

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 4th September, 2013

Present:- Councillor Gerry Curran in the Chair

Councillors Andy Furse, Ian Gilchrist, Liz Hardman, Eleanor Jackson, Les Kew, Malcolm Lees, Douglas Nicol, Bryan Organ, Manda Rigby, Martin Veal, David Veale and Brian Webber

Also in attendance: Councillors Sally Davis, David Martin, Caroline Roberts and Dine Romero

49 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

50 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not desired

51 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence

52 DECLARATIONS OF INTEREST

Councillor Liz Hardman declared a prejudicial interest in the planning application at Paulton Infants School (Item 3, Report 10) as a Governor of the School and therefore she would make a statement and then leave the meeting for its consideration. Councillor Andy Furse stated that, although he lived in the vicinity of the application site of Lark Place, Upper Bristol Road, Bath (Report 9), he did not have any interest to declare. Councillor Malcolm Lees (later in the meeting) declared an interest in the planning application at Private Garden, Lark Place, Upper Bristol Road, Bath (Item 3, Report 10) as he was formerly acquainted with the applicant's Architects.

53 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business. However, the Chair informed the meeting that the Enforcement Report at Rough Ground and Buildings, Queen Charlton Lane, Queen Charlton, had been withdrawn and therefore would not be considered at this meeting.

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

The Senior Democratic Services Officer informed the meeting that there were members of the public etc wishing to make statements on the planning applications in Reports 9 and 10 and that they would be able to do so when reaching those Items on the Agenda

55 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were no items from Councillors

56 MINUTES: 31ST JULY 2013

The Minutes of the previous meeting held on Wednesday 31st July 2013 were approved as a correct record and were signed by the Chair

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

The Committee considered

- The report of the Development Manager on an application for planning permission at 4 Lime Grove, Bathwick, Bath
- An Update Report by the Development Manager which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc, the Speakers List being attached as *Appendix 2* to these Minutes

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

No 4 Lime Grove, Bathwick, Bath – Conversion of student lets into 2 maisonettes and 1 self-contained apartment with first floor extension at the rear (Resubmission of 12/01925/FUL) – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. The Update Report referred to the receipt of further representations and recommended an additional condition.

The public speakers made their statements against and in favour of the application which was followed by a statement by the Ward Councillor David Martin who was against the proposal.

After hearing Officer's responses to various questions about the proposal, Councillor Eleanor Jackson moved that the recommendation be overturned and that permission be refused on the basis that there would be a greater intensity of use of the building and the garden, the design would affect the appearance and symmetry of the building when viewed from the rear, it would detract from the amenities of the adjoining property and would not preserve or enhance this part of the Conservation Area, all contrary to Policies D2, D4 and HG12 of the Local Plan. The motion was seconded by Councillor Doug Nicol.

Members debated the motion. It was felt that it would be unreasonable to increase the impact on the adjoining property with greater intensity of use and the loss of light resulting from the first floor extension. Members generally agreed that the proposal would detrimentally affect the amenities of the adjoining property. However, one Member considered that there would be minimal impact on the neighbour and that their light would not be affected; the boundary wall was possibly a little too high. The Team Leader – Development Management gave advice regarding the relevance of the Policies quoted as regards the motion to refuse permission.

The motion was then put to the vote. Voting: 10 in favour and 2 against with 1 abstention. Motion carried.

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

The Committee considered

- The report of the Development Manager on various applications for planning permission etc
- An Update Report by the Development Manager on Item Nos 1 and 5, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc, 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 Rough Ground and Buildings, Queen Charlton Lane, Queen Charlton – Change of use of land to private gypsy and traveller caravan site – The Case Officer reported on this application and his recommendation to refuse permission. The Update Report informed of further letters of objection being received. The Officer recommended a further reason to refuse permission, namely, lack of sustainability. He therefore amended his recommendation to Delegate to Refuse.

A representative of Compton Dando Parish Council made a statement against the proposal. The Ward Councillor Sally Davis made a statement agreeing with the Officer's recommendation and the points raised by the public speaker.

After some clarification as to the use of buildings in the vicinity of the application site, Councillor Les Kew moved the Officer recommendation. This had been an on-going problem for the area and there were clear reasons for refusal. The motion was seconded by Councillor Bryan Organ.

Members debated the motion. Councillor Eleanor Jackson queried whether the openness of the Green Belt was affected. The welfare of the family should be considered and she felt that temporary permission could be granted.

After some further comments, the motion was put to the vote which was carried, 12 voting in favour and 1 against.

Item 2 Private Garden, Lark Place, Upper Bristol Road, Bath – Erection of a pair of two storey semi-detached 3 bedroom dwellings and a terrace of 3 two storey dwellings including access, parking for 3 cars, cycle storage and amenity provision – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure various provisions relating to Education, Open Space and Recreational Facilities, and Transport; and (B) subject to the prior completion of the Agreement, authorise the Development Manager to grant permission subject to conditions set out in the report (or to be determined). He reported the receipt of 2 further objections.

The public speakers made their statements against and in favour of the proposal.

Councillor Andy Furse opened the debate as one of the Ward Members on the Committee. He considered that there were 3 key issues/concerns, namely, the impact on local residents, highways/access, and loss of the allotments. He expounded on these areas of concern and other issues. Councillor Doug Nicol, the other Ward Member on the Committee, agreed with the concerns that had been raised and queried whether legal advice was required on the use as an allotment.

Councillor Ian Gilchrist felt that it would be useful to visit the site to see the existing use and the surroundings. He therefore moved that the application be deferred for a Site Visit. The motion was seconded by Councillor Eleanor Jackson.

Members debated the motion. It was requested that, if the motion was agreed, the site be the first site on the Itinerary to be visited. Councillor Malcolm Lees declared an interest in the application as he was previously acquainted with the applicant's Architects. The motion was put to the vote and was carried, 9 voting in favour and 1 against with 3 abstentions.

Item 3 Paulton Infants School, Plumtre Close, Paulton – Erection of a 3 classroom extension – The Planning Officer reported on this application and the recommendation to grant permission subject to conditions. She reported the concerns of the Chair of the Governors of the Paulton Junior School that had recently been received.

The public speakers made their statements against the proposal.

Councillor Liz Hardman (Ward Member on the Committee) read out a statement by Councillor John Bull (the other Ward Member). She stated that there was no objection to the school's expansion; however, there were various issues that needed to be addressed particularly regarding the highway and access to the site with congestion caused by dropping-off and picking-up. A workable Transport Plan was required. She considered that the application should be deferred for this to be done. Councillor Hardman then left the meeting in view of her interest declared earlier in the meeting.

Councillor Les Kew opened the debate. He considered that there was a number of problems to be sorted out and therefore moved that the application be deferred for further negotiations to enable a satisfactory Travel Plan/Statement to be provided. The motion was seconded by Councillor Martin Veal.

Members debated the motion. It was felt by some Members that the existing problems of congestion around the site needed to be addressed and that a time limit should be imposed on any deferment. It was also suggested that permission could be granted with a deadline for work on the Travel Plan. The Team Leader – Development Management informed Members that there was approximately £1M provided by the Polestar developers for educational facilities as a result of additional development in the village. Permission could be granted with the Travel Plan to be completed before occupation. The Highways Development Control Team Leader informed Members that previous information on the matter was now out of date and Officers were working with the School to achieve a preferred Travel Plan. A lot of preparatory work was required before this could be achieved with short, medium and long term measures being required. Members continued to discuss the issue of the Travel Plan. Some Members felt that a deferment with a time limit of 2 months imposed regarding the Travel Plan. Others considered that permission could be delegated to Officers with a Travel Plan being required within 2 months. Some Members were sceptical about whether a Travel Plan could be achieved in such a short space of time to which the Highways Engineer agreed. A Member pointed out that child safety was the priority and should be the main objective of the Travel Plan.

After a full discussion on the subject, Councillor Les Kew stated that classrooms were needed and a solution found. He therefore withdrew his motion to Defer and moved Delegate to Permit with conditions and a satisfactory Travel Plan to be agreed within 2 months. The motion was seconded by Councillor Bryan Organ. The Cabinet Member for Early Years, Children and Youth commented that a large number of children would be looking to start school in September next year; also that the Transport Plan would not influence the highways situation. The Highways Development Control Team Leader agreed but pointed out that there would be resources available next year to deliver some changes to the highways.

The motion was put to the vote. Voting: 6 in favour and 6 against. The Chair used his second and casting vote against the motion which was therefore 6 in favour and 7 against. Motion lost.

Councillor David Veale moved the Officer recommendation to Permit with conditions which was seconded by Councillor Malcolm Lees. The motion was put to the vote and was carried, 9 voting in favour and 0 against with 3 abstentions. Motion carried.

Item 4 Parcel 8970 Tunley Road, Tunley – Erection of an agricultural storage barn and widening of existing access – The Case Officer reported on this application and her recommendation to refuse permission.

The public speakers made their statements against and in favour of the proposal.

Councillor Eleanor Jackson knew the site and the dangerous road junction at which a number of car accidents had occurred. She moved that the Officer's recommendation be approved. Councillor David Veale queried whether there was a need for the development. An improvement to the junction was being proposed. He did not support the proposal. Councillor Andy Furse seconded the motion.

Members debated the motion. It was felt that the proposal would be highly visible and it was situated on a fast road. It would affect the openness of the Green Belt and the business using the agricultural storage barn was situated some distance away

from the site. Some Members supported the proposal as it was an agricultural development which could be seen as an exception to Green Belt policy. The building could be set into the ground to minimise the impact. The nearby listed building was not of great significance.

The motion was put to the vote and was carried, 10 voting in favour and 3 against.

(Note: After this decision at 4.50pm, there was a natural break for 5 minutes after which business was resumed)

Item 5 Oldfield School, Kelston Road, Newbridge, Bath – Relocation of existing temporary classroom building within the school campus, erection of new single storey Drama Block on the current site, reintroduction of grassed area and removal of existing lighting columns to current temporary car park at rear of site – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. The Update Report referred to the Highways Officer's response to the neighbour's representations and it amended the recommended Condition 2 and added an extra Condition. The Officer reported on the receipt of a letter of objection from the owner of the adjoining property.

The public speaker made a statement against the application which was followed by a statement by the Ward Councillor Caroline Roberts who suggested various options before the proposal could be considered for permission.

Members discussed the fact that work had started without permission and the impression that this work was being undertaken by the Council. Councillor Les Kew considered that a Site Visit was required to view the impact of the development on the adjoining property and to assess other possible locations within the School site. He moved accordingly which was seconded by Councillor Liz Hardman. A Member considered that a Master Plan should have been provided for development on the site. If the motion was approved, it was requested that it be viewed from the adjoining property and that a sedum roof be considered by the applicants.

The motion was put to the vote and was carried without dissension.

Item 6 Bath Urban Area, Generic Urban Area – Display of vertical banners at Manvers Street, Orange Grove, High Street, Stall Street and George Street; display of pendant banners at Churchill Bridge, Dorchester Street and Southgate Street; and display of Cross Street banners at Milsom Street – The Case Officer reported on this application and her recommendation to grant consent for 1) Cross Street Banner at Milsom Street; 2) Pendant Banners at Stall Street; 3) Pennant Banners at Brunel Square on Dorchester Street; 4) Pendant Banners at Churchill Bridge; 5) Vertical Banner on George Street; 6) Vertical Banners on the High Street (x2); 7) Vertical Banners on Orange Grove (x5); 8) Vertical Banners on Terrace Walk (x3); 9) Vertical Banners on Manvers Street (x7 including temporary posts); and 10) Vertical Banners on Stall Street (x2). There was a recommendation to refuse consent for 1x Vertical Banner at the Guildhall entrance and 2x Vertical Banners between Cheap Street and Orange Grove to the North elevation of the Abbey.

The applicants' Agent made his statement in favour of the proposal.

Councillor Manda Rigby as one of the Ward Members on the Committee spoke first and expressed dismay that she was not consulted on the application by the applicant prior to it being submitted. She referred to the City's status as a World Heritage site and banners being more acceptable in shopping streets. She did not support the proposal. Councillor Brian Webber, as the other Ward member on the Committee, considered that the proposal was acceptable and moved the Officer recommendation. A Member expressed concern on the vertical banners adjoining the highway. In seconding the motion, Councillor Andy Furse queried the time period that the banners would be erected. A 12 week period for these banners was acceptable but he would not wish to see many banners etc around the City for the various events that are held in Bath all year round. Some Members expressed their dissatisfaction with some of the banners that were proposed.

The motion was put to the vote and was carried, 9 voting in favour and 3 against (Note: Councillor Malcolm Lees had left the meeting prior to consideration of this application).

Item 7 Bath Urban Area, Generic Urban Area – Display of non-illuminated 6 sheet poster and temporary low level horizontal banner advertising at B&NES Council car parks (Avon Street, Charlotte Street, Kingsmead, Manvers Street and Sports Centre); Park and Ride sites (Newbridge, Lansdown and Odd Down); and City centre compactor litter bins – The Case Officer reported on this application and her recommendation to grant advertisement consent subject to conditions.

The public speakers made their statements against the proposal.

Members discussed the proposals. Concerns were expressed on the possible obstruction of pavements and public safety, also the lack of control over the content of the adverts on the litter bins. Councillor Liz Hardman considered that generally the proposals were acceptable and therefore moved the Officer's recommendation which was seconded by Councillor Les Kew. The motion was put to the vote. Voting: 6 in favour and 6 against. The Chair used his second and casting vote against and therefore the voting was 6 in favour and 7 against. Motion lost.

Councillor Andy Furse considered that, on the basis of pedestrian access and egress not being hindered and such or similar wording being included in the Recommendation 1b (ii), the advertisements at the City centre car parks and the Park and Ride sites be approved. This was seconded by Councillor Les Kew. The motion was put to the vote and was carried 11 voting in favour, 0 against and 1 abstention.

Regarding the advertisements on Litter Bins, Councillor Andy Furse moved Refusal which was seconded by Councillor Gerry Curran on the grounds of loss of visual amenity. The motion was put to the vote and was carried, 7 voting in favour and 5 against.

59 ENFORCEMENT REPORT - ROUGH GROUND AND BUILDINGS, QUEEN CHARLTON LANE, QUEEN CHARLTON

The Committee noted that this Report had been withdrawn from the Agenda

60 BRIEFING UPDATE - PARCEL 5319, CHARLTON FIELD LANE, QUEEN CHARLTON

The Development Manager submitted a report (1) referring to the Committee's decision at its meeting on 5th June 2013 to approve planning applications at this site; (2) informing that the distance between the site and the nearest house (classed as a sensitive receptor) was 131m, not 150m as stated in the report to that meeting; (3) advising that the difference in distance was not considered material as the key distance was whether or not the property was within 250m of the site which it clearly was; and (4) recommending that the situation be noted.

Members considered the report and approved the Officer's recommendation

RESOLVED to note that the actual distance between the boundary of the composting site and the boundary of the nearest sensitive receptor was 131m, not 150m as reported; however, this did not alter the recommendation that the applications should be approved subject to conditions.

61 ENFORCEMENT UPDATE - PARCEL 0005/2866, WOOLLEY LANE, CHARLCOMBE

Referring to the Minutes of the meeting held on 5th June 2013, the Committee considered (1) the report of the Development Manager which updated Members on the progress on addressing the various breaches of planning control at this site; and (2) an Update Report by the Development Manager, a copy of which is attached as *Appendix 1* to these Minutes.

Councillor Martin Veal noted that it stated in the Minutes of the meeting held on 5th June that the alterations to the site access were immune from enforcement action. He referred to and quoted S171b of the Town and Country Planning Act 1990 which inferred that the usual 4 year rule did not apply. A report to the Committee on 18th July 2010 stated that enforcement action would be taken with regard to the access as it was within the 4 years. The applicants' agent was now claiming that the site access was now lawful and he therefore requested advice as to whether this was the case. It was agreed that the necessary advice be provided to Councillor Veal subsequent to this meeting.

The Team Leader – Development Management gave advice on the Committee's decision of 5th June and updated Members with regard to applications received to regularise the situation.

The Committee noted the report.

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

The report was noted

The meeting ended at 6.12 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

4th September 2013

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

ITEM 10

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
Site Visit 01	13/02112/FUL	4 Lime Grove Bathwick

REPRESENTATIONS:

COUNCILLOR MARTIN - comments and observations are the same as for the previous plans.

OTHER REPRESENTATIONS / THIRD PARTIES:

6 x objections received (3 from the same property) in relation to the revised drawings, and summarised as;

- There has been a continuing nuisance problem in terms of noise / litter due to the large numbers of occupants in the house
- Over intensive for the given size of the garden and building
- Amended drawings do not in reduce initial concerns: that the conversion is overdevelopment
- Would allow increased numbers of students to be housed
- This will be a house, designed for a single family and within a family-friendly area, which will become occupied by fourteen residents
- Results in a reduction in quality of life for locals
- The property can easily be converted to 3 flats without the need for an elevated extension
- Because of the load on amenities in the Lime Grove area due to the recent construction of 13 properties, no further residents parking should be permitted for No.4.
- Notice the proposal has an Article 4 constraint being an HMO with 12 student lets. As designated by the existing internal layout, these 12 student lets would be utilizing the 9 bedrooms and 3 lounges. It is reasonable for us to have some concerns that the proposed 11 bedrooms and 3 lounges could be used by 14 students.
- This large property has a limited garden size and with such a large number of occupants making use of it there is deterioration in enjoyment of outside space by neighbours.

- Object to this revised planning application because of the poor quality of the drawings and the unacceptable inaccuracies in depictions of the existing situation
- Will cause harmful overbearing impact and loss of light which is unacceptable
- There is no worthwhile reason to convert a top floor window into a door and then stick an iron railing over it to meet safety requirements

CONDITIONS:

- The proposed bathroom window in the north 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.

PLANS LIST:

This decision relates to drawing no's LG.1.A date stamped 20th May 2013 and LG.3C and LG.4C date stamped 9th August 2013.

Item No.	Application No.	Address
05	13/02302/FUL	Oldfield School Kelston Road Newbridge Bath

Additional representation from neighbour concerning highway issues (summarised):

- Previous applications refer to no increase in pupil numbers at the school and previous decisions have been made on this premise
- The school have granted an increase in numbers from 192 to 217 for this coming academic year 2013 as they now have the ability to accommodate the extra intake. The intake was 139 in 2012 so this is an increase of 80 pupils. There was no mention of this in the recent application for the drama block and two extra classrooms.
- The school is now an academy so is outside of BANES control as the admissions authority
- Amendments are always made to the applications after permission has been granted i.e. the sports hall that was passed without being open to the public. Then an amendment is made extending use of the facility to the public with out of hours use. This has had an adverse effect on parking and traffic in the area.

- Concerns over the use of a drama block by the public with audience participation. It will again have an effect on the traffic and the community as the majority of the pupils come from out of the borough.
- Concerns over the increase of pupils on a year on year basis and the knock-on effects on highway safety

Response from Highways Development Officer dated 16/08/13 to these neighbour comments:

“I understand your concerns regarding previous, and proposed, increases in pupil numbers at the school, which I have also raised in previous recommendations. However, in commenting on planning applications I must respond on the basis of the submitted application details, which in the case of the current application, I have been advised would simply replace two classrooms in the PE block to within the new drama block, and the relocated Training Classroom Block would retain the same use in its new position. I understand that the existing drama studio has been condemned, and would therefore not be brought back into use, and on this basis there would not be any additional classroom accommodation as a result, and therefore no additional capacity for more pupils.

I appreciate that these claims have been made previously, and then some increases in pupil numbers have taken place, but on the basis of the information I have received in respect of this current application, there are no grounds for me to raise a highway objection.

Clearly I am only a consultee within the planning process, and the Planning Case Officer will consider all consultation responses, and letters of support and objection, submitted in relation to this application in order to reach a decision, or make a recommendation to committee.

The school has now changed from a girls school to co-educational, but as yet there are no survey results to give any indication if this change has resulted in the changes in travel habits, and needs, that were expected within the Travel Plan, and although I am aware that there have been parking and road safety issues raised, and addressed, over the years, the Area Traffic Engineer has advised that there have been no adverse issues raised since the changes in the school last September.

With regard to your comment on any potential amendment to the use of the drama block by the public, this would clearly be subject to a separate application, and the implications of any proposed additional use would be considered at that time”.

Conclusion:

In light of the Highway Development Officer’s comments it is evident that there is no highways objection to this proposal. Therefore the officer

recommendation remains as the committee report but it is recommended that condition no.2 is amended, and an additional condition is added as referred to below:

Condition no.2:

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 a timetable for the reinstatement of the grassed area and removal of the contractors compound, deliveries to and from the site (including storage arrangements and timings), contractor parking and traffic management.

Reason: To ensure the safe operation of the highway and the appearance of the site.

Condition no 5:

The development hereby permitted shall be carried out only in accordance with the approved Ecological assessment (Arup letter dated 13th May 2013 and Ecological Walkover Assessment August 2011). If at any time when the buildings are dismantled and protected species are found or evidence of protected species are found, all work should cease and an ecologist be contacted to provide advice. The development thereafter shall be carried out in accordance with that advice.

Reason: To secure adequate ecological protection during the course of development.

Item No.	Application No.	Address
01	13/02781/FUL	Rough Ground and Buildings Queen Charlton Lane Queen Charlton

A further 3 letters of objection have been received bringing the total number of objections received to 15.

No new issues were raised.

Item No.	Application No.	Address
Enforcement Item 13	13/00257/UNAUTH	Parcel 2866 Woolley Lane Charlcombe Bath

Woolley Valley – Enforcement Update Report (13/00257/UNAUTH)

Poultry Sheds

An Enforcement Notice requiring removal of the ten poultry sheds was issued on 23 August 2013.

A site inspection on 30 August 2013 confirmed that all units have been removed.

Caravan, shed and dog kennel

Enforcement Notices requiring the removal of these items was issued on 22 July 2013.

A site inspection on 14 August 2013 confirmed that all items have been removed from the site together with the concrete bases (and the skip in which the material was put had also been removed).

The land excavation works to provide the level area for the caravan, shed and dog kennel was completed more than 4 years ago and therefore immune from enforcement action.

Following a review of photographic and other evidence held by the Council it was concluded that the area was laid with hardcore at the same time and therefore the requirement that this area was provided with topsoil and seed was removed from the Notice.

New Planning Applications

Two separate applications have recently been submitted to the Council seeking to regularise the planning position in respect of various works at the site.

1. Certificate of lawfulness for the existing alterations to access and formation of hardstanding and track around existing building - 13/03374/CLEU. Received on 05/08/2013, this is intended to cover those works that are immune from enforcement action i.e. substantially complete more than four years ago.
2. Alterations and extension to existing agricultural building, formation of farm track, construction of stock pond and ancillary works - 13/03358/FUL. Received on 05/08/2013, this is for those items of work that it was not

considered expedient to take enforcement action against at the Development Control Committee meeting on 5th June 2013.

Consultation on these applications started on 21 August 2013.

As yet there is no date for determination of these applications.

**SPEAKERS LIST
BATH AND NORTH EAST SOMERSET COUNCIL**

**MEMBERS OF THE PUBLIC ETC WHO MADE A STATEMENT AT THE MEETING
OF THE DEVELOPMENT CONTROL COMMITTEE ON WEDNESDAY 4TH
SEPTEMBER 2013**

SITE/REPORT	NAME/REPRESENTING	FOR/AGAINST
SITE VISITS – REPORT 9		
4 Lime Grove, Bathwick, Bath (Pages 43-49)	Dr David Dymock Lionel Tonizzo (Applicant)	Against For
MAIN PLANS LIST – REPORT 10		
Rough Ground and Buldings, Queen Charlton Lane, Queen Charlton (Item 1, Pages 54-65)	Cllr Chris Willows, Compton Dando Parish Council	Against
Private Garden, Lark Place, Upper Bristol Road, Bath (Item 2, Pages 66- 92)	David Phillips Tony Mason, Ashfords (Applicants' Solicitors)	Against For
Paulton Infants School, Plumptre Close, Paulton (Item 3, Pages 93-105)	Cllr Jeff Humphries (Paulton Parish Council) Garry Yoxall, Chair, School Governors	Against Against
Parcel 8970 Tunley Road, Tunley (Item 4, Pages 106-112)	Cllr Clare Taylor (Dunkerton Parish Council) <u>AND</u> Cllr Brian Huggett (Englishcombe Parish Council) Graham Jones Tom Killen (Applicant's Agent)	For – To share 3 minutes Against For
Oldfield School, Kelston Road, Newbridge, Bath (Item 5, Pages 113-121)	Ralph Murphy	Against
Bath Urban Area, Various Streets in the City centre – Display of vertical banners (Item 6, Pages 122-133)	Vaughan Thompson (Applicants' Agent)	For
Bath Urban Area , Various Car Parks/P&R sites/City centre litter bins – Display of poster and banner advertising (Item 7, Pages 134-142)	Peter Duppa-Miller, Clerk to Combe Hay Parish Council Caroline Kay, Chief Executive, Bath Preservation Trust	Against Against

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BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

4th September 2013

SITE VISIT DECISIONS

Item No:	001	
Application No:	13/02112/FUL	
Site Location:	4 Lime Grove, Bathwick, Bath, Bath And North East Somerset	
Ward: Bathwick	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Conversion of student lets into 2no maisonettes and 1no self contained apartment with first floor extension at the rear (Resubmission of 12/01925/FUL).	
Constraints:	Agric Land Class 3b,4,5, Article 4, British Waterways Minor and Householders, Conservation Area, Forest of Avon, Hotspring Protection, World Heritage Site,	
Applicant:	Mr Lionel Tonizzo	
Expiry Date:	15th July 2013	
Case Officer:	Rebecca Roberts	

DECISION REFUSE

1 The siting and design of the proposed first floor extension would represent an inappropriate addition to the terrace that would result in a built composition of an asymmetrical appearance which would diminish the existing rhythm between the properties that would adversely affect the character and appearance of the Conservation Area, contrary to policies D.2, D.4 and BH.6 of the Bath and North East Somerset Local Plan (including minerals and waste policies) 2007

2 The proposed development by reason of the over intensification of use and lack of amenity space is considered to represent overdevelopment of the site that is not considered compatible with existing uses within this locality and is therefore contrary to policies D.2 and HG.12 of the Bath & North East Somerset Local Plan (including minerals and waste policies) 2007.

3 The proposed first floor rear extension as a result of its scale, siting and design would result in an overbearing presence resulting in loss of light to the detriment of the residential amenity of the occupiers of No. 3 Lime Grove. This would be contrary to policy D.2 of the Bath and North East Somerset Local Plan (including minerals and waste policies) 2007

PLANS LIST:

This decision relates to drawing no's LG.1.A date stamped 20th May 2013 and LG.3C and LG.4C date stamped 9th August 2013.

DECISION TAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the agent was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to this the Local Planning Authority moved forward and issued its decision.

BATH AND NORTH EAST SOMERSET COUNCIL**DEVELOPMENT CONTROL COMMITTEE****4th September 2013****DECISIONS**

Item No:	01
Application No:	13/02781/FUL
Site Location:	Rough Ground And Buildings, Queen Charlton Lane, Queen Charlton, Bristol
Ward: Farmborough	Parish: Compton Dando LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of land to private gypsy and traveller caravan site (retrospective)
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Forest of Avon, Greenbelt,
Applicant:	Mrs Kathleen O'Connor
Expiry Date:	23rd August 2013
Case Officer:	Chris Griggs-Trevarthen

DECISION REFUSE

1 The proposal amounts to inappropriate development in the Green Belt, which would cause significant harm to its openness and would be contrary to its purpose of safeguarding the countryside from encroachment, contrary to policies GB.1 and GB.2 of the Bath and North East Somerset Local Plan (2007) and guidance within the National Planning Policy Framework (2012) and Planning Policy for Traveller Sites (2012).

2 The proposal would harm the character and appearance of the rural landscape and of the setting of the Queen Charlton Conservation Area, contrary to policies GB.2, NE.1, HG.16 and BH.6 of the Bath and North East Somerset Local Plan (2007) and guidance within the National Planning Policy Framework (2012) and Planning Policy for Traveller Sites (2012).

3 The proposal, due to its isolated location in the open countryside remote from services and public transport, would be car dependent and represents an unsustainable form of development contrary to policy T.1 and T.24 of the Bath and North East Somerset Local Plan (2007), guidance in the National Planning Policy Framework (2012) and Planning Policy for Traveller Sites (2012).

4 The benefits of the proposal, including the unmet national, regional and local need for gypsy and traveller sites, and the personal circumstances of the applicant and her family, do not clearly outweigh the harm to the Green Belt, rural landscape and Conservation Area and so do not amount to very special circumstances.

PLANS LIST:

Basic Survey
Site Location Plan 1:2500
Site Location Plan 1:1250

DECISION MAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority has entertained a number of similar applications over a period of years which have been subsequently dismissed at appeal. The Local Planning Authority have acted positively by requesting information to clarify the applicant's case and have thoroughly reviewed the case on its own merits despite the very recent dismissal of a similar scheme at appeal in 2009.

Item No:	02	
Application No:	13/02098/FUL	
Site Location:	Private Garden, Lark Place, Upper Bristol Road, Lower Weston	
Ward: Kingsmead	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a pair of two storey semi-detached 3 bedroom dwellings, and a terrace of 3 no. two storey 3 bedroom dwellings, including access, parking for 5 cars, cycle storage, and amenity provision.	
Constraints:	Agric Land Class 3b,4,5, Article 4, British Waterways Major and EIA, Conservation Area, Forest of Avon, Hazards & Pipelines, Hotspring Protection, World Heritage Site,	
Applicant:	Mr P.A. Wells	
Expiry Date:	24th July 2013	
Case Officer:	Daniel Stone	

DECISION Defer consideration to allow members to visit the site to view the application site in context to the surroundings.

PLANS LIST:

This decision relates to drawing nos

DRAWING CL 463-1 / 100 LOCATION PLAN
DRAWING 1000 SURVEY AS EXISTING - SITE PLAN
DRAWING 1001 SURVEY AS EXISTING - SITE SECTIONS
DRAWING 1002 EXISTING SEWER OVERLAY PLAN
DRAWING 3000 SITE PLAN AS PROPOSED
DRAWING 3001 SITE SECTIONS AS PROPOSED

DRAWING 3002 PROPOSED UNITS 1 AND 2
DRAWING 3003 PROPOSED UNITS 3,4 AND 5
DRAWING 3004 PROPOSED CYCLE STORE
DRAWING 463-1 DESIGN AND ACCESS STATEMENT
ARBORICULTURAL REPORT
EXTENDED PHASE 1 SURVEY
NOISE ON CONSTRUCTION SITES - CODE OF PRACTICE

FURTHER LISTED BUILDING CONSENT REQUIRED

Listed Building Consent is required for the relocation of the Listed Milestone on the site frontage onto the Upper Bristol Road. No works affecting the milestone should be begin ahead of Listed Building Consent being obtained.

LICENCE REQUIRED FOR VEHICULAR CROSSING

The applicant should be advised to contact the Highway Maintenance Team on 01225 394337 with regard to securing a licence under Section 184 of the Highways Act 1980 for the construction of a vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

- o No materials arising from the demolition of any existing structures, the construction of new buildings nor any material from incidental and landscaping works shall be burnt on the site.
- o The developer shall comply with the BRE Code of Practice to control dust from construction and demolition activities (ISBN No. 1860816126). The requirements of the Code shall apply to all work on the site, access roads and adjacent roads.
- o The requirements of the Council's Code of Practice to Control noise from construction sites shall be fully complied with during demolition and construction of the new buildings.

Item No:	03	
Application No:	13/02215/REG03	
Site Location:	Paulton Infant School, Plumptre Close, Paulton, Bristol	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Regulation 3 Application	
Proposal:	Erection of a 3no. classroom extension	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary,	
Applicant:	Bath & North East Somerset	
Expiry Date:	29th July 2013	
Case Officer:	Heather Faulkner	

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 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 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 construction access, deliveries (including storage arrangements and timings), contractor parking, traffic management, signing, etc. Thereafter, the development shall not be constructed other than in full accordance with that approved plan.

Reason: To ensure the safe operation of the highway

4 Prior to the first occupation of the development a Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the Travel Plan.

Reason: In the interests of sustainable development and highway safety.

5 Desk Study and Site Walkover

A Desk Study and Site Reconnaissance (walkover) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment of the site. The Desk Study shall also be submitted to and approved in writing by the Local Planning Authority. Should the Desk Study identify the likely presence of contamination on the site, whether or not it originates on the site, then full characterisation (site investigation) shall be undertaken in accordance with a methodology which shall previously have been agreed in writing by the Local Planning Authority. Where remediation is necessary, it shall be undertaken in accordance with a remediation scheme which is subject to the approval in writing of the Local Planning Authority and a remediation validation report submitted for the approval of the Local Planning Authority.

Reason

To ensure that risks from land contamination to the current and future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6 Reporting of Unexpected Contamination

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

Reason:

To ensure that risks from land contamination to the current and future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7 No development or ground preparation shall take place until an arboricultural method statement with tree protection plan identifying measures to protect the trees to be retained, has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of the path retention method by the retained Hornbeams; proposed tree protection measures during site preparation (including clearance and the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, location of site office if considered necessary, and access and movement of people and machinery). The method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant.

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.

8 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 in writing 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.

9 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.

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

10 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.

11 Prior to the commencement of the relocated bin store further details shall be submitted and approved in writing by the Local Planning Authority showing elevation details and construction materials. 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.

12 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:

Received 22nd May 2013

CE033A3/AL/01 Rev A Location Plan

CE033A3/AL/02 Rev A Block Plan

CE033A3/AL/03 Existing Part Site Plan and Roof Plan

CE033A3/AL/04 Existing Floor Plan

CE033A3/AL/05 Existing Elevations

CE033A3/AL/06A Proposed Floor Plan and Part Site Plan

CE033A3/AL/07A Proposed Elevations

CE033A3/AL/08 Roof Plan

CE033A3/AL/09 Section Through A-A Hidden South Elevation

CE033A3/AL/11-Rev A Relocated Bin Store

EDUCATIONAL AND OTHER SUPPORTING STATEMENT

TRANSPORT STATEMENT

E033A3 - TS TREE SURVEY ABOR REPORT

E033A3-DAS PLANNING ACCESS DESIGN STATEMENT Public

E033A3-FRA FLOOD RISK ASSESSMENT Public

E033A3-PS PHOTOGRAPHIC SURVEY

Decision taking statement:

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

ADVICE NOTE:

Where a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to a planning permission or where a

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

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to the Coal Authority policy in relation to new development and mine entries available at www.coal.decc.gov.uk

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

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

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is available on The Coal Authority website www.coal.decc.gov.uk

Item No:	04	
Application No:	13/01686/FUL	
Site Location:	Parcel 8970, Tunley Road, Tunley, Bath	
Ward: Bathavon West	Parish: Englishcombe	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of an Agricultural Storage Barn and widening of existing access.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Sites of Nature Conservation Imp (SN),	
Applicant:	Mr Andrew Scurlock	
Expiry Date:	12th July 2013	

Case Officer: Tessa Hampden

DECISION REFUSE

1 By virtue of its siting in this prominent location, the proposed storage barn fails to preserve the openness of the Green Belt, contrary to Policy GB.2 of the Bath & North East Somerset Local Plan Including Minerals and Waste Policies Adopted for October 2007

2 By reason of its siting and design, the proposed barn is poorly connected with the surrounding area, fails to maintain the character of the public realm, fails to respond to the local context and would have an adverse impact on the visual amenities of this area, contrary to Policies D.2 and D.4 of the Bath & North East Somerset Local Plan Including Minerals and Waste Policies Adopted for October 2007

3 By reason of its size, siting and design in this prominent location the proposed barn would adversely affect the setting of the adjacent Listed Building, contrary to Policy BH.2 of the Bath & North East Somerset Local Plan Including Minerals and Waste Policies Adopted for October 2007

4 In the absence of any robust justification for the need or benefit to the rural economy of the storage barn that outweigh the visual harm of the proposed scheme, the proposal is contrary to Policy ET.6 of the Bath & North East Somerset Local Plan Including Minerals and Waste Policies Adopted for October 2007

PLANS LIST:

Plans: SITE LOCATION PLAN, 1403/13/01, 1403/13/03, 1403/13/04, date stamped 22nd April 2013, and 1403/13/09, 1403/13/10, 1403/13/11 date stamped 17th May 2013

Item No:	05	
Application No:	13/02302/FUL	
Site Location:	Oldfield School, Kelston Road, Newbridge, Bath	
Ward: Newbridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Relocation of existing temporary classroom building within the school campus, erection of new single storey Drama Block on the current site, reintroduction of grassed area and removal of existing lighting columns to current temporary car-park at rear of site	
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, Hotspring Protection, Major Existing Dev Site, World Heritage Site,	
Applicant:	Oldfield School	
Expiry Date:	13th August 2013	
Case Officer:	Victoria Griffin	

DECISION Defer consideration to allow members to visit the site to view the application site in context to the surroundings.

PLANS LIST:

This decision relates to the following plans/documents:

Drawing ref. 2102 issue A, 2040 issue A, 2100 issue A, 2001 issue A, Travel Plan, Archaeological Desk study, Ecological Walkover Assessment, 2050 issue A, 2103 issue A, 2302 issue A, 2101 issue A, 2060 issue A, Planning Statement, Design & Access Statement, 001D, Site Map, Flood Risk Assessment date received 31/05/13

Drawing ref 2300 issue B, 2052 issue A, 2301 issue B, 2051 issue A date received 18/06/13

DECISION TAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, a positive view of the submitted proposals was taken and permission was recommended.

Item No:	06
Application No:	13/02395/AR
Site Location:	Bath Urban Area, Generic Urban Areas, Dummy Street,
Ward: Newbridge	Parish: N/A LB Grade: N/A
Application Type:	Advertisement Consent
Proposal:	Display of Vertical Banners at Manvers Street, Orange Grove, High Street, Stall Street and George Street; display of Pendant Banners at Churchill Bridge, Dorchester Street and Southgate Street; and display of Cross Street Banners at Milsom Street
Constraints:	Agric Land Class 3b,4,5, Article 4, Bath Core Office Area, City/Town Centre Shopping Areas, Conservation Area, Forest of Avon, Hotspring Protection, World Heritage Site,
Applicant:	Bath And North East Somerset Council
Expiry Date:	31st July 2013
Case Officer:	Rebecca Roberts

DECISION Split decision - check file/certificate

Consent is hereby **REFUSED** for 1x vertical banner at Guildhall entrance and 2x vertical banners between Cheap Street and Orange Grove to the North elevation of the Abbey for the following reason:

The proposed banners, by reason of their siting in prominent locations adjacent to listed buildings, detract from historical character of the listed buildings and compromise their setting and have a significant detrimental impact upon the character and appearance of the City of Bath Conservation Area and the setting of the World Heritage Site. This is contrary to policies D2, D4, BH1, BH2, BH16 and BH17 of the Bath and North East Somerset Local Plan (including minerals and waste) adopted 2007.

CONSENT is hereby granted to display 1 Cross Street Banner at Milsom Street, Pendant banners at Stall Street, Brunel Square on Dorchester Street and Churchill Bridge and Vertical banners on George Street (x1), High Street (1x banner adjacent to TK maxx and 1x banner on the corner of the Guildhall), Orange Grove (x5), Terrace Walk (x3), Manvers Street (x7 including temporary posts) and Stall Street (x2) in accordance with the application, plans and drawings submitted by you subject to the condition(s) set out below:

1 The banners hereby approved shall not be displayed for more than a 3 week continuous period and once the banner has been removed it shall not be displayed again for at least 3 weeks.

Reason: In the interests of the visual amenities of the area

2 No advertisement shall be displayed until a Management Plan including details of how and who will control the diary for the placement of the banners at the specified locations, implementation of guidelines to ensure a balance between periods when the city is dressed and when it is free of decoration, resolving clashes within the programme and ensuring there is an appeals mechanism and details of maintenance and repair, shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the appearance of and locations for the proposed advertisements are acceptable in accordance with the provisions of Local Plan Policy BH.17 and will not significantly prejudice amenity or public safety.

3 a. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

b. No advertisement shall be sited or displayed so as to -

(i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

c. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

d. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

e. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: These conditions are specified in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4 This consent shall expire at the end of September 2018.

Reason: To review the situation and safeguard the character and appearance of the Conservation Area and setting of the World Heritage Site.

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

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

PLANS LIST:

This decision relates to drawing no's 1301/BC_ED_9030, 1301/BC_ED_9031, 1301/BC_ED_9032, 1301/BC_ED_9034, 1301/BC_ED_9035 and support statement date stamped 6th June 2013 and drawing no. 1301/BC_FB_5500 and banner technical specifications date stamped 12th August 2013.

ADVICE NOTE:

Please advise the applicant that formal consent of the Highway Authority is required under the Highways Act for anyone to erect a sign or similar structure which will overhang the highway and this may be obtained from the Highway Maintenance Team who can be contacted on 01225 394337. Furthermore, separate approval will be required from the Highway Electrical Team with regard to fixing the banners to street lighting columns - contact 01225 394342.

ADVICE NOTE:

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

Item No:	07
Application No:	13/02396/AR
Site Location:	Bath Urban Area, Generic Urban Areas, Dummy Street,
Ward: Newbridge	Parish: N/A LB Grade: N/A
Application Type:	Advertisement Consent
Proposal:	Display of non-illuminated six sheet poster and temporary low level horizontal banner advertising at: B&NES Council car parks (Avon Street, Charlotte Street, Kingsmead, Manvers Street and Sports Centre); Park and Ride sites (Newbridge, Lansdown and Odd Down); and city centre compactor litter bins
Constraints:	,
Applicant:	Bath And North East Somerset Council

Expiry Date:	31st July 2013
Case Officer:	Rebecca Roberts

DECISION Split decision - check file/certificate

Consent is hereby **REFUSED** for the Big Belly Solar Bins for the following reason:

The proposed advertisements, by reason of their siting on street furniture within prominent locations in the City Centre would detract from historical character of nearby listed buildings and have a significant detrimental impact upon the character and appearance of the City of Bath Conservation Area and the setting of the World Heritage Site. This is contrary to policies D2, D4, BH1, BH2, BH16 and BH17 of the Bath and North East Somerset Local Plan (including minerals and waste) adopted 2007.

CONSENT is hereby granted to display the car park and park and ride advertisements in accordance with the application, plans and drawings submitted by you subject to the condition(s) set out below:

- 1 a. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- b. No advertisement shall be sited or displayed so as to -
 - (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air, pedestrian access or egress; or
 - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- c. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- d. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- e. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: These conditions are specified in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

2 This consent shall expire at the end of September 2018.

Reason: To review the situation and safeguard the character and appearance of the Conservation Area and setting of the World Heritage Site

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

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

PLANS LIST:

This decision relates to drawing no's BC_CP_2100 date stamped 5th June 2013, BC_CP_2101, BC_CP_2102, BC_CP_2110, BC_CP_2115, BC_CP_2116, BC_CP_2117, BC_CP_2118, BC_CP_2120, BC_CP_2125, BC_CP_2205, BC_CP_2210, BC_CP_2215, BC_ED_9010, BC_ED_9025, BC_ED_9036, BC_BB_6000, BC_CP_2010, BO_CP_2200, BO_CP_2201, BO_CP_2202 and the supporting statement date stamped 6th June 2013 and drawing no. 1301/BC_BB_6100 date stamped 12th August 2013

ADVICE NOTE:

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

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