

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

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

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

Wednesday, 23rd October, 2013

**Present:-** Councillor Gerry Curran in the Chair

Councillors Ian Gilchrist, Liz Hardman, Eleanor Jackson, Les Kew, Douglas Nicol, Bryan Organ, Vic Pritchard (In place of Martin Veal), Manda Rigby, Nigel Roberts, David Veale and Brian Webber

Also in attendance: Councillors Cherry Beath, David Bellotti, Ben Stevens and Tim Warren

#### **75 EMERGENCY EVACUATION PROCEDURE**

The Senior Democratic Services Officer read out the procedure

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

A Vice Chair was not desired

#### **77 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There was an apology for absence from Councillor Martin Veal whose substitute was Councillor Vic Pritchard. Councillor Malcolm Lees had sent his apologies but without a substitute being appointed.

#### **78 DECLARATIONS OF INTEREST**

Councillor Manda Rigby stated that, with regard to the application at Beechen Cliff School (Item 7, Report 10), she was the Chair of Bath City FC which sometimes hired venues with floodlighting. However, she did not consider that this amounted to an interest. Councillor Les Kew declared a non-pecuniary interest in the same application as his grand-daughter attended the School. However, he did not consider that this prejudiced his ability to consider the application. They would both therefore speak and vote on the application.

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

There were no items of urgent business. However, the Chair informed the meeting that the 3 applications at Horseworld, Whitchurch (Items 1-3, Report 10) had been withdrawn from the Agenda and would not be considered at this meeting. He read out a statement which set out the reasons for this action.

#### **80 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 planning applications in

Reports 9 and 10 and that they would be able to do so when reaching those Items on the Agenda. He advised that the Chair had extended the amount of speaking time on 2 applications in view of the number of people wishing to speak. The Chair informed the speakers that the display or circulation of photographs, photo-montages etc were not allowed.

## **81 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

The Chair stated that Councillor Brian Webber had given notice of Questions relating to enforcement matters. The Questions and Responses had been circulated.

Councillor Webber thanked the Officers for the replies.

## **82 MINUTES: 25TH SEPTEMBER 2013**

The Minutes of the previous meeting held on Wednesday 25<sup>th</sup> September 2013 were approved as a correct record and signed by the Chair

## **83 SITE VISIT LIST - APPLICATIONS 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 16 Southstoke Road, Combe Down, Bath
- Oral statements by members of the public etc on this application, the Speakers List being attached as *Appendix 1* 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 2* to these Minutes

**16 Southstoke Road, Combe Down, Bath – First floor extension over existing property resulting in two storey dwelling. Two storey rear extension and 2 single storey side extensions** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The public speakers made their statements against and in favour of the proposal. The Ward Councillor Cherry Beath made a statement against the application.

A Member enquired as to the significance of the proposal being situated within the World Heritage site as it was not in the Green Belt or the Conservation Area. The Team Leader – Development Management replied that it was a material consideration and, if Members felt that the proposal would adversely affect the wider setting of the World Heritage site, then this could be a reason for refusal. Members discussed the history and arts and crafts character of the existing building. Members also considered the size of the proposed extensions, possible loss of light, the effect on the adjoining residents and the impact of the proposal on the private drive. The Case Officer responded to some queries raised concerning these issues. Some Members felt that it was overdevelopment and would be an unacceptable intrusion on adjoining properties. There would also be a loss of symmetry with the adjoining property.

Councillor Les Kew pointed out that the property was neither listed nor situated in the Conservation Area. He felt that the proposal would not have a great impact on the adjoining residents and therefore moved that the Officer recommendation to grant permission with conditions be approved which was seconded by Councillor Doug Nicol.

Members debated the motion. A Member was concerned about the loss of character and overlooking. Another Member felt that there would not be any adverse impact on the street scene. The Chair summed up the debate.

The motion was then put to the vote. 9 voting in favour and 3 against. Motion carried.

## 84 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
- Oral statements by members of the public etc, the Speakers List being attached as *Appendix 1* to these Minutes
- An Update Report by the Development Manager on Item Nos 6 and 7, which report is attached as *Appendix 3* 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.

**Items 1-3 Horseworld, Staunton Lane, Whitchurch – (1) Hybrid planning application for enabling residential development of up to 125 dwellings and associated demolition, highways infrastructure and landscaping works. The Outline component comprises 118 dwellings including associated demolition, highways infrastructure and landscaping works; and the Detailed component comprises the redevelopment of 6 curtilage listed dwellings including associated demolition, highways infrastructure and landscaping works adjacent to the Grade II listed Staunton Manor Farmhouse; (2) erection of new visitor centre for the Horseworld Charity including associated highways infrastructure, parking provision and landscaping; and (3) conversion of curtilage listed building including selective demolition, extensions, internal and external works – These applications were withdrawn from the Agenda and were not discussed.**

**Item 4 Agricultural Haulage Building and Yard, Pinkers Farm, Middle Street, East Harptree – Erection of 8 houses and 4 workshops and provision of a new access road (Resubmission) –** 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, Transport, Off-Site Drainage, and Affordable Housing; and (B) subject to the prior completion of the above Agreement, authorise the Development Manager to grant permission subject to conditions (or

such conditions as she may determine). He stated that the Policy quoted on page 116 of the Report should refer to Policy HG8.

The public speakers made their statements against and in favour of the proposal. The Ward Councillor Tim Warren made a statement and considered that the application should be deferred for a Site Visit.

It was moved by Councillor Les Kew to defer for a Site Visit to view the site in the context of its surroundings and assess the access road. The motion was seconded by Councillor Liz Hardman.

Members debated the motion. A Member considered that information should be provided at the next meeting as regards the issues of a Grampian condition being imposed in relation to the slurry pit, and also the feasibility of workshops being provided.

The motion was put to the vote and was carried, 11 voting in favour and 0 against with 1 abstention.

(Note: Councillor Doug Nicol left the meeting at this point and did not return)

**Item 5 No 56 Stonehouse Lane, Combe Down, Bath – Erection of 3 dwellings with 2 garages and amendments to existing access drive** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The public speakers made their statements against and in favour of the proposal. The Ward Councillor Cherry Beath made a statement and felt that the application should be refused.

The use of materials was discussed. Councillor Eleanor Jackson moved the Officer recommendation to grant permission with conditions on the basis that the materials and colour of render were covered by condition. It was pointed out by Officers that the recommended Condition 2 would cover this aspect. The motion was seconded by Councillor Les Kew.

Members debated the motion. Some concern was expressed regarding the design, possible overlooking at Plot 3 and the scale of the development.

The motion was put to the vote. Voting: 7 in favour and 4 against. Motion carried.

**Item 6 No 63 Warminster Road, Bath – Erection of replacement dwelling following demolition of existing dwelling (Revised proposal)** – The Case Officer reported on this application and his recommendation to grant permission subject to conditions. The Update Report recommended an additional condition relating to bats.

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

On the basis that he considered that the replacement building was of poor design quality, it was moved by Councillor Bryan Organ to refuse permission which was seconded by Councillor Vic Pritchard.

Members debated the motion. The quality of the design was discussed and a few Members were disappointed with the windows in the roof. The bay windows at first floor level were also criticised. However, a number of Members considered that the individual design did not warrant refusal.

On the basis of the debate, Councillor Bryan Organ withdrew his original motion and moved that the application be deferred for negotiations regarding the proposed design and a revised application be resubmitted to the Committee. This was seconded by Councillor Les Kew. The Team Leader – Development Management considered that it was likely that the revised application would be submitted to the meeting in December. The Chair summed up the debate.

The motion was put to the vote and was carried, 6 voting in favour and 5 against.

(Note: After this Item at 4.05pm, the meeting adjourned for 5 minutes for a natural break)

**Item 7 Beechen Cliff School, Kipling Avenue, Bear Flat - Variation of Condition 5 of application ref 11/00573/VAR (Variation of Condition 3 of application ref 10/00540/FUL in order to substitute submitted sports lighting report/assessment with a new lighting proposal (Provision of a synthetic pitch to replace existing sports pitch and an additional 5-a-side synthetic sports pitch, both with sports fencing and lighting) –** The Case Officer reported on this application and his recommendation to grant permission subject to conditions. The Update Report recommended an additional condition relating to submission of a comprehensive management plan. The Officer summarised further representations that had been received and informed the meeting of technical issues including measuring light spill and some projections based on calculations.

The public speakers made their statements against and in favour of the proposal. The Ward Councillor Ben Stevens made a statement expressing some concerns about the application which was followed by a statement by Councillor David Bellotti, Ward Member for Lyncombe (the adjoining Ward) commenting positively on various aspects of the proposal.

Councillor Eleanor Jackson opened the debate. She considered that there was a need for these facilities for the school and the wider community. It was important that a Management Plan was included as a condition as recommended in the Update Report. She therefore moved approval of the Officer recommendation to grant permission with conditions. The motion was seconded by Councillor Les Kew who felt that this was an important community facility and should be supported.

Members debated the motion. Councillor Ian Gilchrist (the Ward Member on the Committee) considered that there would be a greater impact on local residents and the application should be refused. A Member referred to monies being provided for improved facilities at Odd Down. Another Member felt that the facilities for young people were good but the light pollution was disappointing. It was suggested that a site visit could be helpful to assess the effect of the lighting at night. Another Member disagreed as floodlighting was already provided and this proposal was just seeking to extend the hours to 9pm. A Member was reassured by the conditions for a 6 month assessment and a Management Plan. There was a full debate with some differences of opinion being expressed regarding the impact of the proposal. The

Team Leader – Development Management gave advice regarding the recommended Condition 5 which related to an assessment of the lighting after 6 months operation.

The motion was put to the vote. Voting: 6 in favour and 4 against with 1 abstention. Motion carried.

**Item 8 Forge Cottage, 7 High Street, Wellow – Replacement of a single storey flat roofed extension to Forge Cottage with a two storey extension, elevational alterations and associated works** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

Councillor Vic Pritchard moved the Officer recommendation to grant permission with conditions which was seconded by Councillor Les Kew.

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

**Item 9 Park House, Station Road, Keynsham – Erection of conservatory** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

Councillor Bryan Organ moved the Officer recommendation to grant permission with conditions which was seconded by Councillor Les Kew.

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

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

Councillor Liz Hardman referred to the appeal decision to allow a loft conversion with dormer at 35 Maple Gardens, Bath. She felt that a policy on dormers was required. The Chair stated that he would discuss the matter with Officers.

Councillor Manda Rigby referred to the appeal lodged relating to Gibbs Mews, Walcot Street, Bath, and queried whether appeals could continue to be lodged indefinitely. The Team Leader – Development Management stated that enforcement notices could be served where there had been a refusal and no further negotiation was possible; also, in circumstances where two decisions to refuse permission for the development had been made within the last 2 years, another similar planning application could be refused to be registered by the Council. The Chair requested that Officers e-mail the Ward Members with the appropriate information regarding this site.

The report was noted.

The meeting ended at 5.27 pm

Chair(person) .....

Date Confirmed and Signed .....  
Prepared by Democratic Services

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

**MEMBERS OF THE PUBLIC WHO MADE A STATEMENT AT THE MEETING OF  
THE DEVELOPMENT CONTROL COMMITTEE ON WEDNESDAY 23<sup>RD</sup> OCTOBER  
2013**

| <b>SITE/REPORT</b>  | <b>NAME/REPRESENTING</b>   | <b>FOR/AGAINST</b>              |
|---|--|---------------------------------|
| <b>SITE VISIT – REPORT 9</b>  |  |                                 |
| 16 Southstoke Road,<br>Combe Down, Bath<br>(Pages 45-52)                                | 1. John Wright<br>2. Dr Peter Bennett<br>3. Caroline Kay, Chief<br>Executive, Bath Preservation<br>Trust   | Against – To share 6<br>minutes |
|   | Tony Phillips, Thurdleigh<br>Planning (Applicants' Agents)   | For – Up to 6<br>minutes        |
| <b>MAIN LIST – REPORT 10</b>  |  |                                 |
| Pinkers Farm, Middle<br>Street, East Harptree<br>(Item 4, Pages 102-121)                | John Fox   | Against                         |
|   | Jim Paul, DB Paul (Applicant's<br>Agents)  | For                             |
| 56 Stonehouse Lane,<br>Combe Down, Bath<br>(item 5, Pages 122-134)                      | Neil Harvey  | Against                         |
|   | Roger Smith, Ashley Design<br>(Applicant's Agents)   | For                             |
| 63 Warminster Road, Bath<br>(Item 6, Pages 135-140)                                     | Stephen Hayler   | Against                         |
|   | Gary Mock (Applicant)  | For                             |
| Beechen Cliff School,<br>Kipling Avenue, Bear Flat,<br>Bath (Item 7, Pages 141-<br>152) | 1. Caroline Kay, Bath<br>Preservation Trust<br>2. Paddy Doyle, Widcombe<br>Association<br>3. Jamie South<br>4. Chris Mairs<br>5. Chris Kinchin-Smith<br>6. Steve Osgood<br>7. Robin Kerr, Federation of<br>Bath Residents Associations<br>8. Simon Calvert-Jones | Against – To share 6<br>minutes |
|   | 1. Alison Priestley, Nash<br>Partnership (Applicants' Agents)<br>2. DI James Riccio, Avon &<br>Somerset Constabulary<br>3. Matthew Pike, Bath Arsenal<br>Juniors   | For – To share 6<br>minutes     |
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**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**23rd October 2013**

**SITE VISIT DECISIONS**

|                          |   |                      |
|--------------------------|---|----------------------|
| <b>Item No:</b>          | 001   |                      |
| <b>Application No:</b>   | 13/02097/FUL  |                      |
| <b>Site Location:</b>    | 16 Southstoke Road, Combe Down, Bath, Bath And North East Somerset  |                      |
| <b>Ward:</b> Combe Down  | <b>Parish:</b> N/A  | <b>LB Grade:</b> N/A |
| <b>Application Type:</b> | Full Application  |                      |
| <b>Proposal:</b>         | First floor extension over existing property resulting in two storey dwelling. Two storey rear extension and two no. single storey side extensions. |                      |
| <b>Constraints:</b>      | Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,   |                      |
| <b>Applicant:</b>        | Mr And Mrs Rose   |                      |
| <b>Expiry Date:</b>      | 12th July 2013  |                      |
| <b>Case Officer:</b>     | 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 The garage(s) hereby approved shall be retained for the purpose of parking a motor vehicle(s) associated with the dwelling.

Reason: To retain adequate off-street parking provision.

3 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 development and the character and appearance of this part of the Conservation Area.

4 The proposed windows on the rear elevation illustrated as serving a hallway shall be glazed with obscure glass and permanently retained as such. Details relating to their opening, and how this will be restricted, shall be submitted to and approved in writing in writing by the Local Planning Authority prior to the

commencement of the development hereby approved. The development shall thereafter to be completed in accordance with these approved details and permanently retained as such. No other windows, other than those illustrated on the approved plans, shall be inserted on the rear elevation of the development hereby approved, unless otherwise approved in writing by the Local Planning Authority.

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

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:**

Plans: 001, 002, 003, 004 date stamped 17th May 2013 and 005 REV. A, 006 REV. A, 007 REV. A, 008 REV. A , 009, 010 REV. A date stamped 26th July 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. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Control Committee**

**23<sup>rd</sup> October 2013**

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

**ITEM 10**

**ITEMS FOR PLANNING PERMISSION**

| <b>Item No.</b> | <b>Application No.</b> | <b>Address</b>                           |
|-----------------|------------------------|--|
| 06              | 13/03309/FUL           | 63 Warminster Road<br>Bathampton<br>Bath |

In response to the submitted bat survey the Council's ecologist has provided the following consultation response:

A bat survey dated 8th October was submitted; the survey was undertaken using appropriate methodology and within the survey season during suitable weather and temperature conditions. The survey does not identify any bat roosts in the building proposed for demolition, however bat activity at the site was recorded and this included passes by light sensitive species such as lesser horseshoe bat.

The report makes two key recommendations:

1. The proposals should avoid the use of external artificial lighting on the eastern side of the plot due to the potential to illuminate the footpath which runs along the eastern boundary of the site. The footpath was used by several bat species during the emergence survey, including lesser horseshoe, and should be maintained as a dark corridor to enable its continued use by bat species.
2. Two ridge roosting tiles should be incorporated into the roof of the proposed building. These tiles allow access to bats beneath the ridge tile itself but not into the roof void or living space in the house.

These recommendations will avoid harm to bat activity at the site and will provide replacement roost potential; they should be implemented and can be secured by condition.

The following condition is therefore added to the recommendation:

**Condition 5:**

The development hereby permitted shall be carried out only in accordance with the recommendations of the approved Bat Survey Report by Jim Mullholland dated 8th October 2013, to include no external artificial lighting on the eastern side of the development site, and incorporation of two ridge roosting tiles to the proposed new building. Any proposals not in accordance with the recommendations of the report or

any amendment to the Bat Survey Report must first be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protected species and ecology

| <b>Item No.</b> | <b>Application No.</b> | <b>Address</b>                                      |
|-----------------|------------------------|---|
| 07              | 12/05126/VAR           | Beechen Cliff School<br>Kipling Avenue<br>Bear Flat |

Several objections have been made in respect of issues of noise disturbance resulting from the use of the pitches, and the general manner in which the pitches have been operated and managed since their original construction. Whilst it is not possible to control the language and behaviour of persons using the pitches it is noted that limited details have been presented about the wider community use of the site or how the pitches will be managed out of school hours. Furthermore, whilst it is accepted that the pitches can currently be used after 6pm (without the lights) it is likely that if permission is given, there will be an increased demand for use however there do not appear to be any parking or traffic management arrangements in place.

Looking at the history of this development, it is noted that two conditions (conditions 6 and 7) were attached to permission 11/00573/VAR requiring the submission of a management plan in respect of the community use and requiring details of parking. These conditions were originally applied to application 10/00540/FUL (conditions 9 and 10), details were submitted to discharge the conditions under 11/01471/COND) however were insufficient and the Council refused to discharge them. No further applications have been made to address the conditions. Notwithstanding the nature of the conditions (both of which required action prior to the development of the site being brought into use) there is no evidence to show that the school discharged or complied with the required conditions. At present therefore the pitches are in breach of condition.

In issuing the variation decision notice, this is in effect tantamount to issuing a new planning permission and therefore all other applicable conditions attached to the original permission remain in effect. Under planning legislation, the Local Authority can, where deemed necessary, add, remove or modify conditions other than those applied for.

Whilst this application seeks only to vary the hours of operation of the lights, given the history to the site and the lack of compliance with the relevant conditions, in the interest of residential amenity it is considered necessary and proportionate to strengthen the conditions previously granted therefore in the event that Members agree to approve this application it is recommended that the following additional condition is applied:

#### Condition 6

The flood lights shall not be used until the later time of 21:00 hours (in accordance with condition 3 of application 12/05126/VAR) until a comprehensive management plan detailing the way in which the pitches will be made available to the community has been submitted to, and approved in writing by, the Local Planning Authority. The development thereafter shall be operated strictly in accordance with the approved details. The plan shall include, but not be limited to, details of how the pitches will be booked, used and managed out of normal school hours, the management and

operation of the use of the floodlights (including how the timer switches will operated) and shall include detailed arrangements for on-site parking and access.

Reason. In order to define the out of school hours use, to secure adequate off- street parking provision and in the interest of safeguarding the amenities of adjacent residential properties.

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**23rd October 2013**

**DECISIONS**

|                                    |   |                     |
|------------------------------------|---|---------------------|
| <b>Item No:</b>                    | 01  |                     |
| <b>Application No:</b>             | 13/02164/OUT  |                     |
| <b>Site Location:</b>              | Horseworld, Staunton Lane, Whitchurch, Bristol  |                     |
| <b>Ward:</b> Publow And Whitchurch | <b>Parish:</b> Whitchurch   | <b>LB Grade:</b> II |
| <b>Application Type:</b>           | Outline Application   |                     |
| <b>Proposal:</b>                   | Hybrid planning application for enabling residential development of up to 125 dwellings and associated demolition, highways infrastructure and landscaping works:<br><br>The outline component comprises up to 118 dwellings including associated demolition, highways infrastructure and landscaping works; and the detailed component comprises the redevelopment of 6 curtilage listed dwellings including associated demolition, highways infrastructure and landscaping works adjacent to the Grade II Listed Staunton Manor Farmhouse |                     |
| <b>Constraints:</b>                | Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Cycle Route, Forest of Avon, Greenbelt, Housing Development Boundary, Listed Building, Public Right of Way,  |                     |
| <b>Applicant:</b>                  | HorseWorld Trust  |                     |
| <b>Expiry Date:</b>                | 16th September 2013   |                     |
| <b>Case Officer:</b>               | Daniel Stone  |                     |

**DECISION** Withdrawn from the Agenda

|                                    |  |
|------------------------------------|--|
| <b>Item No:</b>                    | 02   |
| <b>Application No:</b>             | 13/02180/FUL   |
| <b>Site Location:</b>              | Horseworld, Staunton Lane, Whitchurch, Bristol   |
| <b>Ward:</b> Publow And Whitchurch | <b>Parish:</b> Whitchurch <b>LB Grade:</b> II  |
| <b>Application Type:</b>           | Full Application   |
| <b>Proposal:</b>                   | Erection of new visitor centre for the Horseworld charity including associated highways infrastructure, parking provision and landscaping  |
| <b>Constraints:</b>                | Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Public Right of Way, |
| <b>Applicant:</b>                  | HorseWorld Trust   |
| <b>Expiry Date:</b>                | 16th September 2013  |
| <b>Case Officer:</b>               | Daniel Stone   |

**DECISION**    Withdrawn from the Agenda

|                                    |  |
|------------------------------------|--|
| <b>Item No:</b>                    | 03   |
| <b>Application No:</b>             | 13/02121/LBA   |
| <b>Site Location:</b>              | Horseworld, Staunton Lane, Whitchurch, Bristol   |
| <b>Ward:</b> Publow And Whitchurch | <b>Parish:</b> Whitchurch <b>LB Grade:</b> II  |
| <b>Application Type:</b>           | Listed Building Consent (Alts/exts)  |
| <b>Proposal:</b>                   | Conversion of curtilage listed buildings to residential including selective demolition, extensions, internal and external works  |
| <b>Constraints:</b>                | Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Cycle Route, Forest of Avon, Greenbelt, Housing Development Boundary, Listed Building, Public Right of Way, |
| <b>Applicant:</b>                  | HorseWorld Trust   |
| <b>Expiry Date:</b>                | 12th August 2013   |
| <b>Case Officer:</b>               | Daniel Stone   |

**DECISION**    Withdrawn from the Agenda

|                          |  |                  |
|--------------------------|--|------------------|
| <b>Item No:</b>          | 04   |                  |
| <b>Application No:</b>   | 13/03415/OUT   |                  |
| <b>Site Location:</b>    | Agricultural Haulage Building And Yard, Pinkers Farm, Middle Street, East Harptree                           |                  |
| <b>Ward:</b>             | <b>Parish:</b>   | <b>LB Grade:</b> |
| Mendip                   | East Harptree  | N/A              |
| <b>Application Type:</b> | Outline Application  |                  |
| <b>Proposal:</b>         | Erection of 8no. houses and 4no. workshops and provision of a new access road (resubmission).                |                  |
| <b>Constraints:</b>      | Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Water Source Areas, |                  |
| <b>Applicant:</b>        | Mr Malcolm Pearce  |                  |
| <b>Expiry Date:</b>      | 2nd October 2013   |                  |
| <b>Case Officer:</b>     | Daniel Stone   |                  |

**DECISION** Defer consideration to allow members to visit the site to assess the site, surroundings and road network.

|                          |   |
|--------------------------|---|
| <b>Item No:</b>          | 05  |
| <b>Application No:</b>   | 13/01038/FUL  |
| <b>Site Location:</b>    | 56 Stonehouse Lane, Combe Down, Bath, Bath And North East Somerset                                      |
| <b>Ward:</b> Combe Down  | <b>Parish:</b> N/A <b>LB Grade:</b> N/A   |
| <b>Application Type:</b> | Full Application  |
| <b>Proposal:</b>         | Erection of 3no dwellings with two garages and amendments to existing access drive                      |
| <b>Constraints:</b>      | Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, Water Source Areas, World Heritage Site, |
| <b>Applicant:</b>        | Mrs Wendy Parfitt   |
| <b>Expiry Date:</b>      | 23rd May 2013   |
| <b>Case Officer:</b>     | Alice Barnes  |

**DECISION** Authorise Development Manager to Permit subject to S106 agreement

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

1) £18,360.93, for school places

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 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 water 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.

4 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 water 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.

5 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 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 water 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.

6 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 3, and where remediation is necessary a

remediation scheme must be prepared in accordance with the requirements of condition 4, 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 5.

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 water 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.

7 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the Local Planning Authority 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 water 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.

8 The garaging hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose without the prior written permission of the Local Planning Authority.

Reason: To retain adequate off-street parking provision.

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

Reason: In the interests of amenity and highway safety.

10 Before the dwellings hereby approved are first occupied, the works to the junction outlaid on plan 2529-01 with Stonehouse Lane shall have been carried out in accordance with the approved plan.

Reason: In the interests of highway safety.

11 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, hours of working and traffic management.

Reason: To ensure the safe operation of the highway.

12 No works shall be commenced until an Arboricultural Method Statement in accordance with BS5837:2012 detailing the proposed 'No-Dig' construction of the proposed access drive has been submitted and approved in writing by the Local Planning Authority.' The development shall thereafter be carried out in accordance with the details so approved.

Reason: To protect tree to be retained on the southern edge of the access track and trees located in neighbouring 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:**

Site location plan  
Site plan 01 C  
Site survey 001  
Plots 1 and 2 02 B  
Plot 3 03 A  
Site sections existing and proposed 05 B  
Site section BB 06 A

Advise note:

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 extension of the existing 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.

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.

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.

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.

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, and expanded upon in a related case officer's report, a positive view of the revised proposals was taken and consent was granted.

|                          |  |
|--------------------------|--|
| <b>Item No:</b>          | 06   |
| <b>Application No:</b>   | 13/03309/FUL   |
| <b>Site Location:</b>    | 63 Warminster Road, Bathampton, Bath, Bath And North East Somerset                             |
| <b>Ward:</b>             | Bathavon North   |
| <b>Parish:</b>           | Bathampton   |
| <b>LB Grade:</b>         | N/A  |
| <b>Application Type:</b> | Full Application   |
| <b>Proposal:</b>         | Erection of replacement dwelling following demolition of existing dwelling (Revised proposal). |
| <b>Constraints:</b>      | Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary,                         |
| <b>Applicant:</b>        | Mr Mock  |
| <b>Expiry Date:</b>      | 26th September 2013  |
| <b>Case Officer:</b>     | Chris Griggs-Trevarthen  |

**DECISION** Deferred to negotiate alterations to design of proposal.

|                          |   |
|--------------------------|---|
| <b>Item No:</b>          | 07  |
| <b>Application No:</b>   | 12/05126/VAR  |
| <b>Site Location:</b>    | Beechen Cliff School, Kipling Avenue, Bear Flat, Bath   |
| <b>Ward:</b> Widcombe    | <b>Parish:</b> N/A <b>LB Grade:</b> N/A   |
| <b>Application Type:</b> | Application for Variation of Condition  |
| <b>Proposal:</b>         | Variation of condition 5 of application 11/00573/VAR (Variation of condition 3 of application 10/00540/FUL in order to substitute submitted sports lighting report/assessment with a new lighting proposal (Provision of a synthetic pitch to replace existing sports pitch and an additional 5-a-side synthetic sports pitch; both with sports fencing and lighting.)) |
| <b>Constraints:</b>      | Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, World Heritage Site,   |
| <b>Applicant:</b>        | Beechen Cliff School  |
| <b>Expiry Date:</b>      | 17th January 2013   |
| <b>Case Officer:</b>     | Richard Stott   |

## DECISION PERMIT

1 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.

2 The development hereby permitted shall be carried out in accordance with The Institute of Lighting Engineers Guidance note 1 (ILE GN01) and the details set out in the Report on the Changes to the External Sports Pitch Lighting by Jones King dated November 2012.

Reason: To minimise the impact of light from the development on occupiers of nearby properties in the interests of residential amenity.

3 The sports lighting hereby permitted shall not be operated after 21:00 hours Monday to Friday and 18:00 hours on Saturday, Sunday and Bank Holidays.

Reason: In the interests of residential amenity.

4 Prior to the use of the pitches until the later time of 21:00 hours coming into effect, the floodlights shall be adapted to operate independently between the two pitches and automatic timer switches shall be installed on the lights on MUGA pitch 1 to ensure 50% of the lights are switched off after 18:00 hours. Within one month of the adaptations being carried out, confirmation of compliance shall be submitted to the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

5 The lighting levels of MUGA pitch 1 shall not exceed the average lighting levels set out in the Design and Access Statement dated November 2012. Within 6 months of the new

lights coming into use the applicant shall submit an update assessment to the Local Planning Authority to demonstrate that a lower level of lighting and light glare has been achieved.

Reason: In the interest of ecology and in order to minimise light spill into the local woodland

6 The flood lights shall not be used until the later time of 21:00 hours (in accordance with condition 3 of application 12/05126/VAR) until a comprehensive management plan detailing the way in which the pitches will be made available to the community has been submitted to, and approved in writing by, the Local Planning Authority. The development thereafter shall be operated strictly in accordance with the approved details. The plan shall include, but not be limited to, details of how the pitches will be booked, used and managed out of normal school hours, the management and operation of the use of the floodlights (including how the timer switches will operated) and shall include detailed arrangements for on-site parking and access.

Reason. In order to define the out of school hours use, to secure adequate off- street parking provision and in the interest of safeguarding the amenities of adjacent residential properties.

#### **PLANS LIST:**

This decision relates to drawing nos E160C7/AL/05 Revision A and PROPOSED PLAN OF PITCHES Revision A date stamped 30 September 2011, E160C7/AL/02 and E160C7/AL/03 date stamped 9 February 2010 and Musco Green Generation Lighting assessment and Verde Recreo Sports Additional Supporting Information date stamped 1 February 2011 submitted with application 11/00573/VAR and to drawing E160C7/AL/01, the DESIGN & ACCESS STATEMENT and the REPORT ON CHANGES TO EXTERNAL SPORTS PITCH LIGHTING date stamped 20th November 2012, the Desk Based Assessment of the Potential Impact to Bats date stamped 19th February 2013, to the Bat Survey Report date stamped 27th September 2013 and to the Addendum Bat Survey Report date stamped 2nd October 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 for the reasons given, and expanded upon in the related case officer's report, a positive view of the submitted proposals was taken and permission was granted.

|                          |   |                  |        |
|--------------------------|---|------------------|--------|
| <b>Item No:</b>          | 08  |                  |        |
| <b>Application No:</b>   | 13/03137/FUL  |                  |        |
| <b>Site Location:</b>    | Forge Cottage, 7 High Street, Wellow, Bath  |                  |        |
| <b>Ward:</b>             | Bathavon South  | <b>Parish:</b>   | Wellow |
|                          |   | <b>LB Grade:</b> | II     |
| <b>Application Type:</b> | Full Application  |                  |        |
| <b>Proposal:</b>         | Replacement of a single storey flat roofed extension to forge cottage with a two storey extension, elevational alterations and associated works |                  |        |
| <b>Constraints:</b>      | Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary,                        |                  |        |
| <b>Applicant:</b>        | Mr Chris Watt   |                  |        |
| <b>Expiry Date:</b>      | 16th October 2013   |                  |        |
| <b>Case Officer:</b>     | Rebecca Roberts   |                  |        |

## 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 materials including render to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed.

Reason: In the interests of the development and the character and appearance of this part of the Conservation Area.

3 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 windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the west and east elevation at any time unless a further planning permission has been granted.

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:**

This decision relates to drawing no's 2544-S-01, 12654-200-001 and Design and Access Statement date stamped 7th August 2013, drawing no. 2544-18 date stamped 21st August 2013 and drawing no.2544-06 Rev E date stamped 10th October 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 Policy Framework. For the reasons given, a positive view of the submitted proposals was taken and permission 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](http://www.planningportal.gov.uk).

|                             |  |
|-----------------------------|--|
| <b>Item No:</b>             | 09   |
| <b>Application No:</b>      | 13/03584/FUL   |
| <b>Site Location:</b>       | Park House, Station Road, Keynsham, Bristol  |
| <b>Ward:</b> Keynsham North | <b>Parish:</b> Keynsham Town Council <b>LB Grade:</b> N/A  |
| <b>Application Type:</b>    | Full Application   |
| <b>Proposal:</b>            | Erection of conservatory   |
| <b>Constraints:</b>         | Agric Land Class 3b,4,5, Scheduled Ancient Monument SAM, Conservation Area, Forest of Avon, Housing Development Boundary, Listed Building, |
| <b>Applicant:</b>           | Mr Gerrish   |
| <b>Expiry Date:</b>         | 25th October 2013  |
| <b>Case Officer:</b>        | Sasha Coombs   |

## 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 take place within the site until the applicant, or their agents or successors in title, has given 14 days written notice of the date of commencement of works to the Local Planning Authority. Thereafter the developer shall afford access at all reasonable times to any archaeologist nominated by the Council and shall allow him/her to observe the excavations and record items of interest and finds.

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

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 the following plans and documents:

|         |             |                          |
|---------|-------------|--------------------------|
| Drawing | 19 Aug 2013 | FLOOR PLAN - AFTER       |
| Drawing | 19 Aug 2013 | FLOOR PLAN - BEFORE      |
| Drawing | 19 Aug 2013 | FRONT ELEVATION - AFTER  |
| Drawing | 19 Aug 2013 | FRONT ELEVATION - BEFORE |
| Drawing | 19 Aug 2013 | REAR ELEVATION - AFTER   |
| Drawing | 19 Aug 2013 | REAR ELEVATION - BEFORE  |
| Drawing | 19 Aug 2013 | SIDE ELEVATION - AFTER   |

|                        |             |                           |
|------------------------|-------------|---------------------------|
| Drawing                | 19 Aug 2013 | SIDE ELEVATION - AFTER    |
| Drawing                | 19 Aug 2013 | SIDE ELEVATION - BEFORE   |
| Drawing                | 19 Aug 2013 | SIDE ELEVATION - BEFORE   |
| OS Extract             | 19 Aug 2013 | BLOCK PLAN                |
| OS Extract             | 19 Aug 2013 | SITE LOCATION PLAN        |
| Supporting Information | 19 Aug 2013 | DESIGN & ACCESS STATEMENT |

**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 a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

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