

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

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

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

Wednesday, 29th August, 2012

##### **Present:-**

Councillors Neil Butters, Nicholas Coombes, Liz Hardman, Eleanor Jackson, Les Kew, Malcolm Lees, David Martin, Bryan Organ, Dine Romero (In place of Douglas Nicol), Jeremy Sparks (In place of Gerry Curran), Martin Veal, David Veale and Brian Webber

Also in attendance: Councillors Lisa Brett, Charles Gerrish, Brian Simmons and Geoff Ward

#### **39 APPOINTMENT OF CHAIR**

It was moved and seconded that Councillor Nicholas Coombes be elected to Chair the meeting in the absence of the regular Chair, Councillor Gerry Curran, and it was resolved accordingly.

#### **40 EMERGENCY EVACUATION PROCEDURE**

The Senior Democratic Services Officer read out the procedure

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

A Vice Chair was not desired

#### **42 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Gerry Curran and Doug Nicol whose substitutes were Councillors Jeremy Sparks and Dine Romero respectively

#### **43 DECLARATIONS OF INTEREST**

There was none

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

There was none

#### **45 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS**

The Senior Democratic Services Officer informed the meeting that there were various people wishing to make statements on planning applications and that they would be able to do so when reaching their respective items in Report 10

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

There was none

## **47 MINUTES: 1ST AUGUST 2012**

The Minutes of the meeting held on 1<sup>st</sup> August 2012 were approved as a correct record and signed by the Chair subject to:

Minute 35 Page 6 - Fairash Poultry Farm, West Harptree – In the 2<sup>nd</sup> paragraph, after the 1<sup>st</sup> sentence add: "... and who was largely in favour of the proposal."

Minute 36 Page 9 - Tree Preservation Order 29 Flatwoods Road, Bath – In the 3<sup>rd</sup> paragraph at the end of the 2<sup>nd</sup> sentence, delete "fairly healthy" and insert "retained".

## **48 MAJOR DEVELOPMENTS**

The Senior Professional – Major Development updated Members on the progress of major development schemes at:

- the former Cadburys site, Somerdale, Keynsham – various issues to be considered before an application could be submitted by Taylor Wimpey
- K2, Keynsham – the wording of conditions was being considered on the appeal decision - the development would be undertaken in phases up to 7 years - contamination issues were being considered
- Bath University, Claverton Down, Bath – discussions were being undertaken on 3 applications and a traffic management plan which would be submitted to the Committee
- the former Bath Press site, Lower Bristol Road, Bath (Tesco) – another application would be submitted to the next Committee meeting

Councillor Neil Butters raised the issue of electrification proposals for the railway network within B&nes. The Officer stated that discussions were being held with Network Rail in order to minimise the impact on the World Heritage Site but a significant amount of the proposals would come under Permitted Development. Members asked questions concerning the K2 development to which the Officer responded.

The Committee noted the report.

## **49 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered:

- a report by the Development Manager on various planning applications
- an Update Report by the Development Manager on Item Nos 1, 4 and 6, a copy of which is attached as *Appendix 1* to these Minutes
- oral statements by members of the public etc on Item Nos 1, 2, 4, 5 and 7, the Speakers List being attached as *Appendix 2* to these Minutes

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

**Item 1 Town Hall, The Centre, Keynsham – Erection of new buildings to provide offices, library, one stop shop, retail with associated highway works; new public realm works and landscaping following demolition of all the buildings currently on site (excluding the multi-storey car park which will be extended)** – In response to the Chair, the Senior Legal Adviser gave an explanation of why the Committee were determining this application by the Council and how Members should address the issue of declaration of interests. The Case Officer reported on the application and his recommendation to permit with conditions subject to £700K being put aside for off-site improvement works in terms of transportation improvements and public access/public realm improvements. He drew attention to the Update Report which amended some conditions and added 2 more conditions. He reported on the specific issues of Highways, Impact on the Conservation Area and Design. He stated that, although there were some disbenefits to the scheme, on balance it was worthy of approval.

The public speakers made their statements on the application which were followed by statements by Ward Councillors Brian Simmons and Charles Gerrish who raised concerns about the proposal.

Members asked questions about the proposal for clarification purposes to which Officers responded as appropriate.

Councillor Bryan Organ opened the debate. He considered that the existing buildings were in a very poor condition. Although major retail outlets had left the town, there was still a vibrant community. There were still some problems with the development but he felt that permission should be delegated to the Officers. Some Members raised concerns about the design of the buildings and felt that it needed to be revised. Councillor Bryan Organ considered that there should be some amendments to the design which could be brought back to the Committee. The Development Manager advised that, whilst it was clear from the debate that there was some concern about the design of the scheme, as with all applications, it was not appropriate for Members to attempt to redesign the proposals. Members needed to consider the right of the applicant to have their submitted proposals determined within a reasonable timeframe. However, the applicant was present at the meeting and had heard the debate regarding the design. It would be preferable for Officers to bring a report back to Committee following further discussions with the applicants which would outline any changes that could be agreed. In response to a query about an appeal against a refusal, she stated that the Council as applicants had no right of appeal.

Councillor Eleanor Jackson was opposed to the proposals on the basis that she did not like the block design and metallic cladding which did not fit into the context of surrounding buildings. After further comments by Members, Councillor Bryan Organ moved that permission be delegated to Officers with significant alterations being made to the design in consultation with Officers, the developers and the community focus group. This would include the mono pitch roof design, the flat roofing on the proposed library and the materials including the metallic cladding. The motion was seconded by Councillor Les Kew. Members debated the motion. Councillor Eleanor Jackson felt that the proposal did not preserve or enhance the Conservation Area

and was contrary to Policies in the Local Plan. Councillor Les Kew considered that sample panels of cladding should be provided as part of Condition 8. The Development Manager and Senior Legal Adviser stated that the motion would need to be amended to Defer in order for these revisions to be made and resubmitted to the Committee. The mover and seconder agreed. The amended motion to Defer but on the same basis as previously moved was therefore put to the vote. Voting: 12 in favour and 1 against. Motion carried.

**Item 2 No 28 Uplands Road, Saltford – Erection of a replacement dwelling –**  
The Planning Officer reported on this application and the recommendation to permit with conditions. The applicant made her statement in support of the proposal,

In response to a Member's query, the Officer clarified that the Parish Council had commented on, and not objected to, the proposal. Councillor Les Kew stated that he was well acquainted with the road which had a variety of house styles. He considered that the design was acceptable and therefore moved the Officer recommendation to Permit with conditions. On being out to the vote, the motion was carried unanimously.

(Note: After this application at 3.35pm, there was a 10 minute adjournment)

**Item 3 No 11 Fairfield View, Ragland Lane, Fairfield Park, Bath – Provision of a loft conversion to include the installation of 1 rear flat dormer and front roof lights –** The Case Officer reported on this application and her recommendation to refuse permission. The Ward Councillor Dave Laming read out a statement on behalf of the applicant and considered that there were good reasons for allowing the development.

Members asked questions about the proposal to which the Officer responded. Councillor Malcolm Lees supported the proposal. On the basis that he considered that the dormer was not incongruous being situated at the rear and did not affect the street scene, he moved that the recommendation be overturned and permission be granted with appropriate conditions. This was seconded by Councillor Jeremy Sparks who considered that it was a good use of space in a house at a time when there was a lack of affordable housing.

Members debated the motion. Most Members were supportive of the proposal as it was a reasonable design, did not affect the street scene and was outside the Conservation Area. A Member expressed concern about it being a flat roof dormer and considered that there should be some policy or an SPD on dormers.

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

**Item 4 Hampton Cottage, Tow Path, Kennet and Avon Canal, Bathampton – Use of 1 room of dwelling as a physiotherapy treatment room (Retrospective) (Resubmission) –** The Planning Officer reported on this application and the recommendation to refuse permission. The Update Report referred to further representations of support for the scheme. The applicant made his statement in favour of the application followed by a statement by the Ward Councillor Geoff Ward who supported the proposal.

Members asked questions about the proposal to which the Officer responded. The Team Leader – Highway Development Control responded to queries regarding provision of local public transport and highways issues. Councillor Martin Veal as local Member provided some information for clarification. He felt that it was not necessary for this application to have been submitted to Committee – it was only a change of use of 1 room for a beneficial use by 1 person. The National Planning Policy Framework advised that there should be approval for proposals for economic growth within rural areas. He therefore moved that the recommendation be overturned and permission be granted on the basis that it was a small change of use in an area that was not unduly remote served by public transport and would therefore not result in increased dependency on private car journeys. The motion was seconded by Councillor Malcolm Lees.

Members debated the motion. Most Members supported the proposal. The Development Manager indicated that it would be appropriate to add an Informative regarding clients being encouraged to use public transport rather than private cars when travelling to the premises. The mover and seconder agreed. The motion was put to the vote and was carried unanimously.

**Item 5 No 7 Bay Tree Road, Fairfield Park, Bath – Provision of loft conversion to include side and rear dormers and front roof lights (Revised resubmission)**

– The Case Officer reported on this application and his recommendation to refuse permission. The applicant made a statement in favour of the application which was followed by a statement by the Ward Councillor Lisa Brett who supported the proposal.

Councillor Dine Romero supported the proposal and moved that the recommendation be overturned and that permission be granted with appropriate conditions. This was seconded by Councillor Martin Veal. It was considered that the proposal would not be detrimental to the host building or the street scene and would not create any loss of privacy for adjoining residents. After a short debate, the motion was put to the vote and was carried unanimously.

**Item 6 Sun House, Brassknocker Hill, Claverton Down, Bath – Erection of a bedroom extension to the west elevation and a conservatory to the east end of the house (Amendments to application 99/01228/FUL)** – The Planning Officer reported on this application and her recommendation to permit with conditions. The Update Report gave the comments of the Council’s Arboricultural Officer.

Councillor Bryan Organ supported the proposal and moved the Officer recommendation which was seconded by Councillor David Martin. After a short debate, the motion was put to the vote and was carried unanimously.

**Item 7 Bubblers Dytch, High Street, Wellow – Erection of 2 detached two storey houses with attached garages following demolition of existing single storey house** – The Case Officer reported on this application and her recommendation to authorise the Development Manager to permit subject to conditions. A representative of the local Parish Council made a statement against the proposal.

Members asked questions about the proposal to which the Officers responded. Councillor Neil Butters opened the debate. He welcomed proposals for the site and considered that there were some interesting features of the design. However, the

Parish Council and local residents were opposed to the scheme. He supported those objections and moved that the recommendation be overturned and permission be refused on the basis of overdevelopment, inappropriate design, the high stone wall was out of keeping and would have an overbearing impact, the narrowness of the gap between the buildings would be out of keeping with surrounding buildings, and the glass walling on the southern elevation would form a large, prominent and incongruous element when seen from across the valley. The motion was seconded by Councillor Les Kew who considered that the development was not sympathetic to the traditional style of buildings in the village.

Members debated the motion. Most Members felt that the design was exciting and innovative but that it was in the wrong location, it was overdevelopment and did not bear any relationship to adjoining properties. Councillor Nicholas Coombes did not support the motion and considered that this fairly neutral design sought to lessen the impact on the area.

The motion was then put to the vote. Voting: 8 in favour and 2 against with 3 abstentions. Motion carried.

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

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

Councillor Eleanor Jackson queried the application decision on the appeal lodged on No 6 High Street, Midsomer Norton (page 118) which read "Permit"; also, whether the appeal lodged on Parcel 8593, Woollard Lane, Publow (page 117) was one of the possible sites for travellers. The Development Manager responded that it was likely that the decision should read "Refused". Regarding the travellers site, she would respond to Councillor Jackson subsequent to this meeting.

The report was noted.

## **51 MONTHLY UPDATE ON FORMER FULLERS EARTHWORKS, COMBE HAY, BATH**

Referring to the Minutes of the previous meeting, the Development Manager reported that the Planning Inspectorate had not agreed to the enforcement notice appeals being held in abeyance. On the basis that they were still proceeding, statements of case ie documentation required prior to a public local inquiry, needed to be provided by 20<sup>th</sup> September. She informed Members that the Inquiry would probably be held in January next year and last approximately 3-6 days. In response to a Member's query, the Development Manager stated that the owners in the meantime had indicated that they were disinclined to continue with the pre-application submission for a residual waste facility.

The Committee noted the report.

The meeting ended at 5.32 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Control Committee**

**29th August 2012**

**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>
01	12/00972/REG04	Town Hall Keynsham

**Errata**

Condition 23 on the agenda should not appear as a condition but should be read immediately after the recommendation and before the list of conditions.

Under consultees, the response from Highways Drainage appears twice. The first appearance should be disregarded and the Conclusions set out below read as conclusions from Highways.

**Consultee Response**

Response received from the Environmental Monitoring Officer, raising no objections to the proposal on air quality grounds. An additional condition is recommended, which is covered as proposed condition 23 below.

**Amendments to conditions**

Discussions have taken place with the applicant's agents, and changes to some of the proposed conditions are now recommended:-

Condition 2 – After “no development shall commence” insert “apart from demolition”.

Condition 8 – Amend to read “A schedule of materials and finishes and samples of the materials to be used in the construction of the external surfaces, including walls, façades and paving materials, shall be submitted to and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced. The development shall thereafter be carried out only in accordance with the details so approved.”

Condition 9 – After “no development shall be commenced” insert “apart from demolition (unless another date or stage in development has first been agreed in writing with the Local Planning Authority)”

New condition 23 – “Prior to the commencement of development, details of a dust management plan (which shall comply with the guidance contained in the BRE Code of Practice on the control of dust from construction and demolition activities) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only take place in full compliance with the approved dust management plan.”

New condition 24 – “At least 420 square metres gross of the floorspace set aside for town centre uses on the ground floor of the northern-most fronting Bath Hill shall be first occupied as Class A1 retail, as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In the interests of the vitality and viability of the town centre.”

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<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
4	12/02734/FUL	Hampton Cottage Tow Path Kennet and Avon Canal Bathampton

Description: **Use of 1no. room of dwelling as a physiotherapy treatment room (retrospective) (resubmission).**

1. Three letters of support and a petition with 157 signatures have been received since the committee report for this application was submitted which reiterate the points made within the representations which had previously been received.
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<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
6	12/02729/FUL	Sun House Brassknocker Hill

Description: **Erection of a bedroom extension to the west elevation and a conservatory to the east end of the house (amendments to application 99/01228/FUL).**

1. The following comments have been received from the Council's Arboricultural Officer.  
'No trees will be affected by the proposal. I have no further comments to make.'
-

**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 29<sup>TH</sup> AUGUST 2012**

**SITE/REPORT                      NAME/REPRESENTING                      FOR/AGAINST**

<b>PLANS LIST/REPORT 10</b>		
Town Hall, The Centre, Keynsham (Item 1, Pages 52-80)	Roger Busby (Keynsham Civic Society)  Andrew Beard, CSG Planning (Applicants' Agents) <u>AND</u> Gill Hellier	Against  For – To share 3 minutes
28 Uplands Road, Saltford (Item 2, Pages 81-86)	Lisa Motton (Applicant)	For
Hampton Cottage, Tow Path, Kennet & Avon Canal, Bathampton (Item 4, Pages 90-94)	Michael Hayward (Applicant)	For
7 Bay Tree Road, Fairfield Park, Bath (Item 5, Pages 95-98)	Daren Collis (Applicant)	For
Bubblers Dytch, High Street, Wellow (Item 7, Pages 104-113)	Pat Caudle (Wellow Parish Council)  Robert Dearman (Applicants' Agent)	Against  For

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**29th August 2012**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	12/00972/REG04	
<b>Site Location:</b>	Town Hall, The Centre, Keynsham, Bristol	
<b>Ward:</b> Keynsham South	<b>Parish:</b> Keynsham Town Council	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Regulation 4 Application	
<b>Proposal:</b>	Erection of new buildings to provide offices, library, one stop shop, retail with associated highway works; new public realm works and landscaping following the demolition of all the buildings currently on site (excluding the multi storey car park, which will be extended)	
<b>Constraints:</b>	Agric Land Class 3b,4,5, City/Town Centre Shopping Areas, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Housing Development Boundary,	
<b>Applicant:</b>	Bath & North East Somerset Council	
<b>Expiry Date:</b>	7th June 2012	
<b>Case Officer:</b>	Mike Muston	

**DECISION** Defer for further discussions. Significant changes in design relating to mono pitch roofs, flat roof on library and materials in consultations with the applicant, the focus group and Officers.

<b><u>Item No:</u></b>	<u>02</u>	
<b>Application No:</b>	12/02241/FUL	
<b>Site Location:</b>	28 Uplands Road, Saltford, Bristol, Bath And North East Somerset	
<b>Ward:</b> Saltford	<b>Parish:</b> Saltford	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a replacement dwelling.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary,	
<b>Applicant:</b>	Mrs Lisa Motton	
<b>Expiry Date:</b>	14th August 2012	
<b>Case Officer:</b>	Andrew Strange	

**DECISION PERMIT**

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

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

2 Prior to the commencement of the development hereby permitted, detailed proposals for the disposal of surface water shall be submitted to, and approved in writing by, the local planning authority. The development shall not be occupied until provision has been made for the disposal of surface water in accordance with the details so approved.

Reason: In the interests of ensuring a sustainable approach to surface water drainage and to ensure that the proposals for the disposal of surface water do not result in problems on or off site.

3 The area allocated for parking on the submitted plan shall properly bound and compacted (not loose stone or gravel) be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that sufficient provision is made for off-street parking and in the interests of highways safety.

4 The development hereby permitted shall only be implemented in accordance with the plans in the Plans List below.

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

**PLANS LIST:** Location Plan, Plan and Elevations – Existing and Proposed – TM1142-02-C, Design and Access Statement

#### REASONS FOR GRANTING PERMISSION

1. The proposed development responds to its local context and will not cause significant harm to the amenity of existing or future occupiers in the area.

2. The proposed development is in accordance with the development plan, particularly the following saved policies of the Bath and North East Somerset Local Plan:

- HG.4 – Residential development in the settlements
- D.2 – General design and public realm considerations
- D.4 – Townscape considerations
- ES.5 – Foul and surface water drainage
- T.24 – General development control and access policy
- T.26 – On site parking and servicing provision



<b>Item No:</b>	03
<b>Application No:</b>	12/02210/FUL
<b>Site Location:</b>	11 Fairfield View, Ragland Lane, Fairfield Park, Bath
<b>Ward:</b> Lambridge	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Provision of a loft conversion to include the installation of 1no. rear flat dormer and front rooflights.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,
<b>Applicant:</b>	Mr Collins
<b>Expiry Date:</b>	13th July 2012
<b>Case Officer:</b>	Alice Barnes

## DECISION PERMIT

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

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

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

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

3 The 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:

Existing and proposed plans, sections, elevations, site and location plans 01

## REASONS FOR GRANTING APPROVAL

1. The proposed development would not have an adverse impact upon the streetscene or the amenity of the surrounding residential occupiers. Due to the use of matching materials and the siting of the dormer to the rear of the property the proposed development will not cause undue harm to the character and appearance of the surrounding area

2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A.

D2, D4 and Bh.1 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

<b>Item No:</b>	04	
<b>Application No:</b>	12/02734/FUL	
<b>Site Location:</b>	Hampton Cottage, Tow Path Kennett And Avon Canal, Bathampton, Bath	
<b>Ward:</b> Bathavon North	<b>Parish:</b> Bathampton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Use of 1no. room of dwelling as a physiotherapy treatment room (retrospective) (resubmission).	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, Water Source Areas,	
<b>Applicant:</b>	Mr Michael Hayward	
<b>Expiry Date:</b>	6th September 2012	
<b>Case Officer:</b>	Jonathan Fletcher	

## 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.

**PLANS LIST:** Site location plan, existing floor plan and proposed floor plan received 22 June 2012.

Informative

The applicant should encourage clients to use public transport

## REASONS FOR GRANTING APPROVAL

1. The proposed development would not have an adverse impact upon the streetscene or the amenity of the surrounding residential occupiers. The proposed development will not cause harm to the openness of the Green Belt. The proposed development is served by public transport. The proposed development will not result in a harmful increase in car journeys to the local area.

2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A.

D.2, GB.1, GB.2, NE.2 and T.1 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

<b>Item No:</b>	05	
<b>Application No:</b>	12/02496/FUL	
<b>Site Location:</b>	7 Bay Tree Road, Fairfield Park, Bath, Bath And North East Somerset	
<b>Ward:</b> Walcot	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Provision of loft conversion to include side and rear dormers and front rooflights (revised resubmission).	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,	
<b>Applicant:</b>	Mr Darren Collis	
<b>Expiry Date:</b>	2nd August 2012	
<b>Case Officer:</b>	Chris Griggs-Trevarthen	

## 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 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:** Existing and proposed plans, sections, elevations, site and location plans – 01B

## REASON FOR APPROVAL

The proposed dormer windows, due to their size, siting, massing and design will not harm the character or appearance of the existing building or the surrounding area in accordance with policies D.2 and D.4 of the Bath and North East Somerset Local Plan including minerals and waste policies – adopted October 2007

<b>Item No:</b>	06
<b>Application No:</b>	12/02729/FUL
<b>Site Location:</b>	Sun House, Brassknocker Hill, Claverton Down, Bath
<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 a bedroom extension to the west elevation and a conservatory to the east end of the house (amendments to application 99/01228/FUL).
<b>Constraints:</b>	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, Hotspring Protection, Sites of Nature Conservation Imp (SN), Tree Preservation Order, World Heritage Site,
<b>Applicant:</b>	Mr & Mrs Christopher Mackenzie
<b>Expiry Date:</b>	10th September 2012
<b>Case Officer:</b>	Jonathan Fletcher

## DECISION PERMIT

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

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

2 The three outbuildings shown to be demolished on drawing ref: 189.P.001 P1 shall be removed from the site within 3 months of date of this decision unless otherwise agreed by the Local Planning Authority. When each building is removed the land on which it stood and the immediate surrounding area shall be reinstated in accordance with the approved landscaping scheme in the next planting season following such removal.

Reason: The retention of the outbuildings would have an adverse impact on the openness of the green belt.

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:** 189.S.001 P1 and 189.S.002 P1 received 16 July 2012.: 189.P.101 P1, 189.P.102 P1, 189.P.103 P1, 189.P.201 P1, 189.P.202 P1, 189.P.301 P1, 189.P.302 P1 and 189.P.001 P1 received 23 June 2012.

## REASONS FOR GRANTING APPROVAL

1. The proposal would preserve the openness of the green belt and the character of the surrounding area. The proposal would not affect the wider landscape of the AoNB. The proposal would not have an adverse impact on highway safety.

2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A

GB.1, GB.2, HG.15, T.24, NE.2, NE.9, BH.1, D.2 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

<b>Item No:</b>	07	
<b>Application No:</b>	12/01857/FUL	
<b>Site Location:</b>	Bubblers Dytch, High Street, Wellow, Bath	
<b>Ward:</b> Bathavon South	<b>Parish:</b> Wellow	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 2no detached two storey houses with attached garages following demolition of existing single storey house.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, Housing Development Boundary,	
<b>Applicant:</b>	Hesketh Ventures Ltd	
<b>Expiry Date:</b>	24th July 2012	
<b>Case Officer:</b>	Tessa Hampden	

## DECISION REFUSE

1 The proposed development is considered to be of an inappropriate design. The high wall is considered to be out of keeping with the character of the area. Further the glazing element to the south elevation is considered to form a large prominent incongruous element when seen across the valley. The development is therefore considered to be contrary to Policies D2 and D4 of the Bath and North East Somerset Local Plan (including minerals and waste) adopted October 2007

2 The proposed development is considered to represent the overdevelopment of the site with the narrowness of the gap between the buildings being considered to be inappropriate. The development is therefore considered to be contrary to Policies D2 and D4 of the Bath and North East Somerset Local Plan (including Minerals and waste) adopted October 2007

## PLANS LIST:

Plans 189/P01A to 5A received 16th July 2012, 189P06-11, 189/SP date stamped 25th April 2012, MH2010/1 date stamped 29th May 2012 and Design and Access Statement date stamped 26th April 2012

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