

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 30th July, 2014

Present:- Councillor Gerry Curran in the Chair
Councillors Rob Appleyard, Neil Butters, Sally Davis (In place of David Veale), Ian Gilchrist, Les Kew, Dave Laming, Malcolm Lees, Bryan Organ, Vic Pritchard, Manda Rigby, Martin Veal and Tim Warren (In place of Patrick Anketell-Jones)

Also in attendance: Councillors Doug Nicol, Roger Symonds and Brian Webber

24 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

25 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

26 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were apologies for absence from Councillors Patrick Anketell-Jones and David Veale whose substitutes were Councillors Tim Warren and Sally Davis respectively

27 DECLARATIONS OF INTEREST

There was none

28 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none

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

The Senior Democratic Services Officer informed the meeting that there were numerous people 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. The Chair stated that timings had been extended for applications on the Bath Recreation Ground and St James' Surgery, Northampton Buildings, Bath. He requested that the time also be extended for the Fosseyway Environment Park to which the Committee concurred (see Speakers List attached as *Appendix 1* to these Minutes).

30 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There was none

31 MINUTES: 2ND JULY 2014

The Minutes of 2nd July 2014 were approved as a correct record and signed by the Chair

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

The Committee considered

- The report of the Group Manager – Development Management on a planning application by Bath Rugby Ltd on the Bath Recreation Ground
- Oral statements by members of the public etc., the Speakers List being attached at *Appendix 1* to these Minutes
- An Update Report by the Group Manager on this application, which Report is attached as *Appendix 2* to these Minutes

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

Recreation Ground, Pulteney Mews, Bath – Retention and/or replacement of, and extensions to, the existing temporary spectator stands along the north, west and eastern sides of the retained playing field (as approved under permission references 09/01319/FUL, 10/01609/FUL, 10/01608/FUL, and 10/01611/FUL), provision of new hospitality boxes to either side of retained south stand, new control room and associated works and ancillary facilities comprising toilets and food and bar facilities (temporary application for period of up to 2 years) – The Case Officer reported on this application and his recommendation to grant permission subject to conditions. The Update Report contained references to further representations and Officer's observations.

The public speakers made their statements against and in favour of the application. The Chair responded to some of the issues raised by Steve Osgood in his statement.

Councillor Tim Warren stated that he was a season ticket holder of Bath Rugby Club and queried whether this amounted to an interest that he needed to declare. The Senior Legal Adviser stated that it was a matter for Councillor Warren's judgement in accord with Members' Code of Practice to consider whether his participation in the item was reasonable as it may be an interest but not a disclosable pecuniary interest.

The Chair referred to a letter sent to Members and Officers by the Friends of the Bath Residents' Recreation Ground alleging, amongst other matters, that a decision by the Committee would be illegal. The Senior Legal Adviser stated that these issues were of a property nature and not planning – if permission were granted, it would be for the Recreation Ground Trust to consider these issues. He responded to some aspects raised by Councillor Malcolm Lees regarding the possibility of Members being charged and held liable for any possible wrongdoing in determining the application. The Chair summed up the advice given. However, Councillor Lees

considered that, without a guarantee that Members would be indemnified from prosecution etc., consideration of the application should be deferred, and he so moved. The motion was seconded by Councillor Dave Laming. Members briefly debated the motion. Councillor Manda Rigby (Ward Member on the Committee) considered that a decision should be taken today but that a definitive legal statement was required to differentiate between property and planning matters and that one did not have a bearing on the other. The motion was then put to the vote which was lost, only 2 Members voting in favour and a substantial majority against.

The Ward Councillor Brian Webber then made a statement in support of the proposal.

Councillor Manda Rigby expressed some concerns regarding the North Stand being raised to 9m and additional hospitality boxes which would impair some of the views. There would also be an increase in the number of fans attending and this was an Air Quality Management Area so there was a requirement to mitigate the impact. The Officers responded to some of the issues raised. Councillor Martin Veal considered these issues and decided to move the Officer's recommendation to grant permission with conditions which was seconded by Councillor Bryan Organ.

Members debated the motion. The Chair commented on the application. There was an incremental increase in size and the Rugby Club would need to resolve any issues. The Rec was an important site but there was good tree cover, particularly in the summer, and the application proposed a temporary period of just 2 years. The site was close to existing transport links, although a park and ride facility on the east side of Bath was desirable for visitors from Wiltshire. He personally supported the proposal.

The motion was put to the vote and was carried, 10 voting in favour and 0 against with 3 abstentions (Note: Councillor Tim Warren did not take part in the debate and abstained from voting).

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

The Committee considered

- The report of the Group Manager – Development Management 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 Group Manager on Item 8, a copy of which Report is 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

W T Burden Ltd, Bath Road, Farmborough – Demolition of existing building and redevelopment of site with up to 14 dwellings with associated means of access, access roads, car parking, boundary treatments and landscaping, conversion (Including recladding) of retained building to provide

office/workshop accommodation (Class B1) with associated car parking – The Senior Planning Officer reported on the application and the recommendation to refuse permission which had been overturned by the Committee at its previous meeting on 2nd July. At that meeting, as the decision was contrary to Green Belt policy and Officer advice, the Team Manager – Development Management had decided to exercise his discretion under Paragraph 7 of the Committee Protocol which rendered the decision of no effect until the application was reconsidered by the Committee at a subsequent meeting when it could make such decision as it saw fit.

The public speaker made his statement in support of the application.

Councillor Sally Davis (the Ward Councillor on the Committee for this meeting) considered that this was an exception to Green Belt Policy as stipulated in Paragraph 89 of the NPPF as this was complete redevelopment of a previously developed brownfield site which she considered as infilling. She considered that there would not be any impact on the openness of the Green Belt and the existing commercial uses would be far more detrimental to the amenities of local residents. It would be an advantage, however, if the 30mph speed limit could be extended across the site frontage. On this basis, she moved that permission be granted. The Group Manager – Development Management advised that Green Belt tests had been applied and this was inappropriate development which by definition was harmful. Paragraph 89 provided guidance that excluded temporary buildings and there was only 1 permanent building which would be demolished. Openness meant the absence of development. The key test was whether the proposed development would have a greater impact on openness than the existing permanent development at the site. In this case, Officers considered that replacing one permanent building with 14 dwellings would have a materially greater impact on openness. There was a risk if not complying with the NPPF and a legal challenge to the decision without full discernable grounds if permission was given. The motion was then seconded by Councillor Bryan Organ.

Members debated the motion. It was considered that the situation had not changed since the previous meeting when Members would have given permission, No precedent would be set from granting permission and there would a benefit from having housing on the site which would add vitality to the village. The issue of flooding was raised by one Member. The Senior Development Control Engineer commented on the speed limit on the road which was not likely to change. The Group Manager advised the Members that very special circumstances needed to be demonstrated to justify the proposal and referred to financial contributions that would need to be included in a S106 Agreement to cover the issues of improved pedestrian provision at the junction with Tilley Lane and towards Education, namely, provision of primary and secondary school places as set out in the report. The motion would therefore need to be amended to delegate to permit with the S106 Agreement and appropriate conditions. Members considered that the former use of the site would have been harmful to openness and to neighbouring amenity and the redevelopment of the site would improve its appearance which amounted to the very special circumstances required to approve the application. The amended motion was accepted by the mover and seconder and it was then put to the vote. Voting: 12 in favour and 0 against with 1 abstention. Motion carried.

Item 2 Fosseway Environment Park, Fosseway, Bath – Proposed erection of residual waste facility including a materials recovery facility, anaerobic digestion plant, reception building, weighbridge, outdoor storage areas and other ancillary development (Outline development with access to be determined all other matters reserved) – The Case Officer reported on this application and his recommendation to grant permission subject to conditions.

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

Councillor Sally Davis read out a statement provided by the Ward Councillor David Veale who could not attend the meeting.

A Member queried whether the application should be deferred pending the outcome of enforcement proceedings on the site. The Group Manager – Development Management stated that this was not necessary as they were two separate issues and it was appropriate to determine the application today. He further advised that, in the event of permission being granted, an updated report regarding the enforcement matters at the site would be brought before the Members to a subsequent meeting of this Committee. Members discussed the Joint Waste Core Strategy (JWCS) and the Council-run facility in Pixash Lane, Keynsham, which Officers stated was not material to this consideration. Councillor Les Kew referred to the long history of this industrial site and the opportunity to regularise the situation bringing the site under planning control. The JWCS had been adopted and it has been demonstrated that very special circumstances had been identified, one of which was the adoption of the JWCS. He therefore moved the Officer recommendation to grant permission with conditions which was seconded by Councillor Ian Gilchrist.

The Chair commented on the proposal which he supported and then put the motion to the vote. Voting: 10 in favour and 2 against with 1 abstention. Motion carried.

Item 3 Former Rockery Tea Gardens, North Road, Combe Down, Bath – Erection of a detached single storey dwelling (Revised proposal) – The Case Officer reported on this application and her recommendation to authorise the Group Manager, in consultation with the Planning and Environmental Law Manager, to enter into a S106 Agreement to secure various provisos; and (B) on completion of an acceptable S106 legal agreement, grant permission subject to various conditions. She updated Members on the representations that had been received.

The public speaker made her statement against the application which was followed by a statement by the Ward Councillor Roger Symonds who supported objections to the proposal.

After a short discussion, Councillor Malcolm Lees moved that consideration be deferred for a site visit to view the site in the context of its surroundings which was seconded by Councillor Neil Butters. The motion was out to the vote and was carried unanimously.

(Note: Councillor Roger Symonds requested that Members particularly view the site from properties in St Winifred's Drive).

Item 4 Parcel 2866 Woolley Lane, Charlcombe – Erection of 2 mobile field shelters – The Case Officer reported on this application and his recommendation to grant permission subject to conditions.

The Chairman of Charlcombe Parish Council made a statement against the application.

Councillor Martin Veal, Ward Member on the Committee, read out a statement provided by his fellow Ward Councillor Geoff Ward. He submitted his own comments on the proposal by stating that this was a stunning location which could be viewed from many locations. He referred to Paragraphs 79 and 88 of the NPPF with reference to proposals that were harmful to the Green Belt. He considered that the poultry business was probably unviable and stated that the Article 4 Direction removed agricultural permitted development rights over a large part of Swainswick Valley. On the basis that it was development in the AONB/Green Belt, the potential visual impact of the proposal, and that no very special circumstances had been provided, he moved that permission be refused. The motion was seconded by Councillor Neil Butters.

Members debated the motion. The issues of whether planning permission was required and whether the units were legal were raised by Members to which Officers responded. The Chair summed up the situation regarding this site and the proposal and put the motion to the vote. Voting: 7 in favour and 4 against with 2 abstentions. Motion carried.

(Note: After this decision at 5pm, the Committee adjourned for a Tea break and reconvened at 5.22pm).

Item 5 The Somerset Inn, Bath Road, Paulton – Change of use of public house (Use Class A4) to form a single dwelling (Use Class C3) and associated works (Resubmission) – This application was withdrawn at the applicants' request and was not considered

Item 6 Whiteways, White Cross, Hallatrow – Erection of 2 holiday cottages to expand existing B&B business following the demolition of existing outbuildings (Resubmission) – The Case Officer reported on this application and his recommendation to refuse permission. The application included the offer of a S106 legal deed to tie the holiday cottages to the existing bed and breakfast business so that they could not be operated as a separate business or occupied by the same occupant for longer than 3 months. This would prevent the cottages being occupied as permanent dwellings.

The applicant's agent made a statement in support of the application.

Councillor Les Kew, Ward Member on the Committee, considered that small developments in the rural area needed to be supported. This site was not in open countryside, it being surrounded by a number of mainly residential properties. Local facilities were available in Hallatrow and it was an ideal site for passing trade on the busy A37. In addition, there were no objections lodged against the application. Based on the above, he moved that the Officer recommendation be overturned and that Officers be delegated to grant permission subject to appropriate conditions. This would include a S106 legal deed to tie the use of the holiday cottages to the existing

B&B business as offered by the applicant. The motion was seconded by Councillor Bryan Organ.

Members debated the motion. Members generally supported the application as it was in a good location and not isolated from other properties or distant from local facilities. It was also felt that there was a demand for holiday accommodation. The Group Manager – Development Management advised the Committee that the motion was contrary to the Committee's previous decision to refuse a similar application. He also outlined Officers' concerns regarding the policy position of permitting this proposal outside of a recognised settlement.

The motion was put to the vote and was carried, 12 voting in favour and 0 against with 1 abstention.

Item 7 Bathway House, 144 London Road West, Bath – Erection of 2 detached dwellings and associated landscape works – The Case Officer reported on this application and his recommendation to refuse permission. He stated that the highways objection had been withdrawn and therefore the second reason for refusal could be deleted from the recommendation. The Senior Development Control Engineer commented on the highways aspects of the application.

The applicant made a statement in support of the proposal.

Councillor Les Kew considered that the application was satisfactory and with the highways objection removed, it was a good use of the site for residential development. He therefore moved that permission be delegated to Officers, with appropriate conditions, which was seconded by Councillor Gerry Curran.

Members debated the motion. Councillor Dave Laming raised the issue of drainage (Sustainable Urban Drainage) as the site was close to the river and the flood plain. He requested that this be taken into account in possible conditions. The motion was put to the vote and was carried, 11 voting in favour and 1 against with 1 abstention.

Item 8 St James' Surgery, 8/9 Northampton Buildings, Bath – Variation of Condition 6 of application 08/04692/FUL (Erection of a new surgery annexe(Use Class D1) and first floor apartment (Use Class C3) following demolition of garages) – The Chair realised that he was acquainted with one of the public speakers. He therefore declared an interest which he considered was not significant to prejudice his participation in the item and therefore he would speak and vote on the application. The Planning Officer reported on this application and the recommendation to grant permission with conditions. The Update Report commented further on the application and amended conditions in the recommendation.

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

The Chair informed the meeting that the vicinity of the site had been viewed at the recent Site Visits tour. Councillor Manda Rigby stated that the pharmacy was not located in the Surgery but in a separate building something substantially different to the current permission and therefore was not ancillary to it. The proposal would

threaten the business of another local pharmacy and put one community asset against another. Councillor Malcolm Lees referred to the narrowness of the road with little parking available. The proposal would create more problems for the area with additional customers using the facility for medical products as well as prescriptions. For these reasons, he moved that the Officer's recommendation be overturned and that permission be refused. The motion was seconded by Councillor Dave Laming.

Members debated the motion. Councillor Manda Rigby suggested that additional reasons for refusal could be that the building was not ancillary to the existing use creating a new retail outlet; the removal of choice from vulnerable people in the community due to the impact on other retailers; and the resulting increased car journeys which would impact on narrow streets in the locality. The mover and seconder agreed to this amendment. The Chair summed up the issues and stated that a school also used the road for access. He then put the motion to the vote. Voting: 11 in favour and 0 against with 2 abstentions. Motion carried.

Item 9 No 135 Englishcombe Lane, Bath – Erection of a new dwelling – The Case Officer reported on this application and her recommendation to refuse permission.

The applicant's agent made a statement in support of the proposal.

Councillor Rob Appleyard stated that the proposal was of very poor design in a bad location. He therefore moved the recommendation to refuse permission which was seconded by Councillor Bryan Organ.

After a brief debate, the motion was put to the vote and was carried unanimously.

Item 10 Charnwood House, Rankers Lane, Compton Dando – Erection of extension to garage to form car ports and store – The Case Officer reported on this application and his recommendation to refuse permission.

Councillor Sally Davis supported the application. There was no overlooking as there were no properties nearby. Councillor Tim Warren agreed and on this basis moved that the Officer recommendation be overturned and that permission be granted. The motion was seconded by Councillor Martin Veal.

Members debated the motion. There was discussion regarding the percentage increase and the number of car ports which one Member considered was too many. The Group Manager - Development Management advised that a third of the volume of the original house was usually acceptable. He stated, however, that this was a disproportionate addition and impacted on the openness of the Green Belt – no very special circumstances had been demonstrated. Members discussed this. There was the aspect of security as a footpath ran close to the property which was in an isolated position; equipment was needed to maintain the grounds; and the accuracy of the percentage increase was challenged. It was considered that there was no adverse impact on the openness of the Green Belt from the single storey proposal and open-fronted design in keeping with the existing property. Members considered that these were sufficient reasons to support the application and therefore very special circumstances had been demonstrated.

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

Items 11 and 12 No 3 High Street, Wellow – (1) Erection of rear single storey extension, attic conversion and roof alterations with conservation lights Ref 14/02319/FUL); and (2) internal and external alterations to include the erection of a single storey rear extension, attic conversion, alterations to roof. Installation of conservation lights; removal of internal wall and lining wall, reposition of modern staircase to first floor and installation of new staircase to roof space (Ref 14/02384/LBA) – The Case Officer reported on these applications and his recommendations to grant permission/consent with conditions.

The Chair allowed the applicant to make a statement in his personal capacity as the applicant.

Councillor Neil Butters supported the proposal and moved that the Officer recommendations be approved which was seconded by Councillor Bryan Organ.

The motions were put to the vote and were carried unanimously.

Items 13 and 14 Land and buildings to the rear of 1-7 High Street, Wellow – (1) Conversion of former farm buildings to form 1 dwelling with associated works (Resubmission with revisions of 13/02812/FUL)(Ref 14/01866/FUL); and (2) internal and external alterations to facilitate conversion of former farm buildings to 1 dwelling (Resubmission with revisions of 13/02813/LBA)(Ref 14/01867/LBA) – The Case Officer reported on these applications and his recommendations to grant permission/consent with conditions.

The Chair allowed the applicant to make a statement in his personal capacity as the applicant.

Councillor Neil Butters supported the applications and moved that the Officer's recommendations be approved which was seconded by Councillor Les Kew.

After a brief discussion, the motions were put to the vote and were approved unanimously.

34 TREE PRESERVATION ORDER: 63 BLOOMFIELD ROAD, BATH

The Committee considered the report of the Senior Arboricultural Officer which (1) referred to an objection being received to the making of a Tree Preservation Order to protect a Cedar at No 63 Bloomfield Road which makes a contribution to the landscape and visual amenity of the Bath Conservation Area; and (2) recommended that the Order be confirmed without modification.

It was stated that the Ward Councillor David Bellotti supported the confirmation of the Tree Preservation Order.

Members discussed the condition of the tree, its roots, the canopy, and the possible effect on adjoining properties. The Officer responded to queries raised.

It was generally felt that the tree did not contribute to the landscape and visual amenity of the area. Councillor Vic Pritchard felt that it did contribute and therefore moved the Officer recommendation to confirm the Order without modification. This was seconded by Councillor Gerry Curran. The motion was put to the vote. Voting: 4 in favour and 7 against with 2 abstentions. Motion lost.

Members considered that work could be undertaken on the tree whenever it was required (subject to Bath Conservation Area control) and that it was not worthwhile to confirm the Order in the interest of amenity. It was therefore moved by Councillor Bryan Organ and seconded by Councillor Tim Warren that the Order not be confirmed. Voting: 7 in favour and 4 against with 2 abstentions. Motion carried.

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

The report was noted

The meeting ended at 7.42 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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

**MEMBERS OF THE PUBLIC ETC WHO MADE A STATEMENT AT THE MEETING
OF THE DEVELOPMENT CONTROL COMMITTEE ON WEDNESDAY, 30TH JULY
2014**

SITE/REPORT	NAME/REPRESENTING	FOR/AGAINST
SITE VISIT – REPORT 9		
Bath Recreation Ground (Pages 57-83)	1. William Thomas 2. David Greenwood 3. Steve Osgood Nick Blofeld, Chief Executive, Bath Rugby (Applicants)	Against – To share 6 minutes For – Up to 6 minutes
MAIN PLANS LIST – REPORT 10		
W T Burden Ltd, Bath Road, Farmborough (Item 1, Pages 89-97)	David Roberts (representing the applicants)	For
Fosseway Environment Park, Fosseway, Bath (Item 2, Pages 98-117)	1. Peter Duppa-Miller, Clerk to Combe Hay Parish Council 2. Robert Hellard, Vice Chairman, South Stoke Parish Council 1. Caroline Kay, Chief Executive, Bath Preservation Trust 2. Philip Harrison (representing Protect Bath) 3. Trevor Osborne Matthew Kendrick, Grass Roots Planning Ltd (Applicants' Agents)	Against – To share 3 minutes Against – To share 6 minutes For – Up to 6 minutes
Former Rockery Tea Gardens, North Road, Combe Down, Bath (Item 3, Pages 118-135)	Kathryn Harris	Against
Parcel 2866, Woolley Lane, Charlcombe (Item 4, Pages 136-146)	Alistair MacKichan, Chairman, Charlcombe Parish Council	Against
Whiteways, White Cross, Hallatrow (Item 6, Pages 158-165)	Andy Moger, Tetlow King (Applicant's Agents)	For
Bathway House, 144 London Road West, Bath (Item 7, Pages 166-170)	Andy Pegler (Applicant)	For

St James' Surgery, 8/9 Northampton Buildings, Bath (Item 8, Pages 171-179)	1.Linda Gamlin (representing local residents groups) 2.Chris Beaver, PlanningSphere Ltd Dr Sharon Gillings (representing the Applicants)	Against – To share 5 minutes For – Up to 5 minutes
135 Englishcombe Lane, Bath (Item 9, Pages 180-184)	Tony Phillips, Thurdleigh Planning Consultancy (Applicants' Agents)	For

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

30th July 2014

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

ITEMS FOR PLANNING PERMISSION

Site Visit

Item No 1

Application No. 14/02158/FUL

Address. Recreation Ground, Pulteney Mews, Bathwick, Bath

Further Representations

Since completion of the Committee report a further 3 representations have been received, 2 in support of the application and 1 against.

The objection is in respect of the Travel plan that has been submitted, noting that the initial set of comments on the application from the Council's Highways expressed a number of reservations about the Travel Plan and that, in the objector's opinion these were not fully reflected in the report to the Development Control Committee report on 2nd July. They consider that the Club should make a financial contribution to various measures to influence match day travel choices.

Officer Observations

Following the initial comments from Highways the Club submitted an updated Travel Plan and this informed the assessment and reporting of the application. Discussions between the Club and Highways have also been on-going regarding a further information to address outstanding concerns.

A condition (9) is proposed requiring a further iteration of the Travel Plan to be submitted and agreed prior to commencement of the 2014/15 Premiership season. This will include further information on the review of traffic flows, crowd management and liaison with P&R / train operators.

It is considered that this provides an appropriate mechanism to monitor and manage transport impacts of the proposed increase in spectator capacity from approximately 12,000 to 14,000 at the ground, as well as provide baseline information should proposals for redevelopment come forward in the future.

Planning Item No 8
Application No. 14/00958/VAR
Address. St James Surgery , 8 - 9 Northampton Buildings, Lansdown, Bath

Since the report has been drafted a further three letters of objection have been received.

The two letters raised largely issues which have been reported in the case officer's report. One further issue has been raised with regards to the application procedure. The objections state that the proposed use constitutes a full retail unit (use class A1) and therefore cannot be considered under a variation of condition application. As stated in the case officer report the council has taken a different view to that of the objectors in that the proposed use of the ground floor of the annexe is considered to be ancillary to the primary use of the surgery. Therefore it is considered to fall within the existing D1 use class and does not constitute a change of use. In this regard the council considers that the application being made for a variation of condition is appropriate.

Reference has been made to a further appeal decision in which it was said that a pharmacy within a surgery was not considered to be ancillary and that the supply of a prescription is considered to be a retail transaction. In this case the proposed pharmacy would operate within opening times far beyond the opening times of the existing surgery which is not the case with this application.

For an operation to be considered to be ancillary it must have a functional link with the existing use of the building. The operational statement submitted by the applicant has stated that the proposed pharmacy does not include a retail element. The permission can be conditioned so that the pharmacy is only used for the dispensing of prescriptions from the related surgery. Thereby retaining a functional link between the surgery and pharmacy. The pharmacy would not operate outside the opening times of the surgery.

In response to the further comments received the conditions to the application have been updated.

A further condition is added to state;

The pharmacy hereby permitted shall operate solely in connection with the dispensing of prescribed medicines from St James Surgery and for no other use.

Reason: To ensure that the ground floor of the annexe continues to operate within the existing D1 use class.

Condition 5 is deleted and replaced with

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

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

Recommendation:

PERMIT, as per the officer report with the following updated 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. The ground floor annexe accommodation hereby permitted shall be ancillary to the principle surgery premises only.

Reason: To prevent a material increase in patient numbers at the surgery, which would result in a significant hazard to highway and pedestrian safety.

3. The pharmacy hereby permitted shall operate solely in connection with the dispensing of prescribed medicines from St James Surgery and for no other use.

Reason: To ensure that the ground floor of the annexe continues to operate within the existing D1 use class.

4. The annexe shall not operate outside the hours of 08:00 to 18:30 Monday to Friday and 09:00 to 12:00 Saturdays in line with the existing surgery opening hours.

Reason: In the interests of residential amenity

5. The annexe shall operate in accordance with the proposed floor layout plan detailed in drawing 9049_L_22 rev A. The existing windows shall not be used as a display area.

Reason: To ensure that the proposed use remains within the D1 use class and ancillary to the existing surgery.

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

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

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

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

Site location plan 9049 (L) 001 P3

Proposed ground floor layout 9049_L_22 rev A

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

30th July 2014

SITE VISIT DECISIONS

Item No:	001	
Application No:	14/02158/FUL	
Site Location:	Recreation Ground, Pulteney Mews, Bathwick, Bath	
Ward: Abbey	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Retention and/or replacement of, and extensions to, the existing temporary spectator stands along the north, west and eastern sides of the retained playing field, (as approved under planning permission references 09/01319/FUL, 10/01609/FUL, 10/01608/FUL, 10/01611/FUL), provision of new hospitality boxes to either side of the retained south stand, new control room, and associated works and ancillary facilities comprising toilets and food and bar facilities (temporary application for period of up to two years)	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, Protected Recreational, World Heritage Site,	
Applicant:	Bath Rugby Ltd	
Expiry Date:	15th August 2014	
Case Officer:	Gwilym Jones	

DECISION PERMIT

1 This permission shall expire on 3rd July 2016 and the temporary seating, hospitality boxes and other structures hereby approved shall be removed and the land/premises reinstated on or before that date in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority in discharge of this condition prior to the expiry date.

Reason: To allow review of the impact of the temporary stands on this sensitive site and to consider developments in respect of a more permanent solution.

2 The temporary seating, stands and hospitality boxes hereby approved shall not be erected on site for more than 39 weeks in any one season. The structures shall be entirely removed from the site on or before 21st May each year or such other date as has been notified to the Local Planning Authority in discharge of this condition, not less than three months prior to 21st May each year and agreed in writing by the Local Planning Authority prior to 21st May each year.

Reason: In the interests of the character and appearance of this open space within the Conservation Area and World Heritage Site and within the setting of listed buildings.

3 Following the removal of the East Stand at the end of each season the reinstatement scheme for the area underneath the East Stand shall be to a level grassed state by use of grass seed, or if necessary grass turf, or such other scheme as may be submitted to and approved by the Local Planning Authority in discharge of this condition not less than three months before the 21st May each year. The reinstatement scheme shall be commenced within 7 days of 21st May each year or such other date as agreed under Condition 2 and be completed as soon as a reasonably practicable after that date.

Reason: In order to ensure that the land under the area covered by the stand is capable of being reinstated to an appropriate condition in order to ensure the continued use of the Recreation Ground for all of its users and in the interests of the character and appearance of this part of the Conservation Area and the World Heritage Site.

4 The East Stand hereby approved shall only be used with the green double layered screen fabric in place on the rear of the stand.

Reason: In the interests of the character and appearance of this part of the Conservation Area and the World Heritage Site.

5 The temporary seating hereby approved shall match the existing green seating which is in use at the ground.

Reason: In the interests of the character and appearance of this part of the Conservation Area and the World Heritage Site.

6 The on-and off-site access requirements associated with the erection and dismantling of the temporary stand, (including reference to timing of vehicle movements, to maximum vehicle sizes, and to any other material considerations) and all access to and from the site in connection with the erection and dismantling of the stands shall be in accordance with the submitted Construction Method Statement Construction Management Plan (Demountable Seating) Revision 01 dated June 2014.

Reason: In order to ensure that access arrangements are satisfactory, having regard to the nature of adjoining properties within this part of the Bath Conservation Area and World Heritage Site.

7 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated May 2014 and the following mitigation measures detailed within the FRA:

- All temporary stands shall have sufficient voids in the scaffolding to allow the passage and storage of floodwater and should be kept clear of debris at all times;
- The development shall be occupied in accordance with the Flood Evacuation Plan for the site dated September 2010.

Reason: To minimise any impact on flood flows, to reduce the risk of flooding from blockages, and to ensure safe access/egress from and to the site.

8 Clear unobstructed access shall be provided at all times for a large crane to access Pulteney Gate in an emergency, as detailed on the drawing entitled 'Autotack analysis 100 tonne crane' (drawing no. BHC-XXX-XX-9008). This route shall be kept free of any obstructions and shall include a clear space of 3500mm wide by 4400mm high to the rear of the north stand.

Reason: To ensure unimpeded access for the Environment Agency to the Pulteney Gate structure in the event of an emergency.

9 Prior to one week before the commencement of the 2014 / 15 Premiership Rugby season, 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.

10 The development shall take place in accordance with the Written Scheme of Investigation for an Archaeological Watching Brief (Cotswold Archaeology dated 17 June 2010).

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

11 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. Contamination may be indicated by soils that have unusual characteristics such as: unusual colour, odour, texture or containing unexpected foreign material.

Reason: In order to ensure that there are no unacceptable risks in relation to contamination and that the land is suitable for the intended use and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

12 This permission relates only to the East Stand (temporary seats), North Stand (temporary terrace and seats), South Stand (temporary hospitality boxes) and West Stand (temporary seats and Control Room) as shown on the submitted drawings and does not convey consent for any other development shown on the submitted drawings including any flags/advertising.

Reason: In order to clarify the terms of the permission.

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

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

PLANS LIST:

14.1571.L(0)01; PL01; PL02; PL02A; PL03; PL04; PL05 Rev. A; PL06; PL07; PL08; PL09; PL10; PL11; PL12; PL13; PL14; PL15; PL16; PL17; PL18 Rev. A; PL19; PL20 Rev. B; PL21, PL22

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 proposals was taken and consent was granted.

Advisory Note 1. Desk Study and Walkover

Where development is proposed, the developer is responsible for ensuring that the development is safe and suitable for use for the purpose for which it is intended. The developer is therefore responsible for determining whether land is suitable for a particular development. It is advised that a Desk Study and Site Reconnaissance (Phase 1 Investigation) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment. A Phase I investigation should provide a preliminary qualitative assessment of risk by interpreting information on a site's history considering the likelihood of pollutant linkages being present. The Phase I investigation typically consists of a desk study, site walkover, development of a conceptual model and preliminary risk assessment. The site walkover survey should be conducted to identify if there are any obvious signs of contamination at the surface, within the property or along the boundary of neighbouring properties.

The applicant is advised that the Council's Code of Practice to control noise from construction sites should be fully complied with which can be found at the following web-link;

<http://www.bathnes.gov.uk/BathNES/environmentandplanning/Pollution/PollutionConstruction.htm>

BATH AND NORTH EAST SOMERSET COUNCIL**DEVELOPMENT CONTROL COMMITTEE****30th July 2014****DECISIONS**

Item No:	01
Application No:	14/00862/OUT
Site Location:	W T Burden Ltd, Bath Road, Farmborough, Bath
Ward: Farmborough	Parish: Farmborough LB Grade: N/A
Application Type:	Outline Application
Proposal:	Demolition of existing building and redevelopment of site with up to 14 dwellings with associated means of access, access roads, car parking, boundary treatments and landscaping; conversion (including re-cladding) of retained building to provide office/workshop accommodation (Class B1) with associated car parking.
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Hazards & Pipelines,
Applicant:	Boystown Ltd
Expiry Date:	23rd May 2014
Case Officer:	Alice Barnes

DECISION Overturned – Delegate to PERMIT Subject to S106 and conditions

Item No:	02
Application No:	14/00839/EMINW
Site Location:	Fosseway Environment Park, Fosseway, Englishcombe, Bath
Ward: Bathavon West	Parish: Combe Hay LB Grade: N/A
Application Type:	EIA Minerals & Waste Application
Proposal:	Proposed erection of residual waste facility including a materials recovery facility, anaerobic digestion plant, reception building, weighbridge, outdoor storage areas and other ancillary development. (Outline application with access to be determined all other matters reserved)
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, MOD Safeguarded Areas, Regionally Important Geological Site RIG, Sites of Nature Conservation Interest, Tree Preservation Order,
Applicant:	Gazelle Properties Ltd

Expiry Date:	9th July 2014
Case Officer:	Chris Herbert

DECISION APPROVE

1 Details of the, appearance, landscaping, layout and scale (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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

2 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 2 years from the date of this permission.

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

3 The development hereby permitted shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.

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

4 The layout and scale of the proposed buildings and tanks shall conform with the description in the Design and Access Statement and Drawing No. 214.15 dated 18/02/2014 and shall comply with the following limits:

- i. Buildings shall not exceed a ridge height of 12 metres;
- ii. Gross new internal floor area shall not exceed 2313m²;
- iii. A maximum of 2 digester tanks and 1 digestate storage tank; and
- iv. The above tanks to not exceed 12 metres in height and 15.2 metres in diameter

Reason: In the interest of visual amenities and the landscape character of the area and in order to safeguard the openness of the Green Belt.

5 Before the development hereby permitted commences details of the finished floor levels of the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: In the interest of visual amenities and the landscape character of the area and in order to safeguard the openness of the Green Belt

6 The development hereby permitted shall not be commenced until a schedule of materials and samples of such materials and finishes and colours to be used for external walls, roofs and tanks of the proposed development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason: In the interest of visual amenities and the landscape character of the area

7 No more than 100,000 tonnes of waste per annum shall be imported to the application site. Records of the amounts of imports of waste for each calendar month shall be taken and shall be made available to the Local Planning Authority within 10 working days of receiving such a request.

Reason: In the interests of highway safety.

8 Vehicle movements into and out of the application site shall be restricted to a maximum of 128 HGV movements (64 in and 64 out) per day. The applicant shall keep a log of all HGV movements which shall be made available to the Local Planning Authority within 10 working days of receiving such a request.

Reason: In the interests of highway safety.

9 Adequate sheeting shall be provided on uncovered vehicles when exiting the site to ensure there is no material deposited onto the highway.

Reason: In the interests of highway safety.

10 Prior to the commencement of the development details of the means of access, including amended internal junction radii and a pedestrian safe zone, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of highway safety.

11 Prior to the commencement of the development, an operational statement shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the hours of operation of the site, provision of wheel washing facilities, and the details of the method of monitoring for HGV movements. The development shall thereafter operate in accordance with the approved details.

Reason: In the interests of highway safety.

12 Prior to the development being first brought into use details of the type and location of a covered cycle shelter and cycle stands shall have been submitted to and approved in writing by the Local Planning Authority. The cycle shelter and cycle stands shall be provided prior to the site being first brought into use.

Reason: In the interests of sustainable development.

13 Before the development hereby permitted commences a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise (including vehicles), dust and odour emanating from the application site. The approved scheme shall be implemented prior to the receipt of waste at the application site and thereafter maintained in accordance with the approved details.

Reason: To protect the amenities of the area.

14 No work for the implementation of the development hereby permitted shall be undertaken on the application site except between the hours of 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays. No works shall be undertaken on Sundays, Bank and Public Holidays.

Reason: To safeguard neighbouring amenity.

15 No waste deliveries, export of waste or recycled/processed materials or any external activities shall take place on the application site except between the hours of 0700 to 1800 Monday to Friday and 0700 to 1300 on Saturdays. No works shall be undertaken on Sundays, Bank and Public Holidays.

Reason: To safeguard neighbouring amenity.

16 No development shall take place until full details of both the hard and soft landscaping works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out in their entirety within 12 months of receiving written approval.

Reason: In the interest of the visual amenities and the landscape character of this part of the Green Belt.

17 All bunding, planting and seeding comprised in the approved landscaping works shall be carried out prior to the occupation of any of the buildings or the use of the processed/recyclable material storage area. Any plants or trees which within a period of five years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure the successful establishment of the approved landscaping scheme

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

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

19 All stockpiles on the application site shall not exceed a height of four metres above 177.73m AOD.

Reason: In the interests of visual amenities and the landscape character of the site and protecting the openness of the Green Belt.

20 No waste shall be stored on the application site at any time except within buildings.

Reason: In the interest of visual amenities and the landscape character of this part of the Green Belt.

21 No processed/recyclable materials or skips shall be stored or stacked on the application site at any time except within buildings or the processed/recyclable material storage area.

Reason: In the interest of visual amenities and the landscape character of this part of the Green Belt.

22 No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interest of visual amenities and the landscape character of this part of the Green Belt.

23 Any outflow from the application site must be limited to Greenfield run-off rates and discharged incrementally for all return periods up to and including the 1 in 100 year storm event.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

24 No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details on the following matters:

- i. A clearly labelled drainage layout plan showing any pipe networks, swales, soakaways and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes.
- ii. Model runs to demonstrate that the critical storm duration is being used.
- iii. Confirmation of the agreed discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated.
- iv. Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding. A 30% allowance for climate change should be incorporated into the scheme in accordance with Table 5 of the Technical Guidance to the National Planning Policy Framework (NPPF).
- v. Clarification over the storage volume requirement shown in the micro drainage calculations which suggest that more storage is required than currently shown on the proposed surface drainage strategy drawing.

vi. Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

25 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the water environment.

26 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

i) a preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the LPA. The scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment.

27 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages,

maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment.

28 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To prevent pollution of the water environment.

29 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

30 The development hereby approved shall not be occupied until parking, turning and access facilities have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety

31 1 Before the development hereby permitted commences a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP will cover the following:

- i. A description of the sensitive features or receptors associated with the Application Site and surrounding area, and the rationale for protection of these features (known as the Environmental Impacts / Aspects register);
- ii. An overall programme for construction activities, together with method statements and risk assessments relating to certain activities;
- iii. Details including deliveries (including storage arrangements and timings), contractor parking, traffic management and any need for cranes for construction;
- iv. The control measures and monitoring requirements to be implemented during each stage of the construction works to minimise resource use, protect the environment or minimise disturbance of sensitive receptors;
- v. Names of the nominated person(s) responsible for implementing these measures and undertaking the required monitoring, and the person(s) responsible for checking that these measures have been implemented and monitoring completed;

- vi. Reporting procedures and documentation requirements in relation to implementation of the control measures and monitoring; and
- vii. Actions to be taken in the event of an emergency or unexpected event.

In addition it should reflect the mitigation measures with respect to dust controls detailed in the Environmental statement 6.147 (page 143) in addition to the Council's Code of Practice to Control noise from construction sites (see informative).

Reason: In the interests of sustainable construction and to minimise the disturbance to the surrounding area during the construction period.

32 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:

Application Boundary Plan, Drawing No. 214.17 dated 18/02/2014; Proposed Illustrative Site Plan, Drawing No. 214.15 dated 18/02/2014; Existing Topographical Survey, Drawing GRP/004/01; Proposed Illustrative Floor Plan, Drawing No. 214.16 dated 18/02/2014; Proposed Illustrative Site Sections, Drawing No. 214.10 Rev A dated 27/11/ 2013; Indicative Site Sections A-C, Drawing No.12-14-37 Rev 0 dated 29/04/2014; Illustrative Landscape Masterplan, Drawing No. 12-14-29 Rev C dated 28/01/2014.

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.

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 and 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.

Item No:	03		
Application No:	13/01733/FUL		
Site Location:	Rockery Tea Gardens Vacant Premises, North Road, Combe Down, Bath		
Ward: Combe Down	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		

Proposal:	Erection of a detached single storey dwelling (revised proposal).
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, Mineral Consultation, Water Source Areas, World Heritage Site,
Applicant:	Freemantle Capital (Coombe Down) Ltd
Expiry Date:	20th August 2014
Case Officer:	Rachel Tadman

Deferred awaiting site visit: To allow Members to view the site in the context of its surroundings

Item No:	04		
Application No:	14/01124/FUL		
Site Location:	Parcel 2866, Woolley Lane, Charlcombe, Bath		
Ward:	Bathavon North	Parish:	Charlcombe
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of 2no. mobile field shelters.		
Constraints:	Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Article 4, Greenbelt, MOD Safeguarded Areas, Sites of Nature Conservation Interest,		
Applicant:	Golden Valley Paddocks Ltd		
Expiry Date:	9th July 2014		
Case Officer:	Richard Stott		

DECISION REFUSE

1 The field shelters represent inappropriate development in the Green Belt, which by definition are harmful and the applicant has failed to adequately demonstrate any very special circumstances to justify the need for the shelters which are considered harmful to the openness of the green belt. The shelters are considered contrary to Policy CP8 of the Bath & North East Somerset Core Strategy, 2014, contrary to Policy GB.2 of the Bath and North East Somerset Local Plan, including minerals and waste policies, October 2007 (which is a saved policy) and contrary to the national guidance set out in the National Planning Policy Framework, 2012.

2 By reason of the visual prominence of the application site the siting of two mobile field shelters is considered harmful to the setting of this part of the Area of Outstanding Natural Beauty and harmful to the wider landscape character, contrary to policies NE.1 and NE.2 of the Bath and North East Somerset Local Plan, including minerals and waste policies, October 2007 which are saved policies in the Core Strategy, 2014.

PLANS LIST:

This decision relates to Photo (2028/97) and Elevation and Floor Plan (drawing 2028/98) date stamped 11th March 2014 and to the Site Location Plan (drawing 2028/99) dated 9th April 2014

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 and 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.

Item No:	05	
Application No:	14/02308/FUL	
Site Location:	Somerset Inn, Bath Road, Paulton, Bristol	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use of Public House (Use Class A4) to form a single dwelling (Use Class C3) and associated works. (Resubmission).	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Forest of Avon, Housing Development Boundary,	
Applicant:	Poulton Ltd	
Expiry Date:	15th July 2014	
Case Officer:	Daniel Stone	

DECISION Application Withdrawn

Item No:	06	
Application No:	14/00808/FUL	
Site Location:	Whiteways, White Cross, Hallatrow, Bristol	
Ward: High Littleton	Parish: High Littleton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 2no. holiday cottages to expand existing B&B business following the demolition of existing outbuildings (Resubmission)	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Hazards & Pipelines,	
Applicant:	Mr Nick Pollett	
Expiry Date:	16th April 2014	
Case Officer:	Daniel Stone	

DECISION Overturned – Delegate to PERMIT Subject to Unilateral Undertaking and conditions

Item No:	07	
Application No:	14/01943/FUL	
Site Location:	Bathway House, 144 London Road West, Lower Swainswick, Bath	
Ward: Lambridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 2no detached dwellings and associated landscape works	
Constraints:	Agric Land Class 1,2,3a, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Greenbelt, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,	
Applicant:	Mr Andrew Pegler	
Expiry Date:	4th August 2014	
Case Officer:	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 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 occupation of the development, plans showing the works to improve the visibility at the existing junction shall be submitted to and approved in writing by the local planning authority. The works shall then be carried out prior to the occupation of the permitted dwellings.

Reason: In the interests of highway safety.

4 Prior to the commencement of the development details of the proposed method of drainage of the site shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the details so approved.

Reason: In the interests of highway safety

5 No development shall take place until an annotated 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 and details within the approved document implemented as appropriate. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan should also take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

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

6 No development shall commence 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 tree planting specification to include numbers, density, size, species and positions and a programme of implementation.

Reason: To mitigate the loss of trees for the development. In the interests of the appearance of the development and the surrounding area.

7 All 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

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

Reason: To ensure the safe operation of the highway.

9 The areas 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 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.

Item No:	08
Application No:	14/00958/VAR
Site Location:	St James Surgery , 8 - 9 Northampton Buildings, Lansdown, Bath
Ward: Kingsmead	Parish: N/A LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of condition 6 of application 08/04692/FUL. (Erection of a new surgery annexe (Use Class D1) and first floor apartment (Use Class C3) following demolition of garages)
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,
Applicant:	St James' Surgery
Expiry Date:	1st August 2014
Case Officer:	Alice Barnes

DECISION Overturned – REFUSED. Reasons: Parking/access issues and building not ancillary to the existing use

Item No:	09
Application No:	14/01542/FUL
Site Location:	135 Englishcombe Lane, Southdown, Bath, Bath And North East Somerset
Ward: Oldfield	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a new dwelling
Constraints:	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,
Applicant:	Mr Sam Sardo
Expiry Date:	27th May 2014
Case Officer:	Tessa Hampden

DECISION REFUSE

1 The development, due to the unacceptable siting, scale and design, would form an incongruous proposal that would be at odds with the established pattern of development in the area, appearing cramped in the street scene and would have a resultant harmful impact upon the character and appearance of the area. The development would therefore be contrary to saved policies D2 and D4 of the of the Bath and North East Somerset Local Plan - 2007 and policy CP6 of the Core Strategy July 2014

PLANS LIST:

01 Apr 2014	353-S-01	LOCATION PLAN
28 May 2014	353/P/00 A	SITE PLAN
28 May 2014	353/P/03 A	PROPOSED EAST ELEVATION
28 May 2014	353/P/04 A	PROPOSED WEST ELEVATION
28 May 2014	353/P/05 A	PROPOSED SOUTH ELEVATION
28 May 2014	353/P/06 A	PROPOSED NORTH ELEVATION
28 May 2014	353/P/07 A	PROPOSED STREET ELEVATIONS
28 May 2014	353/S/01 A	LOCATION PLAN

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 proposal was considered unacceptable for the reasons given and the applicant 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 the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	10
Application No:	14/01624/FUL
Site Location:	Charnwood House, Rankers Lane, Compton Dando, Bristol
Ward: Farmborough	Parish: Compton Dando LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of extension to garage to form car ports and store
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt,
Applicant:	Mr Neil Saunders
Expiry Date:	1st August 2014
Case Officer:	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:

CHBS394JY-1 C
CHBS394JY-2
CHBS394JY-1 B

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 Committee took a positive view of the submitted proposals and the application was approved.

Item No:	11	
Application No:	14/02319/FUL	
Site Location:	3 High Street, Wellow, Bath, Bath And North East Somerset	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Full Application	
Proposal:	Erection of rear single storey extension, attic conversion and roof alterations with conservation lights	
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building,	
Applicant:	Mr Chris Watt	
Expiry Date:	15th July 2014	
Case Officer:	Stuart Ashford	

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:

This decision relates to site location plan and drawing numbers 2557-02B and 2557-04 all received on 19 May 2014. Drawing numbers 2557-J-01, 2557-J-02 and 2557-05 Rev B all received on 17 June 2014. Drawing numbers 2557-J-03 Rev G and 2557-J-03 Rev G both received on 3 July 2014.

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.

Item No:	12	
Application No:	14/02384/LBA	
Site Location:	3 High Street, Wellow, Bath, Bath And North East Somerset	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Internal and external alterations to include the erection of single storey rear extension, attic conversion, alterations to roof, installation of conservation lights, removal of modern internal wall and lining wall, reposition of modern staircase to first floor and installation of new staircase to roof space.	
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building,	
Applicant:	Mr Chris Watt	
Expiry Date:	12th August 2014	
Case Officer:	John Davey	

DECISION CONSENT

1 The works hereby approved shall be begun before the expiration of three years from the date of this consent

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Notwithstanding the submitted drawings of the casement window joinery and stone details, large scale details of the casement windows, including the thickness of glazing and its method of fixing are to be submitted to the local planning authority for agreement in writing.

Reason: To safeguard the character and appearance of the listed building.

3 Prior to commencement of development full details of the proposed treatment and repair methods for fireplace openings, including any surrounds are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the character and appearance of the listed building.

4 Prior to commencement of development large scale detailed drawings of the new staircases are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the internal character and appearance of the listed building.

5 Prior to commencement of development large scale details of the roof lights are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the character and appearance of the listed building.

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

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

PLANS LIST:

This decision relates to the Heritage Statement, Design and Access Statement, Photographs, site location plan and drawing numbers 2557-02B and 2557-04 all received on 19th May 2014, 2557-J-01, 2557-J-02 and 2557-05 Rev B all received on 17th June 2014 and 2557-J-03 Rev G and 2557-J-03 Rev G both received on 3rd July 2014.

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 proposals was taken and consent was granted.

Item No:	13	
Application No:	14/01866/FUL	
Site Location:	Land And Buildings To Rear Of 1-7 High Street, Mill Hill, Wellow, Bath	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Full Application	
Proposal:	Conversion of former farm buildings to form 1No. dwelling with associated works. (Resubmission with revisions of 13/02812/FUL)	

Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building,
Applicant:	Mr Chris Watt
Expiry Date:	9th July 2014
Case Officer:	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 be commenced until a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

3 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.

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

(i) Details of replacement bat roosts and additional bat roost provision including bat tubes and boxes and specifications and methods for their incorporation into the fabric of the building where applicable

(ii) Details of bat friendly lighting, demonstrating avoidance of light spill onto roosts and provision of dark corridors for commuting bats

(iii) Details of wildlife friendly planting and other ecological enhancements as appropriate

Reason: In the interests of the ecology of the area.

5 The development hereby permitted shall be carried out only in accordance with the approved Wildlife Mitigation and Enhancement Scheme, and the approved Bat and Bird Survey (ACE Consulting dated 29th August 2012 and CTM Wildlife Ltd Bat Survey dated July 2013) or any amendment to these documents as approved in writing by the Local Planning Authority. The works shall be carried out prior to the occupation of any part of the development.

Reason: In the interests of the ecology of the area.

6 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 any 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.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority to safeguard the amenities of the surrounding area.

8 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 garages or other free standing buildings shall be erected within the curtilage of the dwelling(s) hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

Reason: The introduction of further curtilage buildings requires detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of the surrounding area.

9 Provision shall be made within the site for the disposal of surface water. Details of which including the means of outfall shall be submitted to, and approved in writing by the Local Planning Authority prior to construction.

Reason: In the interests of Flood Risk Management.

10 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 of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety

11 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.

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:

This decision relates to The Bat and Bird Survey, Tree Survey and Subterranean pool methodology date stamped 22nd April 2014 and drawing no's 2544-17A, 2544-02C, 2544-03I, 2544-05G, 2544-07D, 2544-08A, 2544-09A, 2544-0210A, 2544-11B, 2544-12A, 2544-15B, 2544-16B, 2544-S-02A, 2544-S-03A, 2544-SK-01H, 2544-SK-02, 2544-SK-03, 2544-S-04a, 2544-SK-05B, 2544-17A, 12654-200-001 date stamped 14th May 2014.

ADVICE NOTE:

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

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.

Item No:	14	
Application No:	14/01867/LBA	
Site Location:	Land And Buildings To Rear Of 1-7 High Street, Mill Hill, Wellow, Bath	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Internal and external alterations to facilitate conversion of former farm buildings to 1 no. dwelling. (Resubmission with revisions of 13/02813/LBA)	
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building,	
Applicant:	Mr Chris Watt	
Expiry Date:	9th July 2014	
Case Officer:	Rebecca Roberts	

DECISION CONSENT

1 The works hereby approved shall be begun before the expiration of three years from the date of this consent

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Prior to the re-pointing of existing external walls a sample of the lime pointing to be undertaken and details of the areas of wall to be re pointed shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved sample.

Reason. To safeguard the character and appearance of the listed buildings.

3 Prior to the erection of the new walls a sample panel of natural limestone stonework shall be constructed on site to show type, bonding, and pointing with a lime based mortar, to be agreed in writing by the local planning authority . The works shall be undertaken in accordance with the approved specification of works.

Reason. To safeguard the character and appearance of the listed buildings.

4 Prior to commencement of the extension works full structural details of the method for supporting the existing barn structure shall be submitted to and agreed in writing by the local planning authority.

Reason: To avoid damage to the structural integrity of the listed building.

5 Prior to re-cladding the roofs of the listed buildings a sample of the clay tiles to be used shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved sample of roof tile.

Reason. To safeguard the character and appearance of the listed buildings.

6 Prior to commencement of the works large scale details of the roof lights are to be submitted to the local planning authority for approval in writing.

Reason. To safeguard the character and appearance of the listed buildings.

7 Prior to the fitting of any external vents, gas or electricity meter inspection boxes details of their appearance and location on the buildings shall be submitted to and agreed in writing by the local planning authority .

Reason: To safeguard the character and appearance of the listed buildings.

8 Prior to the fitting of the external joinery, details of the final colour finish shall be submitted and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

Reason. To safeguard the character and appearance of the listed buildings.

9 Prior to works commencing on the existing floors and interior walls of the listed buildings a detailed specification of works to include existing and proposed finishes shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved specification of works.

Reason. To safeguard the character and appearance of the listed buildings

10 Prior to repair works to the first floor and roof structure in the stables and the roofs of the barn and the forge, a detailed specification of works shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

Reason. To safeguard the character and appearance of the listed buildings.

11 Prior to commencement of the works full details of the proposed mezzanine in the barn shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

Reason: To safeguard the appearance and character of the listed building.

12 Prior to commencement of works to construct the swimming pool, details of the pool surround and any associated structures or boundary treatment shall be submitted to and agreed in writing by the local planning authority.

Reason: To safeguard the appearance, character and setting of the listed buildings.

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

(i) Details of replacement bat roosts and additional bat roost provision including bat tubes and boxes and specifications and methods for their incorporation into the fabric of the building where applicable

(ii) Details of bat friendly lighting, demonstrating avoidance of light spill onto roosts and provision of dark corridors for commuting bats

(iii) Details of wildlife friendly planting and other ecological enhancements as appropriate

Reason: In the interests of the ecology of the area.

14 The development hereby permitted shall be carried out only in accordance with the approved Wildlife Mitigation and Enhancement Scheme, and the approved Bat and Bird Survey (ACE Consulting dated 29th August 2012 and CTM Wildlife Ltd Bat Survey dated July 2013) or any amendment to these documents as approved in writing by the Local Planning Authority. The works shall be carried out prior to the occupation of any part of the development.

Reason: In the interests of the ecology of the area.

15 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 Bat and Bird Survey, Tree Survey and Subterranean pool methodology date stamped 22nd April 2014 and drawing no's 2544-17A, 2544-02C, 2544-03I, 2544-05G, 2544-07D, 2544-08A, 2544-09A, 2544-0210A, 2544-11B, 2544-12A, 2544-15B, 2544-16B, 2544-S-02A, 2544-S-03A, 2544-SK-01H, 2544-SK-02, 2544-SK-03, 2544-S-04a, 2544-SK-05B, 2544-17A and 12654-200-001 date stamped 14th May 2014.

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 consent was granted.

ADVICE NOTE:

When a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to an approved application, or where a request to discharge conditions is submitted, it will assist the Local Planning Authority if the 1APP standard form is used. The form is available from the Planning Portal at

www.planningportal.gov.uk. Requests can be submitted via the Planning Portal or sent direct to the Registration Team, Planning Services, PO Box 5006, Bath, BA1 1JG.