 15no dwellings following demolition of existing workshop and stone shed	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Forest of Avon, Tree Preservation Order,	
Applicant:	Mr Jeffrey Bromilow	
Expiry Date:	17th May 2012	
Case Officer:	Gwilym Jones	

DECISION

1 (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:

i). The provision of 5 dwellings as affordable homes comprising:

Social Rent

2 x 1 bed flats

1 x 2 bed house

1 x 3 bed house

Shared Ownership

1 x 3 bed house

ii). A financial contribution of £6037.51 towards improvements to pedestrian facilities and/or traffic management in the village of Clutton.

iii). A financial contribution of £16,313.51 towards Primary School Places and Youth Services.

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

2 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.

3 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.

4 Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management.

Reason: To ensure the safe operation of the highway.

5 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., together with complimentary bus tickets for each household member to encourage residents to try public transport. The content of such packs shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

6 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.

7 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include (but not limited to) the pre and post construction hard standing areas calculations; the pre and post construction discharge rates from the site; details of surface water discharge points; a site layout drawing with details of suds features and the overall drainage strategy; how potential pollution from the site will be removed and controlled. Any drainage calculations carried electronically should be submitted in an electronic format.

Reason: In the interests of highway safety.

8 All houses in the development shall be designed to achieve level 3, or better, of the Code for Sustainable Homes.

Reason: To ensure that the development is constructed as specified in the application and to secure the sustainable development of the site.

9 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.

10 Where 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 prepared, and is subject to the approval in writing of 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.

11 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.

12 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 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, 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 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.

13 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 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.

14 Prior to commencement of development an intrusive site investigation survey of the site shall be undertaken in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority.

In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these works shall be undertaken prior to commencement of development.

Reason: Coal mining legacy potentially poses a risk to the proposed development and intrusive site investigation works are required to establish the impact on the safety and stability of the proposed development and the need, if required, for remedial works.

15 No development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and details within that implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway and surface water drainage locations and movement of people and machinery.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained.

16 No development activity shall commence until the protective measures as stated in the approved Detailed Arboricultural Method Statement are implemented. The local planning authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place and available for inspection.

Reason: To ensure that the trees are protected from potentially damaging activities.

17 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority. A signed certificate of compliance shall be provided to the local planning authority on completion.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

18 No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

(i) Finalised details of badger mitigation including findings of pre-commencement checks for new badger activity; mapped location and specifications for fencing; confirmation that fencing is in place; details of licence application

(ii) Details of proposed street lighting and external lighting demonstrating retention and provision of dark corridors to enable continued passage across the site and use of the site and adjacent woodland edge by bats for commuting and foraging

(iii) Specifications and location for bat roost provision to be shown on soft landscape scheme

(iv) Specifications and location for reptile mitigation to be shown on soft landscape scheme

(v) Details to be incorporated into soft landscape scheme of wildlife-friendly and native species planting, including boundary planting, to maximise wildlife benefit and minimise impacts of the development on ecological value on adjacent land

(vi) Details of ecological enhancements as appropriate

All works within the scheme shall be carried out in accordance with the approved details, unless otherwise approved in writing by the local planning authority. The works shall be carried out prior to the occupation of any part of the development.

19 No development shall commence until details of the proposed: estate road(s); footways; footpaths; verges; junctions; street lighting; sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays; accesses; carriageway gradients; drive gradients; car parking; street furniture and programme of implementation shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out other than in accordance with the approved details and programme of implementation without the prior written approval of the Local Planning Authority.

Reason: In the interests of highway safety.

20 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.

21 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.

22 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.

PLANS LIST:

L100, L101, L102, L103 Rev.B, L105, L106 Rev. G, L107 Rev. B, L109, L110, L111, L112, L115, sk 32 Rev. B, sk 35 Rev.A, HT 5-1 Rev. A, HT 5-2 Rev. A, HT 7-1 Rev. A, HT 7-2 Rev. A, HT 8 Rev. A, HT 8-2, HT 15 Rev. A, HT 19, HT 25-1, HT 25-2, HT 26, HT 26b, HT 28, A201.

REASONS FOR APPROVAL

The decision to recommend approval has taken account of relevant policies set out in the Development Plan and adopted Supplementary Planning Documents and the National Planning Policy Framework. The decision has also been taken into account other material considerations including emerging policy set out in the Draft Core Strategy and the responses from statutory consultees and other interested parties.

The proposed development is located outside the Housing Development Boundary as defined in the adopted Bath and North East Somerset Local Plan (including minerals and waste policies) 2007 and therefore contrary to policy HG.4 (Residential development in the urban areas and R.1 settlements) of the Local Plan and to policy RA1 of the Draft Core Strategy (Development in the villages meeting the listed criteria). However this is outweighed by guidance set out in the National Planning Policy Framework in respect of promoting sustainable development and ensuring an adequate supply of land for housing.

Subject to conditions and a s.106 agreement secured in accordance with policies IMP.1 (Planning obligations), by virtue of site area and number and tenure mix of the proposed dwellings the development is in accordance with policy HG.8 (Affordable housing on allocated and large windfall sites) and CF.3 (Contributions from new development to community facilities) of the Local Plan. It is considered that the scale, layout and design of the proposed buildings is acceptable and would not materially affect the amenities of the neighbours in accordance with Policy D.2 (General design and public realm considerations) and D.4 (Townscape considerations). Subject to implementation of measures to safeguard trees and protected species the development is in accordance with policies NE.4 (Trees & woodland conservation), NE.10 (Nationally important species and habitats) and NE.11 (Locally important species and habitats). The site adjoins the Green Belt however by virtue of the siting, design and materials of the development it will not be visually detrimental to the Green Belt nor impact negatively on its openness in accordance with policy GB2 (Visual amenities of the Green Belt). The proposed site access and layout is considered acceptable and subject to a planning obligation in respect of improvements to pedestrian facilities and/or traffic management the development is in accordance with Policy T.24 (General development control and access policy) of the Local Plan. Subject to site investigations (and, if required, mitigation and remediation) the development is in accordance with policies ES.14 (Unstable land) and ES.15 (Contaminated Land) of the Local Plan.

Advice Note:-

The applicant is advised that the existing railway weighbridge and associated building currently on the site should be dismantled in a manner suitable for its relocation and reassembly on another site. Prior to dismantling the weighbridge and building should be

made available for inspection by a railway heritage organisation (such as the North Somerset Heritage Trust) and, if they so request, it is made available to them for removal to another site.

Item No:	02	
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: Authorise the Development Manager to permit subject to a S106 agreement and appropriate conditions.

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

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

2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

3 No development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and details within that implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaways, locations and movement of people and machinery.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals

4 No development activity shall commence until the protective measures as stated in the approved Arboricultural Method Statement are implemented. The local planning authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place and available for inspection.

Reason: To ensure that the trees are protected from potentially damaging activities.

5 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

6 The development hereby permitted shall be carried out only in accordance with the recommendations and ecological mitigation measures described in the approved Ecological Appraisal Malford Environmental Consulting dated 8th February 2012 or any amendment to the Appraisal, as approved in writing by the Local Planning Authority.

7 Before the access hereby permitted is first brought into use the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge along the centre line of the access onto Brookside Drive and points on the carriageway edge 17m to the south and 43m to the north of the centre line of the access shall be cleared of obstruction to visibility at and above a height of 150mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highway safety.

8 Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management.

Reason: To ensure the safe operation of the highway.

9 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

10 Finished floor levels should be set no lower than 300 mm above surrounding ground level.

Reason: To protect the development from flooding.

11 The hedgerows as marked on the 'concept plan' or as otherwise agreed in writing by the Local Planning Authority shall be retained in perpetuity. In the event that they die or become seriously damaged or diseased they 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.

Reason: To safeguard the rural character of the area

12 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.

13 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:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

human health,

property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

adjoining land,

groundwaters and surface waters,

ecological systems,

archaeological sites and ancient monuments;

(iii) 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.

14 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 prepared, and is subject to the approval in writing of 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.

15 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.

16 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 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in any 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 15.

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.

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

Reason: In the interests of neighbouring amenity

18 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.

19 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.

20 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.

21 PLANNING PERMISSION FOR SHOP

22 The development hereby permitted shall be carried out only in accordance with the recommendations and ecological mitigation measures described in the approved Ecological Appraisal Malford Environmental Consulting dated 8th February 2012 or any amendment to the Appraisal, as approved in writing by the Local Planning Authority

23 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:

REASONS FOR GRANTING APPROVAL:

1 The proposed development is considered to be acceptable in principle. Although the development is not within the Green Belt, policy GB1 applies. There are considered to be very special circumstances which allow for a departure from the normal policies of constraint. As in this case, the Council cannot show a five-year supply of deliverable housing sites the relevant housing supply policies should not be considered up-to-date. Planning permission should therefore be granted for this sustainable development as there are not considered to be any adverse impacts which would significantly and demonstrably outweigh the benefits 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:	03	
Application No:	12/01882/OUT	
Site Location:	Parcel 0006, Maynard Terrace, Clutton, Bristol	
Ward: Clutton	Parish: Clutton	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Erection of 36no. dwellings and associated works (revised resubmission)	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Housing Development Boundary, Public Right of Way,	
Applicant:	Somerset Community Housing Trust	
Expiry Date:	30th July 2012	
Case Officer:	Richard Stott	

DECISION Committee resolved to refuse planning permission but due to paragraph 6 of Member and Officer Conduct/Roles protocol being invoked the application will be reconsidered at the next meeting of committee.

The reasons for refusal as moved by members are as follows:-

The proposed development of this site, located in the countryside outside of any housing development boundary, remote from services and employment opportunities, and poorly served by public transport, is contrary to the principles of sustainable development and would be likely to result in unsustainable transport movements in the private car. Due to the size of the site and the inclusion of market housing, it cannot be classified as a rural

exception site. The proposed development is considered to be contrary to Policies T.1, HG.4 and HG.9 of the Bath and North East Somerset Local Plan (including minerals and waste policies) adopted October 2007, Policy 1 of the Bath and North East Somerset, Bristol, North Somerset and South Gloucestershire Joint Replacement Structure Plan, and contrary to the National Planning Policy Framework, which seek to facilitate the use of sustainable modes of transport.

2 Inadequate details have been submitted to enable the Local Planning Authority to fully assess the potential impact on nationally and internationally protected species, locally important species and flora and proposed mitigation, therefore the development is contrary to Policies NE.9 and NE.12 of the Bath and North East Somerset Local Plan (including minerals and waste policies) adopted October 2007.

PLANS LIST:

This Decision Relates To The Following Documents:

Arboricultural Method Statement, Design & Access Statement, Drainage Strategy, Ecology And Protected Species Survey, Flood Risk Assessment, Housing Statement, Landscape & Visual Report, Phase 1 Geo environmental Assessment, Planning Statement, Preliminary Utility Study, Statement Of Community Involvement And The Transport Assessment Date Stamped 30th April 2012, The Transport Assessment Addendum Date Stamped 30th May 2012, The Preliminary Ecological Appraisal Date Stamped 27th June 2012, The Highway Safety Audit Date Stamped 9th July 2012 And The Mining Survey Report Date Stamped 2nd August 2012

This Decision Relates To The Following Drawings:

Site Location Plan, Tree Protection Plan, Proposed Layout Sections And Indicative Street Scenes Date Stamped 30th April 2012 And Drawings 00756 Rev. A - Mining Record Survey And 00758 Rev. A - Mining Record Survey Section A - A Date Stamped 2nd August 2012

Item No:	04	
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 Authorise the Development Manager to permit subject to S106 agreement and appropriate conditions

Item No:	05
Application No:	12/02315/FUL
Site Location:	Saltford Golf Club, Golf Club Lane, Saltford, Bristol
Ward: Saltford	Parish: Saltford LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of land and extension of existing golf course to create new golf academy, including contouring and landscaping, erection of a driving range building, provision of a car park and installation of ground level flood lighting to driving range.
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt,
Applicant:	Saltford Golf Club
Expiry Date:	1st October 2012
Case Officer:	Daniel Stone

DECISION Delegate to permit subject to conditions

PLANS LIST:This decision relates to drawings:

- Proposed Site Local Plan
- Proposed Landform Levels - Drawing SGC-DRAC-D1-Rev H
- Proposed Access - Drawing SGC - PA-Rev H
- Lighting proposals - Golf Range Lighting - design ref UKS7628/6
- Proposed Driving Range Building - Drawing 001
- Proposed Sections - in front of residential house
- Proposed Section B-B
- Proposed Sections C-C
- Proposed Sections D-D

- Archaeological Desk Based Assessment - Eaton Archaeological Services
 - Abacus Technical Report Ref: UKS7628/4 - Proposed Golf Club Lighting
 - Protected Species Survey - Country Contracts
 - Reptile / Amphibian survey - Country Contracts
 - Flood Risk Assessment - DJP Consulting Engineers
 - Photograph of example driving range building
 - Arboricultural Assessment - Tim Pursey
 - Schedule of photographs
 - Design and Access Statement
 - Construction Management Plan
- Survey of Existing site - drawing SGC-DRAC-OGL

Item No:	06
Application No:	12/02906/FUL
Site Location:	11 Mount Beacon, Beacon Hill, Bath, Bath And North East Somerset
Ward: Lansdown	Parish: N/A LB Grade: II
Application Type:	Full Application
Proposal:	Erection of a single dwelling and associated works.
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, World Heritage Site,
Applicant:	Mr Max Woodward
Expiry Date:	26th September 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 No development shall commence until a sample panel of all external walling and roofing materials has been erected for inspection on site and approved in writing by the Local Planning Authority. Thereafter the sample panel shall be kept on site until the development is completed and the development shall be carried out in accordance with the approved details.

Reason: To safeguard the setting of the adjacent listed buildings and the character and appearance of the conservation area.

3 No development shall commence until joinery details at a scale of 1:2 have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard the setting of the adjacent listed buildings and the character and appearance of the conservation area

4 No development shall be commenced on site until a soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation. This landscape scheme shall include details of a boundary treatment to the south side of the application site and a new boundary treatment to the east to subdivide the residential curtilage.

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

5 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.

6 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.

7 The gates to the vehicular access shall be of a remotely operated type, the details of which shall have been submitted to and approved in writing by the Local Planning Authority, and the gates shall be in operation prior to the dwelling being occupied.

Reason: In the interests of highway safety.

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

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

PLANS LIST:

J024448_1, existing site plan and 103 received 02 July 2012.

101e received 05 October 2012.

102f, 104f and 105g received 05 November 2012.

REASONS FOR GRANTING APPROVAL

1. New residential development is acceptable in principle in this location. The proposal would preserve the setting of the adjacent listed buildings and the character and appearance of the conservation area. The proposal would not have an adverse impact on highway safety. The proposal would maintain the residential amenity of adjacent 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

BH.1, BH.2, BH.6, HG.4, T.24, T.26, D.2 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

Item No:	07	
Application No:	12/03325/FUL	
Site Location:	489B Bath Road, Saltford, Bristol, Bath And North East Somerset	
Ward: Saltford	Parish: Saltford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use to restaurant and takeaway (Use Class A3/A5) to include extension in rear courtyard and new shopfront (resubmission).	
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary, Local Shops,	
Applicant:	Mrs Rachael Ashbee	
Expiry Date:	24th September 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 No development shall commence until details of the odour controls to be implemented have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and amenity.

3 The development hereby permitted shall not be occupied until the sound attenuation measures set out in section 6.6 of the Ventilation and Extraction Assessment received 30 July 2012 have been implemented. Thereafter these sound attenuation measures shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenity of adjacent occupiers.

4 The use hereby approved shall not be carried on and no customer shall be served or remain on the premises outside the hours of 09:00 to 22:00

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 including details of refuse storage and litter prevention. Thereafter the development shall be operated in accordance with the approved details.

Reason: To safeguard the residential amenity of adjacent occupiers.

6 The parking and turning area shown on drawing no.01 shall be used only by the staff and customers of No's 489, 489A and 489B Bath Road, Saltford

Reason: To ensure that sufficient off-street parking is provided.

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

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

PLANS LIST:Site location plan and 01 received 30 July 2012.

REASONS FOR GRANTING APPROVAL

1. The proposed change of use would preserve the economic vitality of the Saltford shopping centre. The external alterations and extension would preserve the character and appearance of the host building and the street scene. The proposal would not have an adverse impact on highway safety. The proposal would maintain the residential amenity of adjacent 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

S.8, T.24, T.26, D.2 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

Item No:	08	
Application No:	12/03741/FUL	
Site Location:	Hope House, Shaftesbury Road, Oldfield Park, Bath	
Ward: Oldfield	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a two storey side extension and single storey rear extension following demolition of existing car port	
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,	
Applicant:	Mr Samuel Ashburner	
Expiry Date:	1st November 2012	
Case Officer:	Tessa Hampden	

DECISION PERMIT

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

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

2 All external walling and roofing materials to be used shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

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

3 The proposed first floor window in the east elevation shall be glazed with obscure glass and permanently retained as such.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy.

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: Plans: HH001 - 006 date stamped 28th August 2012 and HH012 EDITION 01 date stamped 6th Septmeber 2012

REASONS FOR GRANTING APPROVAL

1 The development is considered to be of an acceptable scale, design and siting , which would preserve the character and appearance of this building, terrace and the setting of the wider World Heritage Site. There will be no harm to highway safety or residential amenity as a result of this development.

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.

T.24: General development control and access policy

Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 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 National Planning Policy Framework was published in March 2012, but is not considered to conflict directly with the above policies.

Item No:	09	
Application No:	12/04102/FUL	
Site Location:	Maylou, 118A Rush Hill Southdown Bath	
Ward: Odd Down	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a two storey extension and a single storey garage extension (revised resubmission)	
Constraints:	Agric Land Class 1, 2, 3a Forest of Avon, Hotspring Protection, World Heritage Site,	
Applicant:	Mrs Rae	
Expiry Date:	22nd November 2012	
Case Officer:	Sasha Coombs	

DECISION: Defer consideration to allow Members to visit the site to view the application site within the context of its surroundings

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