

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 11th March, 2015

Present:- Councillor Gerry Curran in the Chair

Councillors Patrick Anketell-Jones, Rob Appleyard, Neil Butters, Sally Davis (In place of Vic Pritchard), Ian Gilchrist, Les Kew, Dave Laming, Malcolm Lees, Bryan Organ, Manda Rigby, Martin Veal and David Veale

Also in attendance: Councillors Charles Gerrish and Brian Simmons

116 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

117 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

118 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There was an apology from Councillor Vic Pritchard whose substitute was Councillor Sally Davis

119 DECLARATIONS OF INTEREST

There was a disclosable pecuniary interest declared by Councillor Martin Veal regarding the planning application on land opposite 199 Bailbrook Lane, Batheaston (Item 3, Report 9) and he would therefore withdraw from the meeting for consideration of this matter.

120 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none

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

The Senior Democratic Services Officer informed the meeting that various people had registered to speak on planning applications and that they would be able to do so when reaching their respective items in Report 9

122 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

Councillor Ian Gilchrist raised an issue regarding the discharge of conditions on the planning permission recently issued for development at Beechen Cliff School, Bath.

He requested that an item be included on the next Agenda so that the Case Officer could attend and give an explanation of his interpretation of the conditions.

A Member considered that it was not appropriate for the matter to be dealt with in this manner. The Chair agreed and stated that notice had not been given of this matter being raised. He would, however, speak to appropriate Officers to resolve the matter.

123 MINUTES: 11TH FEBRUARY 2015

The Team Manager – Development Management stated that the listed building application at The Colonnades, Grand Parade, Bath (Minute 112) would need to be referred to the Secretary of State for a decision with a recommendation to refuse consent.

Councillor Neil Butters referred to the application at The Wharf, Greensbrook, Clutton (Minute 112) and the issue of the former railway weighbridge and stone built office which was to be demolished. He stated that he had requested that due consideration be given to relocation of these heritage assets. The Team Manager stated that this would be taken into account.

The Minutes of the previous meeting held on Wednesday 11th February 2015 were approved as a correct record and were signed by the Chair.

124 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 applications for planning permission etc.
- An Update Report by the Group Manager on Item Nos. 1,2 and 9, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos. 1-10, 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 Former Cadbury site, Cross Street, Keynsham – Full planning permission for partial demolition, change of use and extension of Building B to a 135 unit care home use (C2), partial demolition and extension and use of Block C for employment use (B1) alongside the erection of 30 dwellings (open market and affordable) at the site of a previously approved care home, including the use of existing basements for car parking (Buildings B&C), associated surface level parking, access roads, landscaping and associated infrastructure. Works altering planning approval 13/01780/EOUT as approved on 19th February 2014 – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to secure a Deed of Variation to the existing S106 Agreement to secure various provisions relating to (i) affordable housing, (ii) employment space, (iii) education,

and (iv) occupiers of the care flats in Block B; and (B) upon completion of the Agreement, authorise the Group Manager to grant permission subject to conditions. He referred to the Update Report which had amended the original recommendation.

The applicant made a statement in favour of the proposed development which was followed by statements by the Ward Councillors Charles Gerrish and Brian Simmons.

Councillor Bryan Organ was pleased that Freeman Retirement Planning was involved in the scheme. Negotiations were progressing on provision of a doctors' surgery. He felt that this was a good scheme and therefore moved the Officer recommendation which was seconded by Councillor Les Kew.

Members debated the motion. Councillor Dave Laming expressed some concerns about the scheme. There was no Transport Strategy and there was no firm commitment on provision of a doctors' surgery. Councillor Manda Rigby stated that, although welcoming the statement of intent, there was a sustainability issue. There was no contribution to any medical provision and no commitment to build a surgery. She considered that some wording should be added regarding an appropriate S106 contribution to provide sustainable medical facilities on site for the occupiers of the development. The Chair stated that there was no obligation to provide a doctors' surgery – the existing 8 GP's in the area could use the funding to move onto the site. The Case Officer responded to these issues by saying that 1k sq m was included in the scheme for provision of medical facilities and that the funding was available for provision of a doctors' surgery, not necessarily one particular surgery. If a doctors' surgery was to be included in the existing scheme, a new application would be required.

Members continued to debate the matter and asked questions to which the Case Officer responded. There was discussion regarding whether the doctors' surgery would be included or only could be included. The Officer replied that space had been made available on the site but a planning application would be required to do so.

The motion by Councillor Bryan Organ and seconded by Councillor Les Kew was then put to the vote and was carried, 12 voting in favour and 0 against with 1 abstention.

Item 2 The Poplars to be demolished, Bath Road, Farmborough – Erection of 12 one and two storey dwellings (including 4 affordable housing) and construction of vehicular and pedestrian access following demolition of existing bungalow – The Case Officer reported on this application and her recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure various provisions relating to (i) highways, (ii) education, (iii) parks and open spaces, and (iv) affordable housing; and (B) subject to the prior completion of the above Agreement, authorise the Group Manager to grant permission subject to conditions (or such other conditions as may be appropriate). She informed the meeting that the reference in the paragraph in the report describing the site and application needed to be amended by deleting "outline" (as this was a full application) and the last sentence of the paragraph. The recommended Condition 4 would also need to be reworded. A further 4 objections had been received but these raised no new issues.

Councillor Sally Davis, Ward Member on the Committee, stated that this was a controversial application. The proposed dwellings had been moved closer to the boundaries of neighbouring residents. The design of the dwellings did nothing to reflect the rural setting of the village. She felt that the Place Making Plan had not been considered and the Core Strategy had not been adhered to. She therefore moved that the recommendation be overturned and that permission be refused. The motion was seconded by Councillor Les Kew who considered that the design and materials were not appropriate for this location.

Members debated the motion and asked questions to which the Case Officer responded as appropriate. Most of the Members raised concerns about the development including the design, materials, layout and the location of affordable housing. It was generally felt that this development was not suitable to its location in Farmborough. The Team Manager – Development Management clarified the reasons for refusal as being that the proposed design and layout of the development would have a significantly detrimental impact on the character of the village and the amenities of local residents contrary to approved planning policies and the NPPF. The mover and seconder agreed. Councillor Rob Appleyard considered that the development failed to meet Code 3 of the Standard Construction Requirement.

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

Item 3 Land opposite 199 Bailbrook Lane, Batheaston, Bath – Erection of 2 detached dwellings with retained open space – 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 application.

Councillor Dave Laming, Ward Member on the Committee, was totally against this development and quoted the Appeal Inspector's decision letter that there should be no development on this land. Members discussed the proposed development and asked questions to which Officers responded as appropriate. The Case Officer confirmed that the access did not encroach on the neighbour's land. Some Members saw that there were some benefits with the development which sought to reduce the impact on its surroundings. Other Members referred to the site being smaller for these 2 houses (as opposed to the 4 houses on the larger site which was lost on Appeal) and that the meadow should be protected from any further development.

Councillor Malcolm Lees referred to the Inspector's report on the earlier appeal which stated that no development was acceptable. The views from the south had not been considered. He therefore moved that the recommendation be overturned and that permission be refused. The motion was seconded by Councillor Dave Laming.

The Team Manager – Development Management advised that the Inspector's decision was not set in stone and, although it was a material consideration, could be revisited. Councillor Dave Laming stated that his reason for moving refusal was based on the Inspector's decision that there be no development on the land and that the development did not respect the historic grain of the area. The Chair made reference to the access which had an industrial feel. The Case Officer stated that there would be some loss of wall for the opening but most of the character would be retained with the existing wall - the materials in the opening could be changed. The Team Manager stated that the recommended Condition 3 regarding protection of the

meadow could be better enforced by becoming a S106 Agreement and he was aware that the applicants would have no objection to this.

The motion to refuse permission was put to the vote which was lost, 3 voting in favour and 8 against with 1 abstention.

Councillor Les Kew therefore moved the Officer recommendation to grant permission with conditions but including a S106 Agreement to protect the meadow. This was seconded by Councillor Bryan Organ. The motion was put to the vote and was carried, 7 voting in favour and 2 against with 3 abstentions.

(Notes: (1) After this decision, there was a short adjournment for a natural break; and (2) Councillor Martin Veal was absent for consideration of this Item in view of his interest declared earlier in the meeting).

Item 4 No 2 Hermitage Road, Lansdown, Bath – Erection of 1 five bedroom dwelling following demolition of existing bungalow – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. She referred to some minor errors in the report and that a further 2 conditions were recommended relating to the side windows and restricting the use of the flat roof.

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

The Ward Member on the Committee, Councillor Patrick Anketell-Jones, stated that there was a lot of opposition to the proposed development which would affect openness of the site and peoples' light – the proposed car dock would also have an impact. He therefore moved that consideration be deferred for a Site Visit which was seconded by Councillor Rob Appleyard.

The motion was put to the vote and was carried, 11 voting in favour and 2 against.

Item 5 Sawyers Mill, Hunstrete, Marksbury – Erection of 2 five bed dwellings and detached garages following demolition of existing commercial buildings and subdivision of land – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The Ward Councillor on the Committee, Councillor Sally Davis, considered that there were no problems with this scheme which was supported by the Parish Council. Councillor Les Kew stated that the scheme conformed to planning policies and was a brownfield site. The development would provide 2 well designed houses. He therefore moved the Officer recommendation which was seconded by Councillor Bryan Organ.

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

(Note: Councillor Malcolm Lees was not present for consideration of this application).

Item 6 Cheriton Cottage, Springfield, Peasedown – Removal of Condition 2 of application Ref 13/04071/FUL to use garage parking space as ancillary accommodation (Erection of a dwelling and double garage in garden of

Cheriton Cottage) (Revised submission) – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The speaker acting for the applicants spoke in favour of the proposed development.

Councillor Les Kew considered the proposed scheme to be acceptable and moved the Officer recommendation which was seconded by Councillor Dave Laming.

The motion was put to the vote and was carried, 10 voting in favour and 2 against with 1 abstention.

Item 7 The Lodge, 1 London Road West, Lower Swainswick, Bath – Erection of extension following removal of existing lean-to – The Case Officer reported on this application and her recommendation to refuse permission. She reported the views of the Conservation Officer.

The applicants' Agent made a statement in favour of the proposed development.

Councillor Dave Laming, the Ward Member on the Committee, considered that the existing house was small and didn't meet modern day standards for a family. The extension would provide some balance to the existing house. He therefore moved that the recommendation be overturned and that permission be granted which was seconded by Councillor Martin Veal.

Members debated the motion. Most Members agreed that the extension would be subservient to the existing house and would not be excessively large as regards its curtilage. The Team Manager – Development Management requested that the motion be amended to Delegate Officers to grant permission with appropriate conditions including a sample panel of stonework to be provided on site and also samples of the timber and roof materials being submitted. Councillor Les Kew requested that it be a slate roof. The mover and seconder agreed to these amendments.

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

Councillor Les Kew requested that the decision be issued without delay.

Item 8 Greenacres, Wick Lane, Stanton Wick – Conversion of recreational building to dwelling (Renewal of application 04/01778/FUL) – The Case Officer reported on this application and her recommendation to refuse permission.

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

Councillor Les Kew considered that the proposal was not inappropriate development and would not harm the setting of the Green Belt. It would involve minor works to an existing building. He therefore moved that the recommendation be overturned and that permission be granted. The motion was seconded by Councillor Dave Laming.

The Team Manager – Development Management advised that the motion would need to be amended to Delegate to Officers to grant permission for appropriate conditions. This was accepted by the mover and seconder.

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

Item 9 Sunnyside, Whistley Lane, West Harptree – Proposed new vehicular access – 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 should have read “the access itself is not considered to cause harm to the character or appearance ... etc.”

The applicant made a statement in support of his proposed development which was followed by a statement by the Ward Councillor Tim Warren.

Councillor Les Kew made reference to the Parish Council’s objections and the Site Visit which he found useful in consideration of this application. He considered that the existing access was not an accident blackspot and that this proposal would destroy the character of the village with the removal of the existing hedge. He therefore moved that the recommendation be overturned and that permission be refused which was seconded by Councillor Dave Laming.

Members debated the motion. The Team Manager – Development Management clarified that the reasons for refusal would be that the development would affect the character and appearance of the AONB and setting of the Conservation Area and cause significant harm to the rural character of the area. Councillor Manda Rigby requested that the reasons also include the impact on ecology as regards mitigation measures which was agreed by the mover and seconder.

The motion was put to the vote and was carried, 11 voting in favour and 0 against with 2 abstentions.

Item 10 Densley View, Bath Road, Tunley – Erection of a first floor rear extension and loft conversion (Resubmission of 14/3470/FUL) – The Case Officer reported on this application and her recommendation to refuse permission.

The applicant made a statement in support of his application.

Councillor David Veale, Ward Member on the Committee, felt that more space would be required for a modern family home than provided by the existing accommodation. He stated that extensions had been undertaken on other neighbouring properties. He queried the percentage increase in size to which the Case Officer responded. Councillor Les Kew considered that there would be a big planning gain from this development which would provide decent sized living accommodation. The Parish Council had no objections to the application. In his opinion, the scheme would not cause harm to the area or to residential amenity. He therefore moved that the recommendation be overturned and that Officers be authorised to grant permission subject to appropriate conditions. The motion was seconded by Councillor Dave Laming.

Members debated the motion and asked questions to which the Team Manager – Development Management responded as appropriate. There was some discussion regarding the facing materials on the rear elevations and it was agreed that this

should be in render. The Team Manager stated that a revised drawing would be required to correct an inaccuracy on the submitted drawings.

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

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

After some comments by Members on some of the appeals, the report was noted.

126 CHANGE OF DATE OF MAY MEETING

The Committee noted the change of date of the May meeting from Wednesday 6th May to Wednesday 29th April due to the Elections being held on Thursday 7th May

The meeting ended at 5.45pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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
01	14/05811/EFUL	Former Cadbury Factory Cross Street, Keynsham

Further Consultation Response

Since the publication of the Committee Report a consultation response has been received from the GP Partner at St Augustine's Surgery who states: "I just wanted to let you know we as a Practice are broadly in support of Freeman's plans for the former Cadbury's buildings. They have offered us an area in one of the buildings, which I believe will require a change in planning permission for block C, from B1 to D1 in the future."

Officer Comment

Members are advised that the issue of accommodating a medical facility on the site is addressed in the main committee report. Should an application be received for change of use this will need to be considered on its merits at that time.

Environmental Statement

Habitat surveys of the site, including the former factory buildings A B and C, were undertaken in April 2012 as part of the EIA for the wider Somerdale development. This included the presence and potential for bat roosts. The surveys did not indicate any summer bat roosts were likely to be present within the factory buildings and therefore no impacts to bat roosts were anticipated by the demolition or change of use of these buildings at that time. Notwithstanding the findings of the surveys the ES recommended that an update survey work be undertaken prior to any demolition work to confirm the current presence / absence of any bat roosts. This is secured through the approved Construction Environmental Management Plan and associated Ecological Mitigation and Enhancement Strategy.

At the time of determination of the planning application for the wider Somerdale site it was considered that the development offered good scope to provide mitigation for the loss of identified roosts (within trees to the north of the factory buildings) with trees and woodland along the river margins and within the south-east corner of the site being retained and continuing to offer

potential roosting opportunities for bats. Overall it was considered that the temporary loss of any roosting locations would not permanently affect the viability or conservation status of bats and therefore the magnitude of effect would be low and the likely effect would be of minor adverse significance. Whilst the risk of bats having moved into the factory buildings is considered to be low, should any bat roosting sites be confirmed through further survey work then an appropriate package of mitigation will need to be developed and a European Protected Species (EPS) licence from Natural England will be required to permit the works.

The applicants are aware of the requirement to undertake further surveys however should Committee resolve to grant planning permission for the proposed development it is recommended that an Informative is added to highlight this.

Planning Obligations

Recommendation A should include reference to a planning obligation to define the extra care flats within Building B as Class C2 by reference to the age/condition of the person, the care package and access to communal facilities.

Conditions

Minor amendments are proposed to Conditions to reflect the fact that details have been submitted or conditions discharged in respect of the proposed development of the site proposed as a care home under the 2014 planning permission for the site. Should Committee resolve to grant planning permission for the proposed development Officers seek delegated authority to make these minor amendments.

Plans List

4492 PL02, PL04, PL05, PL06, PL07, PL08, PL09, PL10, PL11, PL12, PL13, PL14, PL 15, PL16, PL17 REV.A, PL18 REV.A, PL19 REV.A, PL20 REV.A, PL21, PL22, PL23 REV.A, PL24, PL25, PL26 Rev.A, PL 27, PL28, PL29, PL30, PL31, PL32, PL33, PL34; 20930 – 02 REV.A, 03 REV.A, 10; APP1 1, PA22 2, PA34 1, PA34 2, PA44 2, PE41 1 PT36 2, PT361, SA31 2

Item No.	Application No.	Address
02	14/02426/FUL	The Poplars To Be Demolished Bath Road Farmborough Bath

Details of location and proposal and Relevant History:

The Poplars To Be Demolished, Bath Road, Farmborough, Bath,

CONSULTATIONS AND REPRESENTATIONS:

Affordable Housing: With the clarification received 26th February 2015, Housing Enabling and Development Team have no objection to the proposal. Our approval is subject to this being reflected in the new S106. .

Recommendation:

As per the officer report.

Plans List:

This decision relates to drawing nos TP.LS.004 REV.F, 667:S:10, 667:S:11, 667:1:000, 667:S:001, 667:2:101, 667:2:001, 667:2:002, 667:2:003, 667:2:004, 667:2:005, 667:2:006, 667:2:007, 667:2:008, 667:2:009, 667:2:010, 667:2:011, 667:2:012, 667:2:013, 667:2:020, 667:2:021, 667:2:022, 667:2:023, 667:2:030, 667:2:031, 667:2:032, 667:2:033, 667:2:111 (only with regard to bat mitigation), 13894 – SCK002 Rev D, 3894-SKC003 Rev B, 13894-SKC004 Rev C, 2101.

Item No.	Application No.	Address
09	14/03989/FUL	Sunnyside Whistley Lane West Harptree Bristol BS40 6HD

Correction to report

Since the publishing of the main agenda, a typographical error has been noted within the report for this item. The sentence within the last paragraph of “Character and appearance” on page 84 that currently reads:

“The access itself is considered to cause harm to the character or appearance of the immediate area, nor the adjacent Conservation Area.”

Should be amended to read:

“The access itself is **not** considered to cause harm to the character or appearance of the immediate area, nor the adjacent Conservation Area.”

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

**MEMBERS OF THE PUBLIC WHO MADE A STATEMENT AT THE
MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON
WEDNESDAY 11TH MARCH 2015**

SITE/REPORT NAME/REPRESENTING FOR/AGAINST

PLANS LIST – REPORT 9		
Former Cadbury site, Cross Street, Keynsham (Item 1, Pages 54-68)	Luke Freeman, Freeman Retirement Living (Applicants)	For
The Poplars to be demolished, Bath Road, Farmborough (Item 2, Pages 69-86)	Jean Rogers, Farmborough Parish Council Richard Davis Robert Gillespie, Impact Planning Services (Applicants' Agents)	Against Against For
Land opposite 199 Bailbrook Lane, Batheaston, Bath (Item 3, Pages 87-98)	Charlotte Watkins Chris Dance, LPC (Applicants' Agents)	Against For
2 Hermitage Road, Lansdown, Bath (Item 4, Pages 99-109)	Tiffany Brunskill <u>AND</u> Annie Meharg Tom Rocke, Rocke Associates (Applicants' Agents)	Against – To share 3 minutes For
Sawyers Mill, Hunstrete, Marksbury (Item 5, Pages 109-117)	John White (Applicant's Agent)	For
Cheriton Cottage, Springfield, Peasedown (Item 6, Pages 117-121)	Charlotte Watkins (acting for the applicants)	For
The Lodge, 1 London Road West, Lower Swainswick, Bath (Item 7, Pages 122-126)	Tony Phillips, Thurdleigh Planning (Applicant's Agents)	For
Green Acres, Wick Lane, Stanton Wick (Item 8, Pages 127-130)	John Hooke (Applicant's Agent)	For
Sunnyside, Whistley Lane, West Harptree (Item 9, Pages 131-136)	Christopher Bath (Applicant)	For

Densley View, Bath Road, Tunley (Item 10, Pages 137-141)	Jay Symes (Applicant)	For

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT CONTROL COMMITTEE

11th March 2015

DECISIONS

Item No:	01		
Application No:	14/05811/EFUL		
Site Location:	Former Cadbury Factory, Cross Street, Keynsham,		
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A	
Application Type:	Full Application with an EIA attached		
Proposal:	Full planning permission for the partial demolition, change of use and extension of Building B to a 135 unit care home use (C2, the partial demolition, extension and use of Block C for employment use (B1) alongside the erection of 30 dwellings (open market and affordable) at the site of a previously approved care home including the use of existing basements for car parking (Buildings B and C), associated surface level parking, access roads, landscaping and associated infrastructure. Works altering planning approval 13/01780/EOUT as approved on 19th February 2014.		
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, General Development Site, SSSI - Impact Risk Zones,		
Applicant:	Freeman Retirement Living And Taylor Wimpey UK Limited		
Expiry Date:	21st April 2015		
Case Officer:	Gwilym Jones		

DECISION

Delegate to PERMIT subject to an agreement under Section 106 of the Town and Country Planning Act 1990. Conditions to be amended

Item No:	02	
Application No:	14/02426/FUL	
Site Location:	The Poplars To Be Demolished, Bath Road, Farmborough, Bath	
Ward: Farmborough	Parish: Farmborough	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 12no. one and two storey dwellings (including 4no. affordable housing) and construction of vehicular and pedestrian access following demolition of existing bungalow.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, Tree Preservation Order,	
Applicant:	Bath & Southwest Developments Limited	
Expiry Date:	31st March 2015	
Case Officer:	Rachel Tadman	

DECISION REFUSE

1 The proposed development, by reason of its unsatisfactory layout, design, size and prominent location, would have a significant detrimental impact on the rural character and appearance of this part of Farmborough and furthermore would have an adverse impact on the residential amenity of both existing neighbouring occupiers and the future occupiers of the development. This is contrary to saved Policies D2 and D4 of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007, Policy CP6 and RA2 of the Bath & North East Somerset Core Strategy (July 2014) and Paragraph 56 of the National Planning Policy Framework.

PLANS LIST:

This decision relates to drawing nos:

667:S:10, 667:S:11

667:1:000, 667:S:001, 667:2:101, 667:2:001, 667:2:002, 667:2:003, 667:2:004, 667:2:005, 667:2:006, 667:2:007, 667:2:008, 667:2:009, 667:2:010, 667:2:011, 667:2:012, 667:2:013, 667:2:020, 667:2:021, 667:2:022, 667:2:023, 667:2:030, 667:2:031, 667:2:032, 667:2:033, 667:2:111 (only with regard to bat mitigation)

667:SK:00, 667:SK:01, 667:SK:02, 667:SK:03, 667:SK:04, 667:SK:05, 667:SK:06, 667:SK:07, 667:SK:08, 667:SK:09, 667:SK:10, 667:SK:11,

TP.LS.004 REV.F

13894- SKC001 Rev C, 13894-SCK002 Rev D, 13894-SCK003 Rev B, 13894-SCK004 Rev C, 13894-SCK005 Rev B, 2101.

13894-C030 C, 13894-C005B, 13894-C006 B, 13894-C010 A, 13894-C019 A

Decision Making Statement:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Whilst the Case Officer recommended approval, Members of the Development Control Committee took an adverse view and decided to refuse the application.

Item No:	03
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:	Tessa Hampden

DECISION Delegate to PERMIT subject to an agreement under Section 106 of the Town and Country Planning Act 1990.

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 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.

3 No development shall commence until a management plan for the land illustrated as 'Meadow' has been submitted to and approved in writing by the Local Planning Authority. The land shall be maintained in accordance with this in perpetuity.

Reason: To safeguard the appearance of the area.

4 No development shall commence until a sample panel of all external walling 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.

5 No development shall commence until a management plan for the grass roofs has been submitted to and approved in writing. The development shall be maintained in accordance with this in perpetuity.

Reason: To safeguard the appearance of the area.

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

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

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no 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.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages or other free standing buildings shall be erected within the curtilage of the dwelling(s) hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

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

9 No works or deliveries required to implement this development shall take place outside the hours of 0800 - 1800

Reason: To safeguard the amenity of nearby occupiers.

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

Reason: In the interests of amenity and highway safety.

11 The means of access up to the individual private drives and the pull-in area adjoining Bailbrook Lane shall be 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. The driveways hereby permitted shall not be occupied until their respective drive and common access have been bound and compacted in accordance with the approved details.

Reason: In the interests of highway safety

12 Before the dwellings hereby permitted are first occupied or brought into use the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge along the centre line of the access and points on the carriageway edge 25m from and on both sides of the centre line of the access shall be cleared of obstruction to visibility at and above a height of 600mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highway safety

13 The development hereby permitted shall not be occupied or the use hereby permitted commence until details of surface water drainage provision for the access drive (so as to mitigate adequately runoff of surface water on to the highway) have been submitted to and approved in writing by the Local Planning Authority and the approved drainage details fully implemented.

Reason: In the interests of highway safety

14 No development shall commence until details of the diversion of the watercourse culvert/pipe have been first submitted to and approved in writing by the Local Planning Authority and the approved diversion fully implemented.

Reason: to safeguard the natural watercourse and natural environment

15 No development shall take place until a Detailed Arboricultural Method Statement with revised Tree Protection Plan which can be scaled from has been submitted to and approved in writing by the Local Planning Authority and details within that implemented as appropriate. The final method statement shall incorporate supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion where any work will impinge on the root protection areas of any retained trees on or off site. The statement should also include the control of potentially harmful operations such as regrading, the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery.

Reason: To ensure that trees to be retained on site and any off site trees are not adversely affected by the development proposals

16 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.

17 The development shall not be commenced until a foul and surface water drainage strategy is submitted and approved in writing by the local Planning Authority. The drainage

scheme shall be completed in accordance with the approved details prior to the occupation of the permitted dwellings

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

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

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

PLANS LIST:

Plans:

02 Feb 2015	SHEET 5 A	DESIGN CONSTRAINTS & CONCEPTS
02 Feb 2015	SHEET 6 B	BLOCK PLAN AS PROPOSED
02 Feb 2015	SHEET 7 A	SITE SECTIONS
02 Feb 2015	SHEET 8 B	PROPOSED SITE LAYOUT Public
02 Feb 2015	SHEET 10 A	HOUSE 1 ELEVATIONS
02 Feb 2015	SHEET 11 A	HOUSE 2 FLOOR PLANS
02 Feb 2015	SHEET 12 A	HOUSE 2 ELEVATIONS
02 Feb 2015	SHEET 4 A	CONTEXT & BACKGROUND
02 Feb 2015	SHEET 9 A	HOUSE 1 FLOOR PLANS
OS Extract	02 Feb 2015	LOCATION PLAN & DRAWING LIST
BackGround Papers	02 Feb 2015	DESIGN & ACCESS STATEMENT REV. A

Decision Taking Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and planning permission was granted.

ADVICE NOTE:

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

Application No:	14/04081/FUL	
Site Location:	2 Hermitage Road, Lansdown, Bath, Bath And North East Somerset	
Ward: Lansdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 1no five bedroom dwelling following demolition of existing bungalow.	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Nitor Investments Ltd	
Expiry Date:	19th November 2014	
Case Officer:	Tessa Hampden	

DECISION

Defer consideration to allow members to visit site to view surrounding context.

Item No:	05	
Application No:	15/00100/FUL	
Site Location:	Sawyers Mill , Hunstrete, Marksbury, Bristol	
Ward: Farmborough	Parish: Marksbury	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 2no five bed dwellings and detached garages following demolition of existing commercial buildings and subdivision of land.	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones,	
Applicant:	Mr Tim Warren	
Expiry Date:	10th March 2015	
Case Officer:	Alice Barnes	

DECISION PERMIT

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

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

2 No development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out only in accordance with the details so approved.

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

3 Prior to the commencement of the development a drainage strategy, including details of surfaces water management, should be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the details so approved.

Reason: To ensure the adequate provision of drainage infrastructure

4 A Desk Study and Site Reconnaissance (walkover) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment of the site. The Desk Study shall be submitted to and approved in writing by the Local Planning Authority. Should the Desk Study identify the likely presence of contamination on the site, whether or not it originates on the site, then full characterisation (site investigation) shall be undertaken in accordance with a methodology which shall previously have been agreed in writing by the Local Planning Authority. Where remediation is necessary, it shall be undertaken in accordance with a remediation scheme which is subject to the approval in writing of the Local Planning Authority and a remediation validation report submitted for the approval of the Local Planning Authority.

Reason: In order to ensure that the land is suitable for the intended uses 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, work must be ceased and it must be reported in writing immediately to the Local Planning Authority. The Local Planning Authority Contaminated Land Department shall be consulted to provide advice regarding any further works required. Unexpected contamination may be indicated by unusual colour, odour, texture or containing unexpected foreign material.

Reason: In order to ensure that the land is suitable for the intended uses 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 The access shall be surfaced with a properly bound and compacted (not loose stone or gravel) material for a distance of 10m from Hunstrete Lane 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

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

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

PLANS LIST:

Site location plan

Existing site location and layout plan 001

Proposed site layout plan and roof plans 002

Existing site sections 003

Proposed site sections 004

Plot 1 - House plans and elevations 005

Plot 2 - House plans and elevations 006

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Item No:	06		
Application No:	14/04418/REM		
Site Location:	Cheriton Cottage, Springfield, Peasedown St. John, Bath		
Ward: Peasedown St John	Parish: Peasedown St John	LB	
Grade: N/A			
Application Type:	Removal of conditions		
Proposal:	Removal of condition 2 of application 13/04071/FUL to use garage parking space as ancillary accommodation. (Erection of a dwelling and double garage in garden of Cheriton Cottage (Revised resubmission))		
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
Applicant:	Mr & Mrs Reginald & Janice Gore		
Expiry Date:	5th February 2015		
Case Officer:	Victoria Griffin		

DECISION PERMIT

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

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

2 The use of the garage shall be used as ancillary accommodation only to Cheriton Cottage and for no other use within the C3 use class. Reason: The site is not suitable for independent residential accommodation and to protect residential amenity

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

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

PLANS LIST:

This decision relates to the following plans / documents:

Drawing no's 01 - 04

Decision-making Statement:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

Informatives:

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:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. 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 a Coal Authority Permit 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: 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 0345 762 6848. Further information is available on The Coal Authority website at:

Item No:	07	
Application No:	14/05807/FUL	
Site Location:	The Lodge, 1 London Road West, Lower Swainswick, Bath	
Ward: Lambridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of extension following removal of existing lean-to.	
Constraints:	Agric Land Class 3b,4,5, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Mr P Tanner	
Expiry Date:	13th February 2015	
Case Officer:	Sasha Berezina	

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 Notwithstanding information contained within the submitted drawings, the roof of the extension hereby approved shall be finished in natural slate to match the existing building

reason: In interest of visual amenity and to protect the character and appearance of the conservation area.

3 No development shall commence until a sample panel of all external walling 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.

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

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

PLANS LIST:

This decision relates to the following plans and documents:

OS Extract	19 Dec 2014	1003_P(0)01	SITE LOCATION PLAN
Drawing	19 Dec 2014	1003_P(0)02	EXISTING BLOCK PLAN
Drawing	19 Dec 2014	1003P(0)03	EXISTING FLOOR AND ROOF PLANS
Drawing	19 Dec 2014	1003_P(0)04	EXISTING ELEVATIONS
Drawing	19 Dec 2014	1003_P(0)05	PROPOSED BLOCK PLAN
Drawing	19 Dec 2014	1003P(0)06	PROPOSED FLOOR AND ROOF PLAN
Drawing	19 Dec 2014	1003_P(0)07	PROPOSED ELEVATIONS
Drawing	19 Dec 2014	1003_P(0)08	PROPOSED SECTIONS

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 took a positive view of a positive view of the submitted proposals and consent was granted.

Item No:	08		
Application No:	14/05342/FUL		
Site Location:	Green Acres, Wick Lane, Stanton Wick, Bristol		
Ward: Clutton	Parish: Stanton Drew	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Conversion of recreational building to dwelling (Renewal of application 04/01778/FUL).		
Constraints:	Airport Safeguarding Zones, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,		
Applicant:	Mrs P A Bond		
Expiry Date:	2nd February 2015		
Case Officer:	Rae Mephram		

DECISION Delegate to PERMIT

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

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

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

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

PLANS LIST:

This decision relates to:

Location plan, Proposed conversion (EGB/02) and Block and roof plan (EGB/03), all received 20th November 2014.

DECISION MAKING STATEMENT:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The planning committee took a positive view of the submitted proposals and consent was granted.

Item No:	09		
Application No:	14/03989/FUL		
Site Location:	Sunnyside, Whistley Lane, West Harptree, Bristol		
Ward: Mendip	Parish: West Harptree	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Proposed new vehicular access.		
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Housing Development Boundary, SSSI - Impact Risk Zones, Water Source Areas,		
Applicant:	On Behalf Of The Executors Of J H BATH		
Expiry Date:	21st November 2014		
Case Officer:	Rae Mephram		

DECISION REFUSE

1 The proposal would cause significant harm to the rural character of the immediate area, would be detrimental to the character and appearance of the adjacent Conservation Area, and would adversely affect the natural beauty of the Area of Outstanding Natural Beauty, contrary to saved policies D.2, D.4, BH.6 and NE.2 of the Bath and North East Somerset Local Plan 2007.

2 Insufficient information has been submitted in regards to ecological mitigation, and have the potential to adversely affect protected species within the site, contrary to saved policies NE.10 and NE.11 of the Bath and North East Somerset Local Plan 2007.

PLANS LIST:

This decision relates to:

001 REV C - COMBINED EXISTING DRAWING AND SITE LOCATION PLAN

101 REV G - COMBINED PROPOSED DRAWING

102 REV B - CONSTRUCTION TRAFFIC MANAGEMENT PLAN

DECISION TAKING STATEMENT:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The 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. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to this the Local Planning Authority moved forward and issued its decision.

Item No:	10	
Application No:	14/05308/FUL	
Site Location:	Densley View, Bath Road, Tunley, Bath	
Ward: Bathavon West	Parish: Camerton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a first floor rear extension and loft conversion (Resubmission of 14/03470/FUL).	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,	
Applicant:	Mr Symes	
Expiry Date:	14th January 2015	
Case Officer:	Rae Mephram	

DECISION Delegate to PERMIT with appropriate conditions on submission of drawings by applicant.