

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 24th September, 2014

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

Also in attendance: Councillor Nathan Hartley

48 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

49 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

50 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There was an apology for absence from Councillor Patrick Anketell-Jones whose substitute was Councillor Brian Webber

51 DECLARATIONS OF INTEREST

There was none

52 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

The Chair informed members of the public that the planning applications at Cleveland House, Bathwick (Items 2 and 3, Report 10) and land opposite 199 Bailbrook Lane, Lower Swainswick (Item 4, Report 10) had been withdrawn from the Agenda and would not be considered at this meeting.

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

The Senior Democratic Services Officer informed the meeting that there were a few people wishing to make statements on planning applications and that they would be able to do so when reaching their respective items in Reports 9 and 10 on the Agenda.

54 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There was none

55 MINUTES: 3RD SEPTEMBER 2014

The Minutes of the previous meeting held on 3rd September 2014 were approved as a correct record and were signed by the Chair

56 SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- The report of the Group Manager – Development Management on various planning applications
- An Update Report by the Group Manager on Item 2, a copy of which is included in the Minutes as *Appendix 1*
- Oral statements by members of the public etc. on Item Nos. 1 and 2, the Speakers List being attached as *Appendix 2* to these Minutes

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

Item 1 Land adjacent to Tree Tops, Firgrove Lane, Peasedown – Erection of straw bale, timber framed living/work unit (Retrospective) – The Case Officer reported on this application and his recommendation to refuse permission.

The applicant made a statement in favour of the proposal. The Ward Councillor Nathan Hartley then made a statement in support of the application. Councillor Manda Rigby informed the meeting that the other Ward Councillor Sarah Bevan couldn't attend the meeting but also supported the proposal.

Councillor Malcolm Lees sought clarification on whether the site was outside the Green Belt. The Group Manager confirmed that the site was indeed outside the Green Belt and, though adjacent to it, would not impact on its setting.

Councillor Dave Laming moved that the recommendation be overturned and that permission be granted. The motion was seconded by Councillor Malcolm Lees.

Members debated the motion. Councillor Les Kew opened the debate. He stated that the development was outside the housing development boundary and a green field site and queried whether anyone with a bit of land being used for some agricultural purpose could be granted permission for a dwelling. Although he had sympathy with the applicant, this was a policy issue and it would set a dangerous precedent if permission was granted. The Group Manager agreed that there was a consistency issue. There was an obligation for the applicant to demonstrate that an agricultural use required that workers or a family live on the site. An Agricultural Appraiser had been appointed who advised that the use did not generate the need for someone to live on the site. The Development Plan needed to be taken into consideration as to whether this was an essential use and this application did not meet that test. If the

application was refused, the Council would need to consider if it was expedient to take enforcement action and an enforcement report would be formulated for consideration by Committee. If enforcement action was approved, there would be an amount of time for the occupants to find alternative accommodation. Regarding a few queries by Members regarding building regulations approval, measures to avoid setting a precedent and rearing alpacas on the site, the Group Manager stated that building regulations were not for consideration at this meeting; it would be very difficult to grant permission without setting a precedent; and specialist advice would be required regarding alpacas which at the moment was a hypothetical issue.

Members continued to debate the motion. It was suggested that a personal permission could be granted to prevent occupancy in the future by anyone else other than the applicant. Also, a temporary permission for up to 5 years could be granted. It was pointed out that if permission was refused, the applicant could appeal against the decision. Reference was made to an apparently similar development at Bathampton but it was pointed out that, in that case, the applicant was a traveller with health issues. It was generally felt by Members that there were good policy reasons for refusing permission. The reasons for overturning the recommendation were discussed. It was felt that the development created a carbon free environment and that an alternative lifestyle should be supported. The motion was put to the vote. Voting: 3 in favour and 7 against with 3 abstentions. Motion lost.

It was therefore moved by Councillor Bryan Organ and seconded by Councillor Vic Pritchard to refuse permission as recommended by Officers. Voting: 7 in favour and 3 against with 3 abstentions. Motion carried.

Item 2 Rentokil Tropical Plants, Pipehouse Nursery, Pipehouse, Freshford – Erection of 10 dwellings, including access road, car parking and hardstanding, landscaping and associated works and services following demolition of existing buildings and structures – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure various provisos relating to Transport and accessibility, Affordable housing, Open space and recreational facilities, Education and Protection of boundary hedges; and (B) subject to the prior completion of the above Agreement, authorise the Group Manager to grant permission subject to conditions (or such conditions as may be appropriate).

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

Councillor Neil Butters, the Ward Member on the Committee, referred to the Neighbourhood Plan and the provision of affordable housing (which this development would provide). However, he had issues with the proposal as regards the windows, the access from a narrow lane and its unsustainability regarding shops and public transport facilities being a distance away. On this basis, he moved that the recommendation be overturned and permission be refused. The motion was seconded by Councillor Brian Webber.

In response to a Member's query, Officers provided information regarding the number of dwellings to the acreage and potential percentages on affordable housing based on the size of the development. The motion was debated and found some support amongst Members. It was felt that the site was long and thin like a "finger" pointing into the countryside. Too many houses were proposed and 3 or 4 may be

more appropriate. It was considered to be overdevelopment. There were also issues of traffic and pedestrian safety. Affordable housing issues were discussed and some Members felt that this was not the best site for such development. Concern was expressed regarding refuse and recycling bins and their collection. The Group Manager stated that, if permission was granted, details could be negotiated with the applicant. He outlined the reasons for refusal as discussed by Members. After commenting on the application, the Chair put the motion to the vote. Voting: 6 in favour and 7 against. Motion lost.

Councillor Bryan Organ therefore moved the Officer recommendation including details to be provided on bin storage and collection. The motion was seconded by Councillor Rob Appleyard. On being put to the vote, the motion was carried, 7 voting in favour and 6 against.

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

The Committee considered

- a report by the Group Manager – Development Management on various planning applications
- an oral statement on Item 1, the Speakers List being attached as *Appendix 2* to these Minutes

RESOLVED that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached as *Appendix 4* to these Minutes.

Item 1 The Chase, Rectory Lane, Compton Martin – Erection of single storey extension and alterations to the footprint (Retrospective) – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. She reported on further submissions received.

The applicant made a statement in favour of the proposal.

Councillor Vic Pritchard raised various queries to which the Case Officer responded. After a point of clarification, Councillor Malcolm Lees moved the Officer recommendation to refuse permission which was seconded by Councillor Dave Laming.

Members debated the motion. Various queries were raised to which the Case Officer replied. The Group Manager stated that whether or not the extension could be seen from the road was a matter that should be taken into account. Members generally felt that the increased size was minor and would have been granted permission if the proposal had been submitted in its current form.

The motion was put to the vote and was carried, 9 voting in favour and 1 against with 3 abstentions.

Items 2 and 3 Cleveland House, Sydney Road, Bathwick, Bath – Erection of a single storey side extension and first floor terrace, including internal alterations, demolition of existing single storey extension (Revised proposal) (Ref 14/01380/FUL); and Internal and external alterations to include the

erection of a single storey side extension and first floor terrace, following demolition of existing single storey extension (Ref 03181/LBA) – These applications were withdrawn from the Agenda and were not considered

Item 4 Land opposite 199 Bailbrook Lane, Lower Swainswick, Bath – Erection of 2 detached dwellings with retained open space – This application was withdrawn from the Agenda and was not considered

Item 5 Abbots Barn, Cameley Lane, Hinton Blewett – Erection of 1 dwelling house (Outline application with some matters reserved) – The Case Officer reported on this application and her recommendation to refuse permission.

The Ward Councillor Tim Warren made a statement on the application.

Councillor Malcolm Lees moved the Officer recommendation which was seconded by Councillor Dave Laming.

It was agreed that there were strong planning policies on which to refuse permission.

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

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

The report was noted

The meeting ended at 4.25 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

Date

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

ITEM

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
2.	14/01495/FUL	Rentokil Tropical Plants, Pipehouse Nursery, Pipehouse Lane, Freshford
1.	Revisions to recommendation for clarity, following comments from our legal team: (Amended / additional text in Bold , deleted text struck-through .)	
	“RECOMMENDATION	
	Authorise the Divisional Director, Development to PERMIT subject to condition (s)	
	A. Authorise the Planning and Environmental Law Manager to enter into a Section 106 Agreement to secure:”	
2.	Change to requirement 1. (Transport and Accessibility) of Legal agreement to read:	
	“1. The provision in perpetuity of a public footpath to provide a traffic free pedestrian route from the site to the junction of Pipehouse Lane and Warminster Road and contributions of £19,000 to fund any associated admin costs and construction costs, any unused funds to be returned to the developer. Third party compensation to the landowner is to be paid by the developer. ”	

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**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 24TH
SEPTEMBER 2014**

SITE	NAME/REPRESENTING	FOR/AGAINST
SITE VISITS – REPORT 9		
Land adjacent to Tree Tops, Firgrove Lane, Peasedown (Item 1, Pages 43-48)	Zoe Hawes (Applicant)	For
Rentokil Tropical Plants, Pipehouse Nursery, Pipehouse, Freshford (Item 2, Pages 49-71)	Roger Paine, Vice Chairman, Freshford Parish Council	Against
	Ann Ross (representing Pipehouse residents)	Against
	Martyn Stutchbury, Stutchbury Associates (Applicants' Agents)	For
MAIN PLANS LIST – REPORT 10		
The Chase, Rectory Lane, Compton Martin (Item 1, Pages 75-80)	Mrs Jamie Linegar (Applicant)	For

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BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

24th September 2014

SITE VISIT DECISIONS

Item No:	001	
Application No:	14/01261/FUL	
Site Location:	Land Adjacent To Tree Tops, Firgrove Lane, Peasedown St. John, Bath	
Ward: Peasedown St John	Parish: Peasedown St John	LB
Grade: N/A		
Application Type:	Full Application	
Proposal:	Erection of straw bale, timber frame, living/work unit. (Retrospective)	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt,	
Applicant:	Mrs Zoe Hawes	
Expiry Date:	13th May 2014	
Case Officer:	Andy Pegler	

DECISION REFUSE

1 The development is sited in an unsustainable location, beyond any designated development boundary. No essential need has been demonstrated to justify an exception to the presumption against such development. The development is therefore contrary to saved Policy HG.10 of the Bath & North East Somerset Local Plan 2007; and Policy SV1(1) of the Core Strategy 2014.

2 The development generates additional traffic, via a sub-standard access, onto a sub-standard road network, to the detriment of the interests of highway safety. The development is therefore contrary to saved Policies T.1 and T.24 of the Bath & North East Somerset Local Plan 2007.

3 The introduction of a residential unit, together with the associated structures, parking and other residential paraphernalia has had, and would likely continue to have, a detrimental impact upon the area's prevailing/pre-existing landscape character. The development is therefore contrary to saved Policy NE.1 of the Bath _ North East Somerset Local Plan 2007; and Policy SV1(1) of the Core Strategy 2014.

PLANS LIST:

This decision relates to the Location plan; floor plans; elevations and section (all un-numbered) dated 18th March 2014.

DECISION TAKING STATEMENT:

In determining this application the Local Planning Authority is mindful of the aims of paragraphs 186 and 187 of the National Planning Policy Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. This application is however retrospective and there has been no opportunity for pre-application dialogue. The applicant has been afforded the opportunity to respond to expressed concerns; and the application was brought before Committee for a decision at the earliest opportunity. The proposal was considered unacceptable for the reasons given.

Item No:	002	
Application No:	14/01495/FUL	
Site Location:	Rentokil Tropical Plants Pipehouse Nursery, Pipehouse, Freshford, Bath	
Ward: Bathavon South	Parish: Freshford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 10 no. dwellings, including access road, car parking and hardstanding, landscaping and associated works and services following demolition of existing buildings and structures.	
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, Mineral Consultation, MOD Safeguarded Areas,	
Applicant:	Belgravia Land Ltd	
Expiry Date:	23rd July 2014	
Case Officer:	Daniel Stone	

DECISION Delegate to PERMIT

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

Transport and Accessibility

1. The provision in perpetuity of a public footpath to provide a traffic free pedestrian route from the site to Warminster Road and contributions of £19,000 to fund any associated admin costs and construction costs, any unused funds to be returned to the developer. Third party compensation to the landowner is to be paid by the developer.

Affordable Housing

2. The provision, on site of 40% Affordable Housing

Open Space and Recreational Facilities

3. Contributions £17,769.96 being provided towards the enhancement of existing Formal green space provision and the provision and construction of Allotments.

Education

4. Contributions of £34,029.88 being secured to provide primary age places and youth provision.

Protection of boundary hedgerows

5. The applicant and subsequent house owners backing onto the eastern hedge boundary, northern shall commit:

a. To not cut back the hedgerow on the eastern boundary of the site beyond the line of the post and wire fence forming the boundary of the Property and not to reduce the height of such hedgerow below 2.5 metres nor the width of it below 5 metres.

b. To maintain the hedgerow [shown [] on the Plan] in so far as it forms the boundary of the Property and carry out such pruning or cutting as may be necessary (subject always to the covenants in clause [] above) and where within a period of five years from the date of the development being completed such hedgerow dies, is removed, becomes seriously damaged or diseased to replace the same within 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.

These commitments are to be written into covenants to be placed on each of the plots abutting the hedgerows.

B. Subject to the prior completion of the above agreement, authorise the Group Manager to PERMIT subject to the following conditions (or such conditions as may be appropriate):

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 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

* human health,

* property (existing or proposed) including buildings, crops, livestock, pets, woodland and

service lines and pipes,

* adjoining land,

* groundwaters and surface waters,

* ecological systems,

* archaeological sites and ancient monuments;

(iii) (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: 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.

3 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: 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.

4 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: 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.

5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a

remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

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.

6 No development shall take place until full details of a Wildlife Protection and Enhancement

Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

- (i) Method statement for precautionary measures to avoid harm to reptiles, nesting birds, small mammals and other wildlife during site clearance and construction work
- (ii) Details of any proposed new external lighting demonstrating that it is wildlife-friendly and demonstrating dark corridors at the vegetated site boundaries
- (iii) Details and findings of pre-commencement checks at the site including precommencement checks for badger activity
- (iv) Details of soft landscaping to incorporate native planting, to include details with specifications, locations and numbers of all habitat features including bird and bat boxes and all other measures to enhance the scheme for wildlife as set out in the approved Ecological Impact Assessment dated March 2014

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

Reason: to avoid harm to and replace habitat for wildlife and protected species

7 No demolition, site preparation or development shall take place until an arboricultural method statement (AMS) and 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 AMS shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The AMS 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. It shall include site supervision, completion certificates and the appointment of an arboricultural consultant.

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

8 No development 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.

9 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.

10 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 or enlargement of dwellings 5, 6 and 10 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 adjoining retained trees.

11 Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include hours of operation, details of the management of deliveries (including unloading and storage arrangements and timing of deliveries), contractor parking, traffic management and wheel washes. The development shall be carried out in full accordance with the agreed construction management plan.

Reason: To minimise disruption to Pipehouse Lane (which is a no through road), ensure the safe operation of the highway and protect the amenity of surrounding residents.

12 Prior to the commencement of development details shall be submitted to and agreed of cycle parking provision for plots 1 - 4. These areas shall be secure, sheltered and shall not be used other than for the parking of cycles in connection with the development hereby permitted, and shall be provided prior to the first occupation of the development and thereafter retained.

Reason: In the interests of sustainable development.

13 Sample panels of all the external materials and finishes and demonstrating coursing, jointing and pointing to the masonry and all hard paved surfaces (including roads and footpaths) are to be erected on site and shall be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in full accordance with the approved details and sample panels and the Sample

Panels shall be retained on site until the development is complete. For the avoidance of doubt the boundary walls fronting onto Pipehouse Lane (plots 1 - 5) shall be constructed as natural dry stone walls.

Reason: To ensure that the external appearance of the development is satisfactory in order to protect the character and appearance of the Area of Outstanding Natural Beauty.

14 Prior to the commencement of development Infiltration test results and soakaway design calculations to BRE Digest 365 standard and drawings of the proposed soakaway designs should be submitted to and approved by the local planning authority. Should infiltration test results prove that soakaways are not a viable way to discharge surface water then an alternative drainage strategy should be submitted to and approved by this office. The drainage should be constructed in full accordance with the details agreed.

Reason: To ensure the proposed soakaways are adequate to accept surface water discharges from the development in the interests of flood risk management and highway safety

15 Prior to their construction a full schedule of proposed boundary walls shall be submitted to and approved in writing by the local planning authority, detailing their height and construction. The development shall thereafter be carried out in accordance with the agreed details, prior to the first occupation of the dwellings.

Reason: To ensure the development is satisfactory in appearance and to ensure the security of the properties.

16 Notwithstanding the submitted details, prior to the commencement of development, full details shall be submitted to and approved in writing by the Local Planning Authority of the refuse store for plots 8 - 10 inclusive including its location, design, materials and appearance. The bin store shall be implemented in full accordance with the agreed details prior to the occupation of the dwellings hereby approved.

Reason: To ensure that satisfactory provision is made whilst protecting the amenity of adjoining residents and ensuring that the appearance of the development is acceptable.

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

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

PLANS LIST:

This decision relates to drawing nos

- Drawing 03989 TCP 29.05.2013 TREE SURVEY
- DRAWING 1402-PL01 SITE LOCATION PLAN
- Drawing 1243-CL02 REV A EXISTING WAREHOUSE BUILDING
- Drawing 1243-CL03 EXISTING WAREHOUSE BUILDING
- Drawing 1402-PL02 REV A CONTEXT PLAN
- Drawing 1402-PL03 REV B BLOCK PLAN

- PROPOSED REVISED SITE LAYOUT - Drawing 402-PL04 REV F
- Drawing 1402-PL05 REV A SITE CROSS SECTION & STREET SCENE
- PROPOSED GROUND FLOOR PLAN - PLOTS 1-4- DRAWING 1402-PL06 REV B
- PROPOSED FIRST FLOOR PLAN PLOTS 1-4- Drawing 1402-PL07 REV B
- PLOTS 1-4 ROOF PLANS DRAWING 1402-PL08 REV A
- PROPOSED FRONT ELEVATION - PLOTS 1-4 Drawing 1402-PL09 REV A
- PROPOSED REAR ELEVATION - PLOTS 1-4 Drawing 1402-PL10 REV A
- PROPOSED GROUND AND FIRST FLOOR PLANS - PLOT 5 - Drawing 1402-PL11 REV B
- PLOT 5 ROOF PLAN - Drawing 1402-PL12 REV A
- PROPOSED ELEVATIONS - PLOT 5 Drawing 1402-PL13 SHEET 1
- PROPOSED ELEVATIONS - PLOT 5 Drawing 1402-PL14 REV B - SHEET 2
- PROPOSED GROUND FLOOR PLANS - PLOTS 6 AND 7 - AMENDED PLAN - 1402-PL15 REV B PLOTS 6
- PROPOSED FIRST FLOOR PLANS - PLOTS 6 AND 7 - Drawing 1402-PL16 REV B
- PROPOSED ROOF PLAN - PLOTS 6 AND 7 - Drawing 1402-PL17 REV B
- PROPOSED ELEVATIONS SHEET 1 - PLOTS 6 AND 7 - Drawing 1402-PL18 REV C
- Drawing 1402-PL20 REV A PLOT 8 GROUND AND FIRST FLOOR PLANS
- Drawing 1402-PL21 PLOT 8 ROOF PLAN
- Drawing 1402-PL22 REV A PLOT 8 ELEVATIONS SHEET 1
- Drawing 1402-PL23 PLOT 8 ELEVATIONS SHEET 2
- Drawing 1402-PL24 PLOT 9 GROUND AND FIRST FLOOR PLANS
- Drawing 1402-PL25 REV A PLOT 9 ROOF PLAN
- Drawing 1402-PL26 REV B PLOT 9 ELEVATIONS SHEET 1
- Drawing 1402-PL27 PLOT 9 ELEVATIONS SHEET 2
- Drawing 1402-PL28 REV A PLOT 10 GROUND AND FIRST FLOOR PLANS
- Drawing 1402-PL29 REV A PLOT 10 ROOF PLAN
- Drawing 1402-PL30 REV A PLOT 10 ELEVATIONS SHEET 1
- Drawing 1402-PL31 PLOT 10 ELEVATIONS SHEET 2
- Drawing 1402-PL32 COVERED CAR PARKING
- Drawing 1402-PL33 SITE CROSS SECTION
- PROPOSED ELEVATIONS SHEET 2 - PLOTS 6 AND 7 - Drawing 1402-PL19 REV A
- REVISED TRACKING DIAGRAM SHOWING REFUSE VEHICLES - Drawing 2014 0493-001 REV B
- ECOLOGICAL IMPACT ASSESSMENT
- LANDSCAPE AND VISUAL IMPACT APPRAISAL
- SUSTAINABLE CONSTRUCTION CHECKLIST
- TRANSPORT STATEMENT

- Drawing 03 Apr 2014 1402-PL06 REV A SUPERCEDED - PLOTS 1-4 GROUND FLOOR PLAN...
- ARCHAEOLOGICAL DESK BASED ASSESSMENT
- GROUND CONDITIONS DESK STUDY
- PLANNING STATEMENT
- TREE SURVEY DATA SHEETS
- DRAWING 12/3971 TOPOGRAPHICAL SURVEY

Decision Taking Statement

The Council has worked proactively and positively with the applicants by negotiating to resolve outstanding issues prior to determining the application within an agreed timescale.

Code of Practice during construction

- 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

Informative in respect of condition 14 - Soakaway design

The tests required in respect of condition 14 are to confirm the viability of soakaways (and appropriate sizing). The Council's Flood Drainage team support the proposal to size soakaways to accommodate the 1in100 yr (+30%) rainfall events. The roof areas of the proposed plots are larger than 100m². Building regulations Part H, section 3 (3.30) specifies that soakaways serving an area of this size or greater should be built in accordance with BS EN 752-4 (paragraph 3.36) or BRE Digest 365 soakaway design. In particular the soakaway design should allow for future maintenance.

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BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

24th September 2014

DECISIONS

Item No:	01	
Application No:	14/00912/FUL	
Site Location:	The Chase, Rectory Lane, Compton Martin, Bristol	
Ward: Chew Valley South	Parish: Compton Martin	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of single storey extension and alterations to the footprint. (Retrospective).	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Housing Development Boundary, Water Source Areas,	
Applicant:	Mr & Mrs Linegar	
Expiry Date:	26th September 2014	
Case Officer:	Heather Faulkner	

DECISION PERMIT

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

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

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

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

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the side elevations (north east or south west) at any time unless a further planning permission has been granted.

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

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

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

PLANS LIST:

This decision is taken on the basis of the following drawing numbers:

Received 27th February 2014

2014/CHASE/01B

2014/CHASE/03A

2014/CHASE/04A

2014/CHASE/05A

2014/CHASE/07A

Received 7th May 2014

2014/CHASE/02 B

2014/CHASE/06A

Received 3rd July 2014

2014/CHASE/09/C

2014/CHASE/08 B

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 applicant sought pre-application advice prior to this application being submitted. For the reasons given above the application was recommended for approval.

Item No:	02	
Application No:	14/03180/FUL	
Site Location:	Cleveland House, Sydney Road, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: IISTAR
Application Type:	Full Application	
Proposal:	Change of use from B1 offices to C3 residential including the erection of a single storey side extension with first floor terrace including internal alterations following the demolition of the existing single storey lavatory block (Revised proposal).	
Constraints:	Airport Safeguarding Zones, Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Cycle Route, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Trevor Osborne Property Group	
Expiry Date:	5th September 2014	
Case Officer:	Sasha Coombs	

DECISION

Withdrawn from agenda

Item No:	03	
Application No:	14/03181/LBA	
Site Location:	Cleveland House, Sydney Road, Bathwick, Bath	
Ward: Bathwick	Parish: N/A	LB Grade: IISTAR
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Internal alterations and external alterations for the change of use from B1 offices to C3 residential including the erection of a single storey side extension with first floor terrace following the demolition of existing single storey extension lavatory block.	
Constraints:	,	
Applicant:	Trevor Osborne Property Group	
Expiry Date:	5th September 2014	
Case Officer:	Sasha Coombs	

DECISION

Withdrawn from agenda

Item No:	04	
Application No:	14/02756/FUL	
Site Location:	Land Opposite 199 Bailbrook Lane, Bailbrook Lane, Lower Swainswick, Bath	
Ward: Lambridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of two detached dwellings with retained open space	
Constraints:	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, Tree Preservation Order, World Heritage Site,	
Applicant:	Charlcombe Homes Ltd	
Expiry Date:	26th August 2014	
Case Officer:	Rebecca Roberts	

DECISION

Withdrawn from agenda

Item No:	05
Application No:	14/01721/OUT
Site Location:	Abbots Barn, Cameley Lane, Hinton Blewett, Bristol
Ward: Mendip	Parish: Hinton Blewett LB Grade: N/A
Application Type:	Outline Application
Proposal:	Erection of 1No dwelling house. (Outline application with some matters reserved)
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Conservation Area, Forest of Avon,
Applicant:	Mr Karl Royle
Expiry Date:	27th June 2014
Case Officer:	Rebecca Roberts

DECISION REFUSE

1 This application proposes the development of a greenfield site beyond the Housing Development Boundary for Hinton Blewett. The proposed development would be of limited benefit that would be greatly outweighed by the significant harm to and loss of a very attractive undeveloped space and the harm to the setting, character and appearance of the adjoining Conservation Area, contrary to Policies D.2, D.4, HG.10, BH.6 and NE.1 of the B&NES Local Plan 2007, which are saved policies in the adopted Core Strategy and policy RA2 of the Bath and North East Somerset adopted Core Strategy 2014.

2 The proposed development is located in a position that is remote from services and employment opportunities and is poorly served by public transport, it is therefore contrary to the key aims of Policy T.1 of the Bath & North East Somerset Local Plan (2007) which is a saved policy in the adopted Core Strategy (2014) and the National Planning Policy Framework, which seek to facilitate the use of sustainable modes of transport.

PLANS LIST:

This decision relates to drawing no's 8756-01, 8756-02, 8756-03, 8756-04 and 8756-05 date stamped 2nd 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 Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons 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.