

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

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

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

Wednesday, 22nd October, 2014

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

Also in attendance: Councillors Sally Davis, David Martin and Tim Warren

#### **59 EMERGENCY EVACUATION PROCEDURE**

The Senior Democratic Services Officer read out the procedure

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

A Vice Chair was not required

#### **61 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Neil Butters and Les Kew and their respective substitutes were Councillors Doug Nicol and Brian Webber

#### **62 DECLARATIONS OF INTEREST**

There was none

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

There was none

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

The Senior Democratic Services Officer informed the meeting of the public speaking procedure stating that people wishing to make statements on planning applications would be able to do so when reaching their respective items in Report 9 on the Agenda

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

There was none

#### **66 MINUTES: 24TH SEPTEMBER 2014**

The Minutes of the previous meeting held on Wednesday 24<sup>th</sup> September 2014 were approved as a correct record and signed by the Chair

## 67 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.
- An Update Report by the Group Manager on Item Nos. 1-4, a copy of which is attached to these Minutes as *Appendix 1*
- Oral statements by members of the public etc. on Item Nos. 1-8, a copy of 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 Temple Inn, Main Road, Temple Cloud – Mixed use development comprising a 10 bed letting rooms building, 9 residential dwellings and renovation of the existing public house** – The Planning Officer reported on this application and the recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure various provisos relating to Education, Open space and recreational facilities, Transport, Affordable housing, and Works to a listed building; and (B) subject to the prior completion of the above Agreement, authorise the Group Manager – Development Management to grant permission subject to conditions. She stated that the application had been approved (subject to a S106 Agreement) by the Committee at a time when the Core Strategy was not adopted. A decision notice had not been issued and the Core Strategy had now been adopted and therefore the Council was required to reassess the application in light of the policies in the Strategy. The relevant Core Strategy policies required the provision of affordable housing; however, the Council was not requiring affordable housing because Officers were satisfied that the scheme fell below accepted viability levels and would not be viable if an affordable housing contribution was required. The Update Report informed Members of receipt of further representations on the application.

The applicant's agent made a statement in favour of the proposal which was followed by a statement by the Ward Councillor Tim Warren.

It was queried whether the whole scheme was for consideration or just the aspect regarding affordable housing provision. The Team Manager – Development Management and the Principal Solicitor gave advice to the effect that, as there were no new issues since the earlier decision, the Committee would need sound planning reasons for reaching a different conclusion now. The only change concerned the requirement in the Core Strategy to provide affordable housing and Members were advised to focus on that issue. A Viability Assessment had been provided by the developer and had been independently assessed. The Assessment supported the developers' assertion that the provision of affordable housing would make the scheme unviable.

Councillor Bryan Organ considered the information provided and moved the Officer's recommendation which was seconded by Councillor Ian Gilchrist. After a short debate, the motion was put to the vote and was carried, 9 voting in favour and 3 against with 1 abstention.

**Item 2 Lower Tunley Farm, Stoneage Lane, Tunley – Part retention and adaptation of a general purpose agricultural storage building (partly retrospective)** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. The Update Report referred to an error in the Main Report which referred to the proposed building being sited further to the south of the AGRN building whereas it was to be sited further to the north.

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

Councillor David Veale, Ward Member on the Committee, stated that residents were concerned by this development and its dominant appearance. He considered that Members needed to view the scale of the building before making a decision and therefore moved that a Site Visit be held. The motion was not seconded.

Members discussed the development and sought clarification regarding the siting of the existing building and the building as approved. The Case Officer stated that the latter would provide a fall-back position should this application be refused. There was an Enforcement Notice for removal of the building subsequent to permission being refused previously and dismissed on appeal. She considered that, with the proposed modifications, the building would not be significantly larger than the approved building so as to warrant refusal of permission. A Member queried whether the time for commencing the work could be reduced from 3 years, as recommended in Condition 1, to 1 year. The Team Manager replied that, whilst this was possible, there was no reason to do so in this instance and a reduced period would not necessarily lead to the early removal of the unauthorised building.

Councillor Manda Rigby, after considering the information provided, moved that the Officer recommendation be overturned and permission be refused on the grounds of the size and mass of the building, it's siting close to the lane and the visual impact on the landscape. The motion was seconded by Councillor Doug Nicol.

After some further clarification about the application, the motion was put to the vote and was carried, 9 voting in favour and 2 against with 2 abstentions.

**Items 3&4 Cleveland House, Sydney Road, Bathwick, Bath – (1) 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) (Ref 14/03180/FUL); and (2) internal 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 (Ref 14/03181/LBA)** – The Case Officer reported on these applications and her recommendations to delegate to Officers to refuse permission/consent. She (1) referred to the Update Report which contained further representations on the application; (2) stated that the 21 day period for consulting on the applications expired the day after this meeting; and (3) informed Members that

the reference in the Main Report to the building being located within the designated City Centre of Bath should read "... outside the City Centre of Bath."

The public speakers made their statements against and in favour of the applications which was followed by a statement by the Ward Councillor David Martin in support of the proposals.

The Case Officer responded to the Chair's query regarding the height of the terrace on the extension. Councillor Rob Appleyard considered that this was a good scheme that restored the building and removed the 1960's extension. On this basis, he moved that the Officer's recommendation to refuse permission be overturned and that permission be granted. The motion was seconded by Councillor Martin Veal.

Members debated the motion. It was generally felt that the removal of the '60's extension was an improvement. However, several Members queried the merit of providing a roof terrace. The issue of whether the proposals preserved or enhanced the character of the Conservation Area was considered. Some Members considered that they did whereas other Members did not. The Team Manager stated that an extant planning permission could be implemented but, if Members had any doubts about how the current proposal might appear, a Site Visit could be held.

After considerable debate, the Chair put the motion to the vote. Voting: 6 in favour and 6 against with 1 abstention. The Chair used his second and casting vote against and therefore the motion was lost with 7 voting against. The same voting applied to the listed building application and was also lost.

Councillor Bryan Organ therefore moved that the applications be refused as recommended which was seconded by Councillor Doug Nicol. The motions were put to the vote and were lost, 4 voting in favour and the majority against.

Councillor Rob Appleyard therefore moved that consideration of these applications be deferred for a Site Visit which was seconded by Councillor Manda Rigby. The motions were put to the vote and were carried, 6 voting in favour and 2 against with 5 abstentions.

(Note: After this decision at 3.55pm, the Committee adjourned for 10 minutes for a natural break)

**Item 5 Greenlands, Bath Road, Farmborough – Erection of detached garage and creation of new driveway and provision of acoustic fence; provision of additional patio doors and WC window to bungalow (Resubmission) –** The Case Officer reported on this application and her recommendation to grant permission subject to conditions. She stated that a further condition would need to be added.

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

Councillor Doug Nicol moved that consideration be deferred for a Site Visit as the situation needed to be viewed on the ground and in the context of its surroundings. The motion was seconded by Councillor Malcolm Lees.

The motion was put to the vote and was carried, 8 voting in favour and 0 against.

**Item 6 Week Cottage, Combe Hay Lane, Combe Hay – Erect a 2 storey rear extension to include external and internal alterations to the existing cottage –**  
The Case Officer reported on this application and her recommendation to refuse permission.

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

Councillor David Veale, Ward Member on the Committee, stated that this was a small cottage and needed to be extended for modern family living.

Councillor Doug Nicol agreed and moved that the Officer recommendation be overturned and permission granted. The motion was seconded by Councillor Rob Appleyard.

Members debated the motion. In response to comments, the Case Officer stated that an increased size of 1/3 in the Green Belt was generally considered acceptable whereas this proposed extension provided a 63% increase in volume. She also advised that there was a typographical error in the Report as the property had not been extended since 1948. Members considered the proposed materials. Councillor Vic Pritchard considered that stone should be used for the whole scheme rather than cedar boarding on the rear elevation. Some Members disagreed with this viewpoint. The Team Manager suggested that the motion be amended to delegate to Officers to grant permission subject to appropriate conditions. This was accepted by the mover and seconder. He stated that very special circumstances needed to be demonstrated regarding this proposal in the Green Belt. He therefore suggested that, having listened to the debate, the Committee considered these to be that this was a modest house which required extending for modern day living standards without which it would fall into disrepair; and the extension being sunk into the bank would be unobtrusive and not visible from public viewpoints. The mover and seconder agreed with this summary. It was decided that authority be delegated to the Officers to negotiate details of materials.

The amended motion was put to the vote and was carried, 9 voting in favour and 4 against.

**Item 7 Janton, Eckweek Lane, Peasedown – Erection of detached bungalow –**  
The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

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

In response to a Member's query, the Team Manager – Development Management stated that the application site could be considered as back land development but it is not defined as previously developed land. It was in the housing boundary and issues for consideration were the impact on amenity and highways – each application had to be considered on its own merits.

Councillor Rob Appleyard considered that this was opportunistic development on a small site. He considered that a Site Visit should be held to consider the proposal in

the context of its surroundings and moved accordingly. The motion was seconded by Councillor Doug Nicol.

Members debated the motion. Some Members felt that this was overdevelopment and would affect the amenity space of adjoining properties. The motion was put to the vote and was lost, 4 voting in favour and 9 against.

Councillor Dave Laming moved that permission be refused on the grounds of overdevelopment and loss of amenity to adjoining properties. The motion was seconded by Councillor Malcolm Lees. The Chair suggested that the poor substandard access should be included as a reason for refusal which was accepted by the mover and seconder.

The motion was then put to the vote. Voting: 11 in favour and 2 against. Motion carried.

**Item 8 Lower Lodge, Kelston Road, Kelston – Construction of a pitched roof to accommodate new staircase, 2 new bedrooms and bathroom, 3 dormer windows and 1 dormer doorway with associated balcony, 1 cat slide dormer to high level window and 1 conservation roof light to include internal accommodation and fenestration alterations** – The Case Officer reported on this application and her recommendation to refuse permission. She reported the receipt of a letter of support on the application.

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

Councillor Martin Veal, Ward Member on the Committee, read out a statement on behalf of the other Ward Councillor Geoff Ward who supported the proposal. Councillor Veal gave his own views on the proposed development. He considered that the openness of the Green Belt was not affected as the footprint was unchanged. It was a sympathetic design benefitting the existing property and would provide a local family with modern day living standards. No objections had been raised. On this basis, he moved that the Officer recommendation be overturned and permission be granted. The motion was seconded by Councillor Doug Nicol.

Members debated the motion. It was generally considered that there would not be any impact on the openness of the Green Belt and the design would not significantly affect the appearance of the building in this part of the AONB. The Team Manager – Development Management suggested that the motion be amended to delegate to Officers to grant permission subject to appropriate conditions which was accepted by the mover and seconder.

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

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

The report was noted

The meeting ended at 5.40 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**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
1	13/04456/FUL	Temple Inn Main Road Temple Cloud BS39 5DA

Further objection received from Mr. Michael Dean:

In connection with planning application 13/04456/FUL, to be heard on the 22nd October 2014, we would still like to object strongly on the following grounds:

Mainly CP6 Environmental Quality: 1. Three Storey Town Houses, Four Bedrooms with only two parking spaces each represents **insufficient parking**. There are too many accesses to driveways in Temple Inn Lane on this side of the road which the school children use.

2. The design of these houses are more like inner town houses than village houses, and they are not in any way in keeping with any surrounding houses – **there are no three storey houses in this area**.

3. With the refurbishment of the Public House and the building of the 10 bedroom hotel block there is definitely **insufficient parking** and if cars do park in Temple Inn Lane as has been suggested by the developers, it will be utter chaos, with the 40 foot HGV'S and school coaches which use this road.

To alleviate the above problems, we feel as though the two town houses should be forfeited to create extra parking and also a small area given over to a garden, which a country pub needs for success, and the access for this created through the existing site, i.e. cutting out all access from Temple Inn Lane. This would also alleviate the problems with vehicles leaving the car park late at night, with car headlights shining into houses opposite. This would be a lot more environmentally friendly.

Further comments from Kate Atkinson – Chair of Cameley Parish Council commenting in a personal capacity:

A major reason for the refusal of the application on the Temple Inn Lane site (13/03562/OUT) was concerns about the junction of A37 and Temple Inn Lane; decision copied below.

*The traffic generated from this proposal would use the junction of Temple Inn lane with the A37.*

*By virtue of the high traffic levels and congestion problems on the A37 and substandard visibility splays, the junction is considered unsuitable to accommodate the increase in traffic from this development and would be likely to lead to additional hazards and conflict with all users of the highway. As such, the proposed development would be contrary to saved policies T.1 (2) and T.24*

*(i) of the Bath & North East Somerset Local Plan including minerals and waste policies Adopted*

*October 2007 and the guidance set out in the National Planning Policy Framework.*

The Temple Inn proposals envisage a pub car park for only 4 vehicles, if the letting rooms and pub are occupied, exiting close to the junction with the A37. Additional parking along Temple Inn Lane close to the junction mentioned above has been suggested as the car parking area for the pub. Two four bed houses with no garages and only two off-road parking spaces each are also included very close to this junction.

The current proposals will make the traffic situation at the junction much worse and it is hard to see how the current proposals can be accepted in the light of the Dev. Cttee's decision shown above.

Removing the two houses fronting onto Temple Inn Lane and replacing them with additional car parking and some outside space for the pub would seem to provide a solution. As the developers already own the site the land costs involved must be considerably smaller than an outside developer would face and contributions asked for by BANES via S106 are minimal. So it does not seem likely removal of the semi-detached houses would make the scheme unviable, although I accept it may be less profitable.

**Item No. 2    Application No.    14/02887/FUL**

**Address**

Lower Tunley Farm  
Stoneage Lane  
Tunley  
Bath  
BA2 0DS

The report refers to the proposed building being sited further to the south than the AGRN building. This should however refer to being sited further to the north.

**Item No. 3 and 4    Application No. 14/03180/FUL and 14/03181/LBA**

**Address**

Cleveland House  
Sydney Road  
Bathwick  
Bath  
BA2 6NR

Further comments/correspondence received following re-consultation.

ENGLISH HERITAGE - We have no further comments to make on this proposal. I would add that I assume that the Planning Application description has also been altered to reflect the change of use. If so our comments on the planning application also still stand.

BATH PRESERVATION TRUST – (updated comment of objection)

This further revision now seeks permission for an upper level garden and balustrade which was omitted from the approved application, at an increased height. On balance we found that the previously approved application, which was revised in response to objections from both BPT and the Georgian Group, presented a scheme which minimised harm to the heritage asset and wider conservation area while at the same time ensuring the use of this building for the future.

We object to the increase in height of the extension and glass balustrade, which at a higher level would have an intrusive impact on the architectural composition of the listed building, and have a particularly uncomfortable relationship with the level of the string course. In order to retain subservience the height of the extension should be well below the string course.

We reserve judgement on the suitability of a roof terrace on the side this building which is felt to be somewhat inappropriate.

We still have serious concerns over the use of one of the blind windows as a stone door to provide access to the roof terrace. Our reservations are founded in an understanding that the blind windows are features of high architectural and historic significance as part of the intended design and ought to be retained. This intervention, the increase in depth and impact on the string course, therefore disrupts the historic fabric and design of this elevation and results in unacceptable harm to the historic fabric.

A stone clad access door would be somewhat unauthentic. We would ask for any examples where this approach has been used successfully to be submitted in support of this application prior to any approval. We are particularly concerned about durability and potential damage which may lead to a degraded appearance over time. We would be interested to know what

alternative access arrangement could be provided if this intervention proved unacceptable and unfeasible?

The current proposal would cause the loss of important architectural features and composition, historic fabric and character, and would lead to substantial harm to the listed building. The height of the extension proposed would be harmful to the setting of the listed building, and would neither preserve nor enhance the character and appearance of Bath Conservation Area. For these reasons the proposed works would fail to preserve the architectural or historic interest and character of the heritage asset contrary to Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

Should the application be approved the use of dressed natural Bath Stone ashlar in construction must be secured by Condition, and the appearance of the roof terrace must be managed by Condition or covenant to restrict the placement of potted trees, parasols and drying washing, which would amount to visual clutter and have a harmful effect on the setting of the listed building.

CLLR DAVID MARTIN – wrote to inform that he wishes to speak on this application at the DCC meeting on 22 October

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

**MEMBERS OF THE PUBLIC WHO MADE A STATEMENT AT THE MEETING OF  
THE DEVELOPMENT CONTROL COMMITTEE ON WEDNESDAY 22<sup>ND</sup> OCTOBER  
2014**

<b>SITE/REPORT</b>	<b>NAME/REPRESENTING</b>	<b>FOR/AGAINST</b>
<b>PLANS LIST REPORT 9</b>		
Temple Inn, Main Road, Temple Cloud (Item 1, Pages 36-62)	Adam Rabone, Plainview Planning Ltd (Applicants' Agents)	For
Lower Tunley Farm, Stoneage Lane, Tunley (Item 2, Pages 63-69)	Clare Taylor (Dunkerton Parish Council)	Against
	John Walford	Against
	David Glasson (Applicants' Agent)	For
Cleveland House, Sydney Road, Bathwick, Bath (Items 3&4, Pages 70-85)	Kirsten Elliott	Against – Up to 6 minutes
	Trevor Osborne (Applicant)	For – Up to 6 minutes
Greenlands, Bath Road, Farmborough (Item 5, Pages 85-91)	Dominic Hegan <u>AND</u> Mark Baldwin <u>AND</u> Dave Fretwell	Against – To share 3 minutes
	David Bissex (Applicants' Agent)	For
Week Cottage, Combe Hay Lane, Combe Hay (Item 6, Pages 91-95)	Peter Duppa-Miller (Clerk to Combe Hay Parish Council)	For
	Mark Watson, Watson Bertram & Fell (Applicant's Agents)	For
Janton, Eckweek Lane, Peasedown (Item 7, Pages 95-100)	Michael Grier	Against
	David Bissex (Applicant's Agent)	For
Lower Lodge, Kelston Road, Kelston (Item 8, Pages 101-104)	John Casselden, Avon Architecture (Applicants' Agents)	For

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**22nd October 2014**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	13/04456/FUL	
<b>Site Location:</b>	Temple Inn, Main Road, Temple Cloud, Bristol	
<b>Ward:</b> Mendip	<b>Parish:</b> Cameley	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Mixed use development comprising a 10 bed letting rooms building, 9 residential dwellings, and renovation of the existing public house	
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Listed Building,	
<b>Applicant:</b>	Red Oak Taverns Limited	
<b>Expiry Date:</b>	4th July 2014	
<b>Case Officer:</b>	Heather Faulkner	

**DECISION** Delegate to PERMIT

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

1. Education

Contributions £7,933.32 to fund the need for primary school places and Youth Services provision places arising from the development. The agreed contributions shall be provided prior to the commencement of development.

2. Open Space and Recreational Facilities

Contributions of £1,909.17 to fund provision of allotments off-site to serve the population. The agreement shall also include the provision of arrangements for the maintenance of the site by a management company. The agreed contributions shall be paid prior to the occupation of the development.

3. Transport

Contributions of

- £10,000 contribution towards improvements including the de-cluttering of the street furniture adjacent to the Temple Inn Lane junction and include measures to deter parking on the footway at this location
- £4,000 towards the cost of the parking restrictions on Temple Inn Lane

#### 4. Affordable Housing

- A clause in the Section 106 Agreement that triggers the need for an affordable housing contribution should the letting rooms ever be converted into residential accommodation.

#### 5. Works to Listed Building

- A clause in the Section 106 to ensure that the works to the Listed Building are completed within a certain time period relating to the occupation of the dwellings.

B. Subject to the prior completion of the above agreement, authorise the Group Manager to PERMIT subject to the following conditions:

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

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

2 On completion of the works but prior to any occupation of the approved development, the applicant shall submit to and have approved in writing by the Local Planning Authority, an assessment from a competent person to demonstrate that the development has been constructed to provide sound attenuation against external noise in accordance with BS8233:1999. The following levels shall be achieved: Maximum internal noise levels of 30dBLAeq,16hr and 30dBLAeq,8hr for living rooms and bedrooms during the daytime and night time respectively. For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLAmax.

Reason: To protect occupants of residential properties from external road traffic noise

3 The Noise Rating Level from installed plant on the public house or letting rooms shall not exceed 30 dB LAeq(5mins) (free-field) at the nearest noise sensitive premises.

Reason: To protect occupants of residential properties from external plant noise

4 No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered.

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

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

subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8 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 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, 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 7.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the Local Planning Authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10 Prior to the demolition of any boundary walls details of the repairs to existing walls (including making good) and construction to new walls shall be submitted to any approved in approved in writing by the Local Planning Authority. The works shall be completed prior to the first occupation of any of the new dwellings on the site.

Reason: In the interests of the appearance of the development.

11 Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of this permission hereby granted, no works of site clearance, demolition or construction shall take place which are likely to impact on bats unless a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the local planning authority. This shall be accompanied by all outstanding details of proposed bat mitigation. The development shall be carried out only in accordance with the approved bat mitigation scheme or any amendment to the scheme as approved in writing by the Local Planning Authority.

Reason: to safeguard bats and their roosts

12 The area of open space to the rear of the proposed letting rooms shall not at any time be used by customers of the public house or letting rooms.

Reasons: To protect the amenity of the occupiers of the surrounding houses.

13 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 dwellings within the converted annex building 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.

14 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 any part of any roof 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: In the interests of the appearance of the development and the character of the area.

15 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.

16 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.

17 No development shall commence until a sample panel of all external walling and roofing materials to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed.

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

18 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 fences, gates, walls or other means of enclosure shall be erected or placed within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway without a further planning permission being granted.

Reason: In the interests of the visual amenity and character of the area.

19 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, (or any order revoking and re-enacting that Order with or without modification), the letting rooms proposed within the building at the front of the site shall only be used in association for the Temple Inn public house for bed and breakfast purposes and not be any other use.

Reason: The approved use only has been found to be acceptable in this location and other uses within the same use class may require further detailed consideration by the Local Planning Authority.

20 No development shall commence until details of refuse storage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the refuse storage has been provided in accordance with the details so approved, and thereafter shall be retained solely for this purpose. No refuse shall be stored outside the building(s) other than in the approved refuse store(s).

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

21 An operational statement relating to the public house shall be submitted to and approved in writing by the Local Planning Authority and shall include details of cooking equipment, odour mitigation and extract layout. The development shall thereafter be carried out in accordance with the approved operational statement.

Reason: Protect residential amenity.

22 Provision shall be made within the site for the disposal of surface water, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to construction.

Reason: In the interests of flood risk management and highway safety

Condition information: The applicant has indicated that they will dispose of surface water via soakaways and permeable paving and we would support this approach. To support the discharge of the above condition, infiltration test results and soakaway design calculations to BRE Digest 365 standard should be submitted to this office.

23 The area allocated for parking 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 highway safety.

24 The access, parking and turning areas shall not be brought into use until these areas have been properly bound and compacted (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

25 The development hereby permitted shall not be occupied until the visibility splays shown on the submitted plan have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

Reason: In the interests of highway safety.

26 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.

Reason: To ensure the safe operation of the highway.

27 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:**

The application relates to the following drawings and documents:

463TE_E_2010_A	EXISTING SITE PLAN
463TE_P_2022	SITE PLAN AREAS
463TE_2101_B	PUB - EXISTING PLANS 01
463TE_2102_B	PUB - EXISTING PLANS 02
463TE_2103_B	PUB - EXISTING PLANS
463TE_2120_B	PUB - PROPOSED PLANS 01
463TE_2121_C	PUB - PROPOSED PLANS 02
463TE_2130_C	ANNEX - PROPOSED PLANS
463TE_2140_C	LETTING ROOMS - PROPOSED PLANS
463TE_2150_C	TERRACE - PROPOSED PLANS 01
463TE_2151_C	TERRACE - PROPOSED PLANS 02
463TE_2160_C	SEMI-DETACHED - PROPOSED PLANS
463TE_2201_B	PUB - EXISTING ELEVATIONS 01
463TE_2202_B	PUB - EXISTING ELEVATIONS 02
463TE_2203_B	ANNEX - EXISTING ELEVATIONS 01
463TE_2204_B	ANNEX - EXISTING ELEVATIONS 02
463TE_2220_C	PUB - PROPOSED ELEVATIONS 01

463TE\_2221\_C PUB - PROPOSED ELEVATIONS 02  
463TE\_2230\_C ANNEX - PROPOSED ELEVATIONS  
463TE\_2240\_C LETTING ROOMS - PROPOSED ELEVATIONS  
463TE\_2250\_C TERRACE - PROPOSED ELEVATIONS 01  
463TE\_2251\_C TERRACE - PROPOSED ELEVATIONS 02  
463TE\_2260\_C SEMI-DETACHED - PROPOSED ELEVATIONS  
463TE\_P\_2030\_C SIDE ELEVATION 01  
463TE\_P\_2031\_D SIDE ELEVATION 02  
463TE\_P\_2501\_B PROPOSED DETAILS  
463TE\_P\_2020 REV E PROPOSED SITE PLAN  
463TE\_2000 REV A SITE LOCATION PLAN  
DESIGN AND ACCESS STATEMENT  
DESIGN & ACCESS STATEMENT - ADDENDUM  
PLANNING STATEMENT  
EXTENDED PHASE 1 HABITAT SURVEY  
GROUNDSURE GEOINSIGHT FIND 36469 AND FIND 36470  
HERITAGE IMPACT ASSESSMENT  
SITE WASTE MANAGEMENT PLAN  
NOISE IMPACT ASSESSMENT  
PHASE 1 SITE INVESTIGATION  
TRANSPORT STATEMENT  
TREE REPORT (APPENDIX A - TREE SCHEDULE TABLE and APPENDIX B - TREE  
CONSTRAINTS PLAN)  
SUSTAINABLE CONSTRUCTION CHECKLIST  
DRAINAGE STRATEGY  
CARBON FILTER DETAILS  
CRIME PREVENTION DESIGN REPORT  
SUSTAINABILITY STATEMENT

#### DECISION TAKING STATEMENT

In determining this application, the Local Planning Authority has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Pre-application advice was sought and provided and amendments made to the proposals. For the reasons given, a positive view of the revised submitted proposals was taken and permission was granted subject to a legal agreement.

#### ADVICE NOTE:

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

This permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990.

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

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

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

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

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

Inform the applicant that the Local Planning Authority should be consulted before any external signs are displayed on the property.

<b>Item No:</b>	02	
<b>Application No:</b>	14/02887/FUL	
<b>Site Location:</b>	Lower Tunley Farm, Stoneage Lane, Tunley, Bath	
<b>Ward:</b> Bathavon West	<b>Parish:</b> Dunkerton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Part retention and adaptation of a general purpose agricultural storage building (partly retrospective)	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	A & J Farming Limited	
<b>Expiry Date:</b>	19th August 2014	
<b>Case Officer:</b>	Tessa Hampden	

## DECISION REFUSE

1 The development, due to the unacceptable scale, height and its siting in close proximity to Stoneage Lane, would have a significant detrimental impact upon the visual amenities of the immediate area and the wider landscape. The development would therefore be contrary to policy CP6 of the adopted Core Strategy and saved policies D2 and D4 of the Bath and North East Somerset Plan 2007.

### PLANS LIST:

Plans:

Drawing	24 Jun 2014		SITE PLAN
Drawing	24 Jun 2014	1	PRIOR NOTIFICATION - FLOOR AND ROOF PLAN
Drawing	24 Jun 2014	2	PRIOR NOTIFICATION - ELEVATIONS
Drawing	24 Jun 2014	3	FLOOR AND ROOF PLAN
Drawing	24 Jun 2014	4	ELEVATIONS
Drawing	24 Jun 2014	5	PROPOSED FLOOR AND ROOF PLAN
Drawing	24 Jun 2014	6	PROPOSED ELEVATIONS
Drawing	24 Jun 2014	7	ELEVATIONS - AS BUILT WITH PROPOSED BUILT
Drawing	24 Jun 2014	8	ELEVATIONS - AS BUILT WITH PROPOSED BUILT
Drawing	24 Jun 2014	9	ELEVATIONS PROPOSED BUILDING WITH THE PROPOSED

### 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. Despite a recommendation for approval the Development Control Committee, for the reasons given, refused the application.

<b>Item No:</b>	03	
<b>Application No:</b>	14/03180/FUL	
<b>Site Location:</b>	Cleveland House, Sydney Road, Bathwick, Bath	
<b>Ward:</b> Bathwick	<b>Parish:</b> N/A	<b>LB Grade:</b> IISTAR
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	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).	
<b>Constraints:</b>	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

**Deferred awaiting site visit:** To allow Members to view the listed building and its surroundings

**Item No:** 04  
**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

**Deferred awaiting site visit:** To allow Members to view the listed building and its surroundings

**Item No:** 05  
**Application No:** 14/03709/FUL  
**Site Location:** Greenlands, Bath Road, Farmborough, Bath  
**Ward:** Farmborough                      **Parish:** Farmborough                      **LB Grade:** N/A  
**Application Type:** Full Application

<b>Proposal:</b>	Erection of detached garage and creation of new driveway and provision of acoustic fence. Provision of additional patio doors and WC window to bungalow. (Resubmission)
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr And Mrs S Gould
<b>Expiry Date:</b>	7th October 2014
<b>Case Officer:</b>	Alice Barnes

## DECISION

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

<b>Item No:</b>	06
<b>Application No:</b>	14/02457/FUL
<b>Site Location:</b>	Week Cottage, Combe Hay Lane, Combe Hay, Bath
<b>Ward:</b> Bathavon West	<b>Parish:</b> Combe Hay <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erect a two storey rear extension, to include external and internal alterations to the existing cottage.
<b>Constraints:</b>	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Sites of Nature Conservation Interest,
<b>Applicant:</b>	Mr P. O'Connor
<b>Expiry Date:</b>	26th September 2014
<b>Case Officer:</b>	Suzanne D'Arcy

## 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 No development shall take place until an arboricultural method statement with tree protection plan identifying the woodland edge trees and individual trees in proximity to the electricity cables to be retained and measures to protect them has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures and identify appropriate arboricultural supervision during site preparation (including clearance and level changes ), during construction and landscaping operations. The statement should also include the control of potentially harmful operations such as the position or relocation of service runs and soakaways, 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 surrounding trees to be retained.

4 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

5 Prior to occupation of the development hereby approved, the recommendations within the Protected Species Survey by Tyler Grange and received by the Council on 3rd September 2014, shall be implemented unless otherwise agreed in writing by the Local Planning Authority in writing. These measures shall thereafter be retained in perpetuity.

Reason: To safeguard protected species that may be affected by the development.

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 drawings numbered 1887-SLP, -BP, -SE, -SP, .PE, -PP, -TS and .L01, received by the Council on 29th 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. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. Despite the recommendation to refuse the application, the Development Control Committee considered that there were Very Special Circumstances to outweigh the harm caused, as the building needed to support modern living standards and the extension would be set into the bank at the rear of the property where it would not readily be seen from public viewpoints. The application was therefore permitted.

<b>Item No:</b>	07		
<b>Application No:</b>	14/03061/OUT		
<b>Site Location:</b>	Janton, Eckweek Lane, Peasedown St. John, Bath		
<b>Ward:</b>	Peasedown St John	<b>Parish:</b>	Peasedown St John <b>LB</b>
<b>Grade:</b>	N/A		
<b>Application Type:</b>	Outline Application		
<b>Proposal:</b>	Erection of detached bungalow.		
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, SSSI - Impact Risk Zones,		
<b>Applicant:</b>	Mr D Taylor		
<b>Expiry Date:</b>	29th August 2014		
<b>Case Officer:</b>	Mike Muston		

## DECISION REFUSE

1 The proposal amounts to an overdevelopment of the site, resulting in an unacceptably cramped form of development, out of keeping with the pattern of development in the area, with insufficient amenity space provided for the existing and new dwellings, and adversely affecting the living conditions of the occupiers of the adjoining property, contrary to saved Policies D.2 and D.4 of the Bath and North East Somerset Local Plan 2007.

2 The visibility from the access to the proposed new property and Janton is unacceptably restricted, particularly in a westerly direction, to the detriment of highway safety, contrary to saved Policy T.24 of the Bath and North East Somerset Local Plan 2007.

## PLANS LIST:

Drawings 2014062, 2104063 and 2014064, received 4 July 2014.

In determining this application, the Local Planning Authority has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Whilst the application was recommended for permission for the reasons given the Development Control Committee refused planning permission.

<b>Item No:</b>	08		
<b>Application No:</b>	14/03564/FUL		
<b>Site Location:</b>	Lower Lodge, Kelston Road, Kelston, Bath		
<b>Ward:</b>	Bathavon North	<b>Parish:</b>	Kelston <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application		
<b>Proposal:</b>	Construction of a pitched roof to accommodate new staircase, 2 no. new bedrooms and bathroom, 3 no. dormer windows and 1 no.		

	dormer doorway with associated balcony, 1 no. cat-slide dormer to high level window and 1 no. conservation rooflight, to include internal accommodation and fenestration alterations.
<b>Constraints:</b>	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, Hotspring Protection, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,
<b>Applicant:</b>	Mr & Mrs I Cardiff
<b>Expiry Date:</b>	30th September 2014
<b>Case Officer:</b>	Suzanne D'Arcy

## **DECISION PERMIT**

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

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

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

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

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

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

### **PLANS LIST:**

This decision relates to drawings numbered 14.221/21, /22, /23, /24 and /25 and related site location plan, received by the Council on 5th August 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. Despite the recommendation to refuse the application, the Development Control Committee considered the proposal did represent a proportionate addition to the host building and it was not harmful to Green Belt. The application was therefore approved.

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