

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 25th September, 2013

Present:- Councillor Gerry Curran in the Chair

Councillors Lisa Brett (In place of Ian Gilchrist), Liz Hardman, Eleanor Jackson, Les Kew, Dave Laming (In place of Malcolm Lees), Douglas Nicol, Bryan Organ, Manda Rigby, Caroline Roberts, Martin Veal, David Veale and Brian Webber

Also in attendance: Councillors Cherry Beath, Andy Furse, Brian Simmonds and Roger Symonds

63 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

64 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not desired

65 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were apologies for absence from Councillors Ian Gilchrist and Malcolm Lees whose respective substitutes were Councillors Lisa Brett and Dave Laming

66 DECLARATIONS OF INTEREST

There were no declarations of interest

67 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of Urgent Business

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

The Senior Democratic Services Officer informed the meeting that there was a member of the public who wished to make a statement on Item 12 Former Fullers Earthworks who would be able to do so when reaching that Item at the end of the Agenda. There were various members of the public wishing to make statements on planning applications in Reports 9 and 10 and they would be able to do so when reaching the items in those Reports. He advised that the Chair had extended the amount of speaking time on 2 applications in view of the number of people wishing to speak.

69 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were no items from Councillors

70 MINUTES: 4TH SEPTEMBER 2013

The Minutes of the previous meeting held on Wednesday 4th September 2013 were approved as a correct record subject to the following amendment:

In paragraph 3 of Minute No 58 relating to Item 3 Development at Lark Place, delete the words “and queried whether legal advice was required as an allotment.” and insert the words “...and requested legal advice on the use as an allotment”.

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

The Committee considered

- The report of the Development Manager on applications for planning permission
- An Update Report by the Development Manager on Item 1, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc on Items 1 and 2, a copy of the 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 Private Garden at Lark Place, Upper Bristol Road, Lower Weston, Bath – Erection of a pair of 2 storey semi-detached 3 bedroom dwellings and a terrace of 3 two storey 3 bedroom dwellings, including access, parking for 5 cars, cycle storage and amenity provision – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure contributions relating to Education, Open Space and Recreational Facilities, and Transport; and (B) subject to the prior completion of the S106 Agreement, authorise the Development Manager to Permit subject to conditions (or such Conditions as she may determine). The Update Report referred to further objections received from local residents and the Allotments Association, receipt of a Petition, comments by the applicant’s Solicitor and comments by the Building Regulations Section. He recommended further Conditions to be imposed relating to reinstatement of the perimeter boundary wall and works being undertaken in accordance with the approved plans.

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

Councillor Doug Nicol opened the debate and considered that the application should be refused on the grounds of loss of allotment land. Councillor Les Kew stated that this was not allotments but private land which would remain derelict if not developed. He considered that this was a good development of 5 houses and therefore moved the Officer recommendation to Delegate to Permit with the S106 Agreement and the conditions recommended. He continued by saying that his only concern was the car parking issue on Upper Bristol Road but felt that this could be overcome by parking provision in adjoining roads and therefore moved that Condition 5 be amended to

include the provision of alternative parking in adjoining roads. In response to Members' queries, the Officers gave advice on Policy CF8 regarding protection of allotments which it was considered did not apply and designation of the land in the Local Plan which Officers considered was not allotment land. Councillor Eleanor Jackson referred to the national standards for allotments and queried the value of 5 allotments against 5 houses. She considered that 5 houses were a better use of the land and therefore seconded the motion to Delegate to Permit.

Members debated the motion. A Member expressed dismay that Policy CF8 did not seem to apply but felt that the community value should be taken into account. There was still some concern about on street parking provision with the loss of spaces in order to obtain access to the site. Councillor Manda Rigby felt that housing was a better use of the land and moved an amendment in order for further work to be undertaken in consultation with Officers regarding parking on the highway. The amendment was not seconded. It was noted that this would probably require the application to be deferred.

After a short discussion, the motion was put to the vote. Voting: 9 in favour and 2 against with 2 abstentions. Motion carried.

Item 2 Oldfield School, Kelston Road, Newbridge, Bath – Relocation of existing temporary classroom building within the school campus, erection of new single storey Drama Block on the current site, reintroduction of grassed area and removal of existing lighting columns to current temporary car park at rear of site – The Case Officer reported on this application and her recommendation to Permit with conditions. She referred to the Update Report with further Conditions being recommended and to further details having been received regarding a sedum roof, landscaping and building heights.

The public speaker made a statement against the application.

Councillor Caroline Roberts opened the debate as the Ward Member and considered that this was overdevelopment which was too close to the boundary with the adjoining resident. The Case Officer responded to Councillor Les Kew's queries regarding a gap in the boundary hedge and landscaping. He felt that semi-mature trees should be included if possible. Councillor Eleanor Jackson stated that the Site Visit was very beneficial and considered that the proposal was satisfactory and therefore moved the Officer recommendation to Permit with conditions. She felt that a Master Plan should be provided by the School which perhaps the Ward Member could pursue. The Chair agreed that such a Plan should be provided and referred to incremental development over the years and the greater intake of children from South Gloucestershire and Bristol since becoming a Co-Educational School a couple of years ago. Councillor Liz Hardman seconded the motion to Permit with conditions with adequate landscaping being provided.

Members debated the motion. The Chair had a concern regarding the height of the building and felt that some clarity was required. The Team Leader – Development Management stated that a condition could be imposed regarding the agreement of ground levels and this was accepted by the mover and seconder.

The motion was then put to the vote and was carried, 8 voting in favour and 4 against with 1 abstention.

(Note: Following this decision at 3.05pm, there was a 10 minute natural break)

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

The Committee considered

- The report of the Development Manager on various applications for planning permission etc
- An Update Report by the Development Manager on Item 1, a copy of which Report is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc on Items 1-3, a copy of which List is attached as *Appendix 2* to these Minutes

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

Item 1 Former Cadbury's Factory, Cross Lane, Keynsham – Hybrid planning application for mixed use development (including part demolition of existing buildings) comprising:

(A) Outline application for up to 430 dwellings, 60 bed care home (C2), primary school (D1), local centre to include crèche and medical facility (D1) and retail (A1, A3, A4 and A5), café/restaurant (A3) and associated roads, infrastructure (including flood protection measures), landscaping, new wildlife areas, open space and cycle/foot ways. All matters except access reserved.

(B) Detailed application for the erection of 157 dwellings, change of use of Block A for up to 113 apartments, highway works at Somerdale Road/Station Road,, social and sports provision (new Fry Club), new sports pitches, relocation of groundsman's hut, alterations to factory buildings B and C for employment use (B1), leisure (D2) and retail (A3, A4 and A5), including use of existing basements for car parking and associated surface level parking, access roads, landscaping and associated infrastructure, engineering works to Chandos Road and associated landscaping, extension to Station overspill car park, surface water attenuation pond and outfall to the River Avon

The Case Officer reported on these applications and his recommendations to (A) authorise the Planning and Environmental Law Manager to secure an Agreement under S106 of the Town and Country Planning Act 1990 to secure various provisions; and (B) authorise the Development Manager of Planning and Transport Development to Permit subject to conditions. He referred to the Update Report which gave details of further comments received from local residents, Keynsham Town Council and various other consultees.

The public speakers made their statements against and in favour of the proposals. This was followed by a statement by the Ward Councillor Brian Simmonds who expressed concern about the proposals primarily with highways/access.

Councillor Bryan Organ opened the debate. He supported the proposals which he felt were good for Keynsham and therefore moved the Officer recommendations. He continued by saying that the existing road network had coped with traffic for a number of years. However, with other major development coming on stream, he felt

that an Officer should be appointed to oversee development/highways in and around Keynsham – a 10 year Plan would also be helpful. The motion was seconded by Councillor Martin Veal who considered that the need for a 2nd access road had not been proven. However, an Integrated Transport Scheme was required in view of the major developments in the town which would need to be approved before final phases of development were completed.

Members debated the motion. Various issues were discussed including the road access or lack of a 2nd access, the pedestrian crossing, employment including the occupation of part of the site by a large drinks distribution company, the possibility of a better train timetable, loss of sports pitches, the current High Street shops. The Team Leader – Development Management clarified that the application was for B1 employment use, namely, offices and light industrial use. The Case Officer responded to some of the issues. He said that the single access was shown to work and that safeguarding the 2nd access was not part of the proposals. A Member hoped that 35% affordable housing could be achieved.

After a full discussion, the Chair summed up the debate and then put the motion to the vote which was carried unanimously.

Item 2 Elm Tree Inn, Wells Road, Westfield, Radstock – Construction of 14 new dwellings comprising 3 three bedroom houses, 7 two bedroom houses, 2 two bedroom apartments and 2 one bedroom apartments – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure 100% affordable housing; and (B) subject to the prior completion of the S106 Agreement, authorise the Development Manager of Planning and Transport Development to Permit subject to conditions (or such Conditions as she may determine).

The public speaker made a statement in favour of the proposal.

Councillor Eleanor Jackson supported the proposal. There were various facilities in the vicinity which would obviate the need for contributions under a S106 Agreement. The re-siting of the bus stop was a good measure. She therefore moved the Officer recommendation which was seconded by Councillor Liz Hardman. The Chair put the motion to the vote which was carried unanimously.

Item 3 No 16 Southstoke Road, Combe Down, Bath – First floor extension over existing property resulting in 2 storey dwelling. Two storey rear extension and 2 single storey side extensions – The case Officer reported on this application and her recommendation to Permit with conditions.

The public speakers made their statements against and in favour of the application. This was followed by statements by the Ward Councillors Cherry Beath and Roger Symonds who were against the proposal.

Councillor Les Kew felt that it would be beneficial to have a Site Visit to view the site in the context of its surroundings. He therefore moved that it be deferred accordingly. Councillor Liz Hardman seconded the motion as it was important to assess the proposal in the light of the group value of adjoining buildings.

The motion was put to the vote and was carried, 8 voting in favour and 3 against with 2 abstentions.

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

The Committee noted the report

74 UPDATE ON LAND AT FORMER FULLERS EARTHWORKS, COMBE HAY, BATH

The Committee considered (1) the report which updated Members on various matters pertaining to the site; and (2) an oral statement by the Clerk of Combe Hay Parish Council. It was clarified that the date of the enforcement notice in the penultimate paragraph of the report was 21st February 2013 and not 9th April 2013 as printed.

The report was noted.

The meeting ended at 5.30 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

September 25th 2013

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

ITEM 10

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
01	13/01780/EOUT	Former Cadburys Site Somerdale Keynsham

Following the completion of the Committee Report, further consultation responses have been received.

Keynsham Town Council

The Town Council object with comments as previously stated. The concerns raised regarding traffic/highways issues have not been resolved to the Town Councils satisfaction.

[Previous response - the Town Council object until such time that Highways sort out the traffic/highways issues and they are adequately solved to the satisfaction of the Town Council so that the planning application can be reconsidered by the Town Council. Access and egress to the site by one single access will not be sufficient. Recent road works in this area have illustrated how changes to traffic flow create substantial problems in this area which in turn affect Station Road, the High Street and Avon Mill Lane.]

Residents of Priory Road/Chandos Road

6 further letters of objection/comment, specifically:

1. There is already a severe commuter parking problem and significant vehicle access restrictions on Priory Road. The current proposals are going to make a bad situation even worse. Recommend a Residents Parking Scheme is introduced (funded by the applicant) and/or signage that Priory Road is 'access only for residents'.
2. Support Priory Road being closed off adjacent Station Road however the 'hammer head' turning area needs to be large enough to enable a removal or delivery lorries etc to turn. Also recommend that the applicant should surface the lane to the rear of Priory Road so that this can be used as a secondary means of access should it be blocked.
3. The traffic from Chandos Road will have to join in with traffic from the new estate and then wait again at the junction with Station Road. This will cause increased journey times for residents of Chandos, Priory Road area

particularly at busy times. Most residents would prefer to maintain a separate identity from the development.

4. Concern about the access issues into the site and the extra volume of traffic on Station Road, which will make pulling on to Station Road from side roads even more difficult than at present.
5. A second access to the site is required.
6. Objection to loss of existing railings between Chandos Road properties and the site.

Sport England

Sport England reiterate their objection to the application on the grounds of loss of playing fields and inadequate replacement playing pitches within a Flood Zone (apart from pitch F1) and note the following:

- the new Fry Clubhouse is a legacy of the current owners (Kraft) and not the applicant.
- Sport England does not support the re-provision of football pitches into the Flood Zone, which remains a major concern of Sport England and the Football Association. Sport England propose the option of an artificial pitch (AGP) is explored in greater detail as the replacement F1 pitch offers limited extra use.
- sports lighting should meet the Football Association's Floodlighting Guide.
- the English Cricket Board are uncertain whether the identified playing field area in the flood plain is able to sustain the level of activity that is proposed and propose a ground survey report is produced by the applicant.
- whilst the tennis facility meets the existing club's needs there would be possible capacity issues in the future if the club was looking to expand.

Scientific Officer (Contaminated Land)

Further comments following receipt of an Addendum to the Environmental Assessment. In respect of the Additional Ground Gas Assessment Report I conclude that the number of wells in the different horizons (particularly made ground and alluvium) is relatively low and represents a relatively small number taking account of the size of the site/zone. The number of rounds of monitoring is relatively low with none of the monitoring rounds being undertaken at low atmospheric conditions (below 1000mpa). Whilst I accept that a relatively precautionary approach has been recommended in the interpretation of the data, additional gas monitoring and gas risk assessment for the whole site taking account of different zones or strata as necessary will be required. The monitoring will need to cover minimum standards as described in guidance documents such as CIRIA C665 and include at least two monitoring visits at low or falling atmospheric pressure.

In respect of the Geotechnical Assessment Summary Report, which included some limited further chemical analysis, my previous comments in relation to the preliminary investigation conclusions and recommendations still stand. Taking account of the findings of the preliminary geo-environmental investigation for additional soil and water investigation and risk assessment in areas where no or limited investigation has been undertaken and in areas requiring further assessment and delineation, and taking account of the

additional gas assessment and geotechnical investigation, recommend conditions (previously drafted) be applied.

Environment Agency

The Environment Agency interests are not affected by the ES Addendum and so comments remain as before. The Agency has received additional information from the applicant's consultant requesting an amendment to the proposed wetland condition and confirm that this condition can be modified.

English Heritage

No further comments to amended Environmental Statement as no changes to any historic assets. Urge the Council to address previous concerns and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

B&NES Historic Environment Team

Further comments in response to applicant's submission (received 23 August 2013). The Somerdale Chocolate Factory is identified on Monument Number MBN 9383 on the BANES Historic Environment Record HER. The inclusion of the Factory site recognises the importance of the buildings on the site as undesignated heritage assets.

Disagree with conclusion that the local and regional interest of the site does not relate to existing [factory buildings, Power House] structures. The Historic Building Report submitted in support of the development states in reference to blocks A, B and C, and the Power House that "... Their local status and local historic interest would justify a reuse scheme ...". The importance of the undesignated heritage assets on the site is confirmed by English Heritage in their consultation response who also recommend that the heritage assets on the site are given sufficient weight within the planning application process.

It is accepted that the significance of the complex has been diminished by unfortunate past demolitions of important buildings however this should not set a precedent for future works on the site. It may be argued that the loss of buildings on the site in the past in fact emphasises the importance of trying to conserve that of importance that still remains.

Power Station - note the concerns over the future use and cost of works required to the power station and the views of the report by Hydrock. However it appears no detailed specification of works with detailed costing's are provided so that the viability of the buildings restoration and repair can be tested. Although accepting works are required to the fabric of the building I also note in the report by Hydrock that they state the building is structurally robust. The building lies within the flood plain however there are a set of flood relief pumps and buried tanks that operate at times of flooding and as part of any conversion works a strategy for protection of the building against flooding could be investigated/discussed with the EA. To test viability, and if a user can be found for the building, I also advise that the power station should be extensively advertised on the open market for a reasonable time period, at a

price which reflects the works required to it, and with a flexible remit for its potential use. Previously advised that the power station chimney stack should be retained and this view has not changed. The report by Hydrock notes that the chimney has been well maintained through its life and although there is cracking at the base this is unlikely indicative of any serious structural defect and may be repaired via stitching.

In mitigation for the demolition of the above buildings applicant suggests the recording of the power house station and its chimney however recording does not outweigh the harm caused by the demolition of the buildings/structures or the harm caused to the setting of other factory buildings to be retained.

Buildings A B and C - disagree with evaluation of the importance of blocks B C. The comments lack an understanding of the importance of setting and devalues the present setting of the undesignated heritage assets. The new housing estate will clearly appear visually incongruous in this location, compete unduly with the undesignated heritage assets, and the proposals fail to recognise the potential of leaving this area as an attractive landscaped open space which would reinforce local identity and a sense of place. The new housing development in this area substantially harms the setting of the undesignated heritage assets.

The fact that trees are protected by TPOs and the development will only be close as designation allows fails to recognise the visual importance of undeveloped spaces in their own right, the wider setting of heritage assets, and the need for a high quality scheme.

In conclusion, and notwithstanding the observations made by the applicant, the proposals remain unacceptable for the reasons previously given. In balancing the need for more housing, and the any additional wider public benefits proposals may bring, more weight should be given to the conservation of the important undesignated heritage assets on the site and their setting. The present proposals do not give due weight to the importance of conserving undesignated heritage assets and their setting as advised in the NPPF or in the consultation response of the 15th July by English Heritage.

Item No.	Application No.	Address
03	13/02097/FUL	16 South Stoke Road Combe Down Bath

Condition 4 amended to:

The proposed windows on the rear elevation illustrated as serving a hallway shall be glazed with obscure glass and permanently retained as such. Details relating to their opening, and how this will be restricted, shall be submitted to and approved in writing prior to the commencement of the development hereby approved. The development shall thereafter to be completed in accordance with these approved details and permanently retained as such. No other windows, other than those illustrated on the approved plans, shall be inserted on the rear elevation of the development hereby approved, unless otherwise approved in writing by the Local Planning Authority.

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

Representations

4 representations have been received since the preparation of the report. However, these are from third parties who have previously commented, but who wish to reiterate their comments as they are unable to attend the committee meeting.

Item No.	Application No.	Address
Site Visit 01	13/02098/FUL	Private Garden Lark Place Upper Bristol Road Lower Weston Bath

1. 6 Additional objections received from neighbouring residents (summarised):

- This is a further step towards the total infilling of all spaces between Charlotte Street and the Windsor Bridge. Empty spaces / open areas are vital for the communities in densely packed terraced urban areas.
- The development would add another access point to an already busy section of the Upper Bristol Road and move parking spaces to a more dangerous location.

- The parking spaces on Upper Bristol Road are needed for the shops and seldom under-used.
- Object to loss of allotments – surrounding residents only have small gardens
- The committee site visit will not reveal whether the site is allotments as the land is now overgrown.
- The Local Land search carried out prior to buying my house showed the land as allotments and my understanding was that the land was therefore not likely to be developed, in the future. It now appears the information on the Searches provided by BANES was incorrect and that the Council are now considering a proposal to build five houses on this small piece of land previously used as allotments for over 50 years. In light of this I have decided to seek legal advice with a view to taking action against BANES Council for providing misleading information regarding the purchase of my property. Who is responsible for coordinating the changes to plan records necessitated by the Local Plan adopted 6 years ago?
- The Allotment designation given to the site was removed in the Local Plan adopted in 2007. I note that unlike the Town Plan there is no distinction between Statutory Allotments and privately owned allotments on the Local Plan, was this deliberate and did all private allotments have their designation removed?
- Has the threat by the applicant to involve the Council in a "costly appeal" influenced the recommendation on the application?

1. Objection received from the Allotments Association:

- Bath & North East Somerset Allotments Association object to any development of this site.
- Policy CF.8 is material here, as the Council's background documents to the policy make clear that it applies to statutory, non-statutory and private allotments. Planning officers have used CF.8 to refuse development on private allotments before, so I'm not clear why this case should be different.
- As regards the point about the Green Spaces Strategy, there are a very few private allotments in the city but none of these are listed in the Strategy so this is no reason to question the Lark Place site's status as a private allotment.

2. A petition has been submitted to the Council under the Small Holdings and Allotments Act 1908 for the Council to acquire the application site and provide it as allotments for the use by local residents. This is

because it is clear from the Council's current waiting list for allotments that the Council's stock of allotments is insufficient to meet demand.

3. The applicants solicitor has written in, commenting that the land had previously been developed with part of the land forming the site of a cottage known as Blue Lodge Cottage in 1936; stressing that an inspection of the site alone will not enable the committee to determine whether the land is allotments; and commenting that no documentary evidence has been presented by residents to substantiate the use of the land as allotments.
4. Building Regulations have commented in respect of land stability issues, raising no objections to the planning application, but acknowledging that the site lies either within or very close to an area of poor Loadbearing strata. The support of adjacent properties undermined by the works, temporarily or otherwise, will be the responsibility of the contractor and/or designers. A ground investigation would need to be carried submitted together with other documentation required by the building control provider.

The poor ground conditions would make piling (or some other type of engineered solution) the most suitable method of foundation design to adopt. Ultimately this will be checked / approved at the time of the building regulation submission. If excavations are being carried out close to the adjacent properties, party wall notices will also need to be served although it must be pointed out this process is independent of the building control system.

Item No.	Application No.	Address
Site Visit 02	13/02302/FUL	Oldfield School Kelston Road Bath

UPDATE REPORT:

This update report includes additional representations and information received following the publication of the first Committee report.

Additional representation from neighbour concerning highway issues (summarised):

- Previous applications refer to no increase in pupil numbers at the school and previous decisions have been made on this premise
- The school have granted an increase in numbers from 192 to 217 for this coming academic year 2013 as they now have the ability to accommodate the extra intake. The intake was 139 in 2012 so this is an increase of 80 pupils. There was no mention of this in the recent application for the drama block and two extra classrooms.
- The school is now an academy so is outside of BANES control as the admissions authority
- Amendments are always made to the applications after permission has been granted i.e. the sports hall that was passed without being open to the public. Then an amendment is made extending use of the facility to the public with out of hours use. This has had an adverse effect on parking and traffic in the area.
- Concerns over the use of a drama block by the public with audience participation. It will again have an effect on the traffic and the community as the majority of the pupils come from out of the borough.
- Concerns over the increase of pupils on a year on year basis and the knock-on effects on highway safety

Response from Highways Development Officer dated 16/08/13 to these neighbour comments:

"I understand your concerns regarding previous, and proposed, increases in pupil numbers at the school, which I have also raised in previous recommendations. However, in commenting on planning applications I must respond on the basis of the submitted application details, which in the case of the current application, I have been advised would simply replace two classrooms in the PE block to within the new drama block, and the relocated Training Classroom Block would retain the same use in its new position. I

understand that the existing drama studio has been condemned, and would therefore not be brought back into use, and on this basis there would not be any additional classroom accommodation as a result, and therefore no additional capacity for more pupils.

I appreciate that these claims have been made previously, and then some increases in pupil numbers have taken place, but on the basis of the information I have received in respect of this current application, there are no grounds for me to raise a highway objection.

Clearly I am only a consultee within the planning process, and the Planning Case Officer will consider all consultation responses, and letters of support and objection, submitted in relation to this application in order to reach a decision, or make a recommendation to committee.

The school has now changed from a girls school to co-educational, but as yet there are no survey results to give any indication if this change has resulted in the changes in travel habits, and needs, that were expected within the Travel Plan, and although I am aware that there have been parking and road safety issues raised, and addressed, over the years, the Area Traffic Engineer has advised that there have been no adverse issues raised since the changes in the school last September.

With regard to your comment on any potential amendment to the use of the drama block by the public, this would clearly be subject to a separate application, and the implications of any proposed additional use would be considered at that time”.

Conclusion:

In light of the Highway Development Officer's comments it is evident that there is no highways objection to this proposal. Therefore the officer recommendation remains as the committee report but it is recommended that condition no.2 on the Committee report is amended, and an additional condition is added as referred to below:

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 a timetable for the reinstatement of the grassed area and removal of the contractors compound, deliveries to and from the site (including storage arrangements and timings), contractor parking and traffic management.

Reason: To ensure the safe operation of the highway and the appearance of the site.

The development hereby permitted shall be carried out only in accordance with the approved Ecological assessment (Arup letter dated 13th May 2013 and Ecological Walkover Assessment August 2011). If at any time when the buildings are dismantled and protected species are found or evidence of

protected species are found, all work should cease and an ecologist be contacted to provide advice. The development thereafter shall be carried out in accordance with that advice.

Reason: To secure adequate ecological protection during the course of development.

Additional representation from neighbour dated 2nd Sept (summarised):

- Would seek a Judicial Review if not successful in achieving a rejection or at the very least a postponement of this application, both for the reasons of very poor design in the Green Belt, overlooking an Area of Outstanding Natural Beauty and Grade 2 Listed buildings and the illegal presumption of a consent by the applicant with the full support and complicity of a number of departments of BANES Council, including Major Projects and Building Control amongst others.

Revised plans to show sedum roof received 06/09/13:

- Details of a sedum roof illustrated which shows a 250mm increase in the height of the roof line to accommodate the required structure. All other aspects of the materials and plan dimensions remain the same.

Observations following the Committee site visit on Monday 16th September:

- There was disagreement between the officer assessment of the height of the proposed building and the adjoining resident, who felt the drama block will be much higher than the existing block. For the committee, a plan showing the existing building (to be removed) and the drama block on the same elevation plan has been provided and will be presented to members.
- Concerns were raised about noise issues. The agent has provided further clarification here and states that "the proposed design has been specifically orientated to avoid any windows or openings from the Drama room facing the boundary with the intention of reducing the possibility for noise escaping from the Drama activities. The only windows along this edge are from the single classroom along this boundary side of the building and as they are windows from a classroom this will be a space which is observed and managed by a teacher and not an area of 'common room' where noise could perhaps be a problem. Furthermore, the entire building is developed and constructed in line with Building Bulletin (BB) 93 'Acoustic Design for Schools' and as such the acoustic performance of spaces within the building will provide acoustic dampening suitable for education buildings of this type and construction. The new building construction will be far more robust and solid than the existing more flimsy structure, therefore the acoustic performance of the new building will be better than the existing building currently sited in this location".

- A site plan has been updated to include landscaping (hedge planting) on the boundary with 130 Kelston Road, this is supplemented by a landscaping condition.
- Members asked whether the timber facing material for the drama building would match that of the sports hall, or the other timber buildings towards the back of the site?

The agent has stated that “whilst the original design intention was to match the materials of the recently completed adjacent block – with the same render and timber detailing from a similar palette – we understand that Members have expressed a preference that other adjacent buildings and structures should be looked at to match their palate of colours. Whilst the timber was intended to be untreated in order to weather naturally, a colour stain could be applied which would bring it more in line with other colour palettes around the site”.

Conclusion:

Further to the additional representations and details the officer recommendation remains as the committee report but it is recommended that two additional conditions are provided for materials to be agreed and further details of the sedum roof:

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, 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.

No development shall commence until a section drawing showing the sedum roof and a maintenance plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the development

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

**MEMBERS OF THE PUBLIC ETC WHO MADE A STATEMENT AT THE MEETING
OF THE DEVELOPMENT CONTROL COMMITTEE ON WEDNESDAY 25TH
SEPTEMBER 2013**

SITE/REPORT	NAME/REPRESENTING	FOR/AGAINST
SITE VISIT LIST – REPORT 9		
Private Garden, Lark Place, Upper Bristol Road, Bath (Item 1, Pages 45-71)	Virginia Williamson, B&NES Allotments Association	Against
	Tony Mason, Ashfords (Applicants' Solicitors)	For
Oldfield School, Kelston Road, Newbridge, Bath (Item 2, Pages 72-80)	Ralph Murphy	Against
MAIN PLANS LIST – REPORT 10		
Former Cadbury Factory, Cross Street, Keynsham (Item 1, Pages 84-122)	Gill Hellier, Chair of Keynsham Town Council	Against
	1. John McLennan 2. Bernie Grimes 3. Mr McColgan 4. Simon Wood (The FA Group) 5. Christine Rogers 1. Kevin Thatcher, Chairman of the Fry Club 2. Graham Donald, Director, Matthew Clark Co	Against – To share up to 10 minutes For – To share up to 10 minutes
Elm Tree Inn, Wells Road, Westfield, Radstock (Item 2, Pages 123-133)	James Bullivant, Curo (Joint Applicants)	For
16 Southstoke Road, Combe Down, Bath (Item 3, Pages 134-141)	Alex Madden, Thrings (Solicitors acting for 2 objectors) <u>AND</u> Emma Lawrence, Bath Preservation Trust	Against – To share 6 minutes
	Kelly Rose (Applicant) <u>AND</u> Tony Phillips, Thurdleigh Planning (Applicants' Agents)	For – To share 6 minutes
FORMER FULLERS EARTHWORKS – REPORT 12		
	Peter Duppa Miller, Clerk to Combe Hay Parish Council	Statement

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BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

25th September 2013

SITE VISIT DECISIONS

Item No:	01	
Application No:	13/02098/FUL	
Site Location:	Private Garden, Lark Place, Upper Bristol Road, Lower Weston	
Ward: Kingsmead	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a pair of two storey semi-detached 3 bedroom dwellings, and a terrace of 3 no. two storey 3 bedroom dwellings, including access, parking for 5 cars, cycle storage, and amenity provision.	
Constraints:	Agric Land Class 3b,4,5, Article 4, British Waterways Major and EIA, Conservation Area, Forest of Avon, Hazards & Pipelines, Hotspring Protection, World Heritage Site,	
Applicant:	Mr P.A. Wells	
Expiry Date:	24th July 2013	
Case Officer:	Daniel Stone	

DECISION: Authorise the Development Manager to permit subject to a Section 106 Agreement.

Subject to the prior completion of the above agreement, authorise the Development Manager to PERMIT subject to the following conditions (or such conditions as she may determine):

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

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

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

Reason: To ensure the safe operation of the highway and protect the amenity of surrounding residents.

3 Sample panels of all the external materials and finishes and demonstrating coursing, jointing and pointing to the masonry and all hard paved surfaces (including roads and

footpaths) are to be erected on site and shall be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in full accordance with the approved details and sample panels.

Reason: To ensure that the external appearance of the development is satisfactory in order to protect the character and appearance of the Conservation Area, the setting of adjoining Listed Buildings and the setting of the World Heritage Site.

4 Drawings to a minimum 1:10 scale (also indicating materials, treatments and finishes) of the following items shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun, unless otherwise agreed in writing by the Local Planning Authority:

- Windows - to include types, sections and method of opening (including lintol detailing and wall returns), materials, colour and finishes and surrounds
- External doors - to include joinery details, materials, colour and finishes and external architraves and margin lights (if any)
- porch canopies
- Rainwater goods

All details shall show relationship to adjoining materials in plan and section. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory in order to protect the character and appearance of the Conservation Area, the setting of adjoining Listed Buildings and the setting of the World Heritage Site.

5 No development shall commence until on-street parking along the site frontage has been revised in accord with the details shown on the approved layout plan, or until alternative parking has been provided in adjacent roads with the agreement of the Local Planning Authority, secured through the successful delivery of a Traffic Regulation Order.

Reason: To ensure the introduction of a safe access.

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

Reason: In the interests of amenity and highway safety.

7 The area allocated for cycle parking on the submitted plan shall be kept clear of obstruction. These areas shall be secure, sheltered and shall not be used other than for the parking of cycles in connection with the development hereby permitted, and shall be provided prior to the first occupation of the development and thereafter retained.

Reason: In the interests of sustainable development.

8 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of

the Travel Smarter publication, car share, car club information etc., together with complimentary bus tickets for each household member to encourage residents to try public transport. The content of such packs shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

9 No development shall commence 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 first been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a field evaluation of the site to determine date, extent, and significance of any archaeological deposits or features, and shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of potential archaeological interest and the Council will wish to evaluate the significance and extent of any archaeological remains.

10 No development shall commence until the applicant, or their agents or successors in title, has presented the results of the archaeological field evaluation to the Local Planning Authority, and has secured the implementation of a subsequent programme of archaeological work in accordance with a written scheme of investigation which has first been agreed and approved in writing by the Local Planning Authority. The agreed programme of archaeological work shall be carried out by a competent person and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of potential archaeological interest and the Council will wish record and protect any archaeological remains.

11 The development shall not be brought into use or occupied until the applicant, or their agents or successors in title, has secured the implementation of a programme of post-excavation analysis in accordance with a publication plan which has been submitted to and approved in writing by the Local Planning Authority. The programme of post-excavation analysis shall be carried out by a competent person(s) and completed in accordance with the approved publication plan, or as otherwise agreed in writing with the Local Planning Authority.

Reason: The site may produce significant archaeological findings and the Council will wish to publish or otherwise disseminate the results.

12

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 also 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: To ensure that risks from land contamination to the current and future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13

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: To ensure that risks from land contamination to the current and future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14

On completion of the works but prior to any occupation of the approved residential 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,T for living rooms and bedrooms. For bedrooms at night individual noise events (measured with F time-weighting) shall not exceed 45dBLAmax. The completed development shall not be occupied until sound attenuation has been installed to achieve these standards, to the written satisfaction of the Local Planning Authority.

Reason: In the interests of ensuring that the development offers an acceptable living environment for future residents, and that adequate mitigation is in place to limit noise levels to an acceptable level.

15 No development shall take place until full details of a Wildlife Protection and Enhancement Scheme, in accordance with the recommendations of the approved ecological report entitled Extended Phase 1 Survey dated May 2013, have been submitted to and approved in writing by the local planning authority. These details shall include:

- Reptile survey findings and mitigation proposals as applicable
- All other measures for the protection of wildlife
- All other proposed ecological enhancements as applicable

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

Reason: To ensure that adequate provision is made for habitat provision and wildlife protection within the development.

16 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.

17 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.

18 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 buildings other than in the approved refuse stores.

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

19 Prior to the commencement of development full details shall be submitted to and agreed in writing by the Local Planning Authority of the making good or re-construction of the perimeter boundary walls, including a representative sample panel of the brickwork. 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 character and appearance of the Conservation Area.

PLANS LIST:

This decision relates to drawing nos

DRAWING CL 463-1 / 100 LOCATION PLAN
DRAWING 1000 SURVEY AS EXISTING - SITE PLAN
DRAWING 1001 SURVEY AS EXISTING - SITE SECTIONS
DRAWING 1002 EXISTING SEWER OVERLAY PLAN
DRAWING 3000 SITE PLAN AS PROPOSED
DRAWING 3001 SITE SECTIONS AS PROPOSED
DRAWING 3002 PROPOSED UNITS 1 AND 2
DRAWING 3003 PROPOSED UNITS 3,4 AND 5
DRAWING 3004 PROPOSED CYCLE STORE
DRAWING 463-1 DESIGN AND ACCESS STATEMENT
ARBORICULTURAL REPORT
EXTENDED PHASE 1 SURVEY
NOISE ON CONSTRUCTION SITES - CODE OF PRACTICE

FURTHER LISTED BUILDING CONSENT REQUIRED

Listed Building Consent is required for the relocation of the Listed Milestone on the site frontage onto the Upper Bristol Road. No works affecting the milestone should be begin ahead of Listed Building Consent being obtained.

LICENCE REQUIRED FOR VEHICULAR CROSSING

The applicant should be advised to contact the Highway Maintenance Team on 01225 394337 with regard to securing a licence under Section 184 of the Highways Act 1980 for the construction of a vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

- o No materials arising from the demolition of any existing structures, the construction of new buildings nor any material from incidental and landscaping works shall be burnt on the site.
- o The developer shall comply with the BRE Code of Practice to control dust from construction and demolition activities (ISBN No. 1860816126). The requirements of the Code shall apply to all work on the site, access roads and adjacent roads.
- o The requirements of the Council's Code of Practice to Control noise from construction sites shall be fully complied with during demolition and construction of the new buildings.

Item No:	02
Application No:	13/02302/FUL
Site Location:	Oldfield School, Kelston Road, Newbridge, Bath
Ward: Newbridge	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Relocation of existing temporary classroom building within the school campus, erection of new single storey Drama Block on the current site, reintroduction of grassed area and removal of existing lighting columns to current temporary car-park at rear of site
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, Hotspring Protection, Major Existing Dev Site, World Heritage Site,
Applicant:	Oldfield School
Expiry Date:	13th August 2013
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 No development shall be commenced until a soft landscape scheme for the new drama studio and immediate surroundings has been first submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of trees, hedgerows and other planting which are to be retained and a planting specification to include numbers, density, size, species and positions of all new trees and shrubs

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

3 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 for the new drama building, 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.

4 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.

5 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 a timetable for the reinstatement of the grassed area and removal of the contractors compound, deliveries to and from the site (including storage arrangements and timings), contractor parking and traffic management. The development thereafter shall be carried out in accordance with the Construction Management Plan.

Reason: To ensure the safe operation of the highway and the appearance of the site.

6 The development hereby permitted shall be carried out only in accordance with the approved Ecological assessment (Arup letter dated 13th May 2013 and Ecological Walkover Assessment August 2011). If at any time when the buildings are dismantled and protected species are found or evidence of protected species are found, all work should cease and an ecologist be contacted to provide advice. The development thereafter shall be carried out in accordance with that advice.

Reason: To secure adequate ecological protection during the course of development.

7 No development shall commence until a section drawing showing the sedum roof and a maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction and maintenance of the sedum roof shall only be carried out in accordance with the approved drawing and maintenance plan.

Reason: To safeguard the appearance of the development

8 Notwithstanding the submitted plans, no development shall commence until a plan has been submitted to and approved in writing by the Local Planning Authority showing all external dimensions in writing to include finished ground levels and internal floor levels of the drama building and its relationship to the nearest existing adjacent building. The development thereafter shall be carried out in accordance with the approved plan.

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

9 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 ref. 1322 2040 issue A, 2100 issue C, 2001 issue A, 2050 issue A, 2103 issue A, 2060 issue A date received 31/05/13

Planning Statement
Flood Risk Assessment
Design & Access Statement

Archaeological Desk Study 2 dated 26 July 2013 and Ecological Walkover Assessment August 2011 and Arup Letter 31 May 2013
Travel Plan dated 29 May 2013

2101 Issue G, 2301 Issue E and 2102 Issue B date received 19/09/13

Drawing ref 2300 issue B, 2052 issue A, 2301 issue B, 2051 issue A date received 18/06/13

DECISION TAKING STATEMENT

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, a positive view of the submitted proposals was taken and permission was recommended.

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Item No:	01
Application No:	13/01780/EOUT
Site Location:	Former Cadbury Factory, Cross Street, Keynsham, BS31 2AU
Ward: Keynsham North	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Outline Application with an EIA attached
Proposal:	Hybrid planning application for the mixed use development of the former Cadburys Factory site, Somerdale, Keynsham (including part demolition of existing buildings) comprising:
	a) Outline application for up to 430 dwellings, 60 bed care home (C2 use) primary school (D1 use) local centre to include creche and medical facility (D1 use) and retail (A1, A3, A4, A5 uses) cafe/restaurant (A3 use) and associated roads, infrastructure (including flood protection measures), landscaping, new wildlife areas, open space and cycle/footways. All matters except Access reserved.
	b) Detailed application for the erection of 157 dwellings, change of use of Block A for up to 113 apartments, highway works at Somerdale Road/Station Road, social and sports pavilion (new Fry Club), new sports pitches, relocation of groundsmans hut, alterations to factory buildings B and C for employment use (B1) leisure (D2 uses) and retail (A3, A4 and A5 uses) including use of existing basements for car parking and associated surface level parking, access roads, landscaping and associated infrastructure, engineering works to Chandos Road and associated landscaping, extension to station overspill car park, surface water attenuation pond and outfall to the River Avon.
Constraints:	Agric Land Class 1,2,3a, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, British Waterways Major and EIA, British Waterways Minor and Householders, Coal - Standing Advice Area, Flood Zone 2, Flood Zone 3, Forest of Avon, General Development Site, Greenbelt, Housing Development Boundary, Listed Building, Regionally Important Geological Site RIG, Protected Recreational, Land of recreational value, Sites of Nature Conservation Imp (SN), Tree Preservation Order,
Applicant:	Taylor Wimpey UK Limited
Expiry Date:	29th August 2013
Case Officer:	Gwilym Jones

DECISION Authorise the Development Manager to permit subject to conditions and a Section 106 Agreement.

REASONS FOR GRANTING PERMISSION

The decision to recommend approval has taken account of relevant policies set out in the Development Plan and approved Supplementary Planning Documents, and the National Planning Policy Framework. The decision has also been taken into account other material considerations including emerging local planning policy and the responses from statutory consultees and those from other interested parties including local residents.

The proposals are in general conformity with Policy KE2 in the Draft Core Strategy and the redevelopment of the site for up to 700 dwellings, up to 11,150m² of B1 space, leisure and community uses including a new school and replacement of the existing Fry Club is considered an appropriate mixed-use development of the site.

The proposal will result in an increase in peak hour traffic on the local road network and an increase in journey times however it has been demonstrated that this will not have a significant detrimental effect on the operation of local junctions. Mitigation is proposed to address local highway impacts and to promote sustainable forms of travel and will be secured by conditions and legal agreement.

The layout and design of the proposed buildings covered by the detailed planning application are considered acceptable and will not result in significant harm to neighbouring amenity. The scale, density and land use principles set out in the parameter plans for the outline application are considered appropriate for the site and controls can be imposed to secure acceptable details at reserved matters stage. The development will result in the loss of heritage assets of regional and local importance however on balance reuse of buildings to be retained is considered to be an acceptable approach. The development will safeguard historic assets of national importance.

The proposal provides a mix of housing types and sizes including affordable housing that is provided at a level commensurate with the overall viability of the development. The design and location of the affordable housing is considered acceptable and will be secured through legal agreement.

The development locates more vulnerable land uses within Flood Zone 1 and with mitigation and compensation works will not increase overall flood risk. The site's ecological resources have been surveyed and assessed and it appropriate mitigation has been identified to safeguard European and nationally protected species.

The proposal will result in the relocation and re-provision of existing sports facilities on the site. It is considered that the overall quantity and quality of provision is acceptable.

The proposed development is in general accordance with Policies IMP.1, D.2, D4, ET.1, ET.3, CF.2, CF.3, CF.5, CF.6, SR.1A, S9, ES.2, ES.5, ES.10, ES.15, HG.1, HG.4, HG.7, HG.8, WM.4, GDS.1, GB.1, GB.2, NE.1, NE.4, NE.9, NE.10, NE.11, NE.12, NE.15, BH.5, BH.11, BH.12, T.1, T.3, T.5, T.6, T.8, T.24, T.25 and T.26 of the Bath & North East Somerset Local Plan (including minerals and waste policies) 2007.

Item No:	02
Application No:	13/01914/FUL
Site Location:	Elm Tree Inn Unoccupied Premises, Wells Road, Westfield, Radstock
Ward: Westfield	Parish: Westfield LB Grade: N/A
Application Type:	Full Application
Proposal:	Construction of 14 new dwellings comprising three 3-bedroom houses, seven 2-bedroom houses, two 2-bedroom apartments and two 1-bedroom apartments
Constraints:	Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon,
Applicant:	E G Carter & Curo Places Ltd
Expiry Date:	14th August 2013
Case Officer:	Mike Muston

DECISION Authorise the Development Manager to permit subject to conditions and a Section 106 Agreement.

PLANS LIST:

Drawing 3615/003 Rev H, received 13 August 2013
 Drawings 3615/006 Rev C, 009 Rev C, 017 Rev B, received 23 May 2013
 Drawings 3615/021, 557/7041/1, received 15 May 2013
 Drawings 3615/004 Rev B, 005 Rev B, 007 Rev B, 008 Rev B, 9588-0050 REV B, received 3 May 2013

INFORMATIVE

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

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.

Item No:	03
Application No:	13/02097/FUL
Site Location:	16 Southstoke Road, Combe Down, Bath, Bath And North East Somerset
Ward: Combe Down	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	First floor extension over existing property resulting in two storey dwelling. Two storey rear extension and two no. single storey side extensions.
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,
Applicant:	Mr And Mrs Rose
Expiry Date:	12th July 2013
Case Officer:	Tessa Hampden

DECISION Defer consideration to allow members to visit the site.