

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 23rd September, 2015, 2.00 pm

Councillor Tim Ball (In place of - Bath and North East Somerset Council
Councillor Rob Appleyard)
Councillor Jasper Martin Becker- Bath & North East Somerset Council
Councillor Matthew Davies - Bath & North East Somerset Council
Councillor Sally Davis - Bath & North East Somerset Council
Councillor Eleanor Jackson - Bath & North East Somerset Council
Councillor Les Kew - Bath & North East Somerset Council
Councillor Bryan Organ - Bath & North East Somerset Council
Councillor Will Sandry (In place - Bath and North East Somerset Council
of Councillor Paul Crossley)
Councillor David Veale - Bath & North East Somerset Council

48 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

49 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required

50 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were apologies for absence from Councillors Rob Appleyard, Paul Crossley and Caroline Roberts. Their substitutes were Councillors Tim Ball and Will Sandry.

51 DECLARATIONS OF INTEREST

Councillor Will Sandry declared a disclosable pecuniary interest in the planning application at 43 Upper Oldfield Park, Bath (Item 1, Report 9) as he could see the building from his house. He would therefore make a statement as the adjoining Ward Councillor and then leave the room for its consideration. Councillor Eleanor Jackson gave reasons why she had no interest to declare on the MoD Foxhill application (Item 2, Report 9). She explained that, in her capacity as a member of the Council, she attended the Curo Partnership meeting, the function of which was primarily to represent the views of Curo residents on matters relating to their tenancy. The position had no relevance to this planning application. Councillor Tim Ball stated that the same situation applied to him.

52 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none

53 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS,

PETITIONS OR QUESTIONS

The Senior Democratic Services Officer advised that there were a number of speakers on planning applications who would be able to make their statements when reaching their respective items in Report 9.

54 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There was none.

55 MINUTES: 26TH AUGUST 2015

The Minutes of the previous meeting held on Wednesday 26th August 2015 were approved as a correct record and signed by the Chairman.

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

The Committee considered

- The report of the Group Manager – Development Management on various applications for planning permission etc.
- An Update Report by the Group Manager on Item Nos 1-5, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos 1-8, a copy of the Speakers List being attached as *Appendix 2* to these Minutes

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

Item 1 No 43 Upper Oldfield Park, Bath – Erection of 14 residential apartments with parking and shared grounds (Revised proposal) (Retrospective) – The Case Officer reported on this application and her recommendation to (A) authorise the Head of Legal and Democratic Services to enter into a S106 Agreement to secure the provision of a parking space for the local car share club and membership of the aforementioned club for future residents on a lifetime basis at a ratio of 2 memberships per flat; and (B) subject to the prior completion of the above Agreement, authorise the Group Manager to grant permission subject to conditions. She referred to the Update Report which informed of additional local representations and a correction to the Recommendation whereby Condition 1 would be replaced by 2 conditions.

The public speakers made their statements against and in favour of the application. Councillor Will Sandry made a statement as the adjoining Ward Member for Oldfield and then left the meeting for its consideration. Then Councillor Patrick Anketell-Jones as Cabinet Member for Economic Development commented on the application. The Group Manager gave advice on a reference in the statement by the Chief Executive of the Bath Preservation Trust to the effect that the Ministerial statement concerning intentional unauthorised development was not applicable in this case because the application was received prior to 31st August 2015.

Members asked questions for clarification to which Officers responded. Councillor Les Kew stated that this was a good use of the land and would provide much needed housing. The materials would eventually weather. He therefore moved the Officer recommendation as amended in the Update Report which was seconded by Councillor Bryan Organ.

Members debated the motion. After a short discussion, including reference to the time limit for work to be undertaken, the motion was put to the vote and was carried unanimously.

Item 2 Former MoD site, Foxhill, Combe Down, Bath – Approval of reserved matters with regard to outline application 14/03454/EOUT for the development of 276 dwellings, public open space and all associated infrastructure – The Case Officer reported on this application and his recommendation to Approve subject to conditions. He referred to the Update Report which advised of amended plans being received and Officer's comments on further representations received. Also the recommended Condition 2 could now be deleted and the Plans List numbers updated.

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

Members asked questions about the application for clarification to which Officers responded.

Councillor Will Sandry liked the proposal for this key development site and which provided a good variety of buildings. The views from the north of the City would not in his opinion be detrimentally affected. He therefore moved the Officer recommendation. The motion was seconded by Councillor Les Kew who considered that it was an excellent design scheme; it would provide affordable housing; and give a good quality of life for the occupiers. The materials were satisfactory but it was important that sample panels remained on site for the duration of the construction period.

Members debated the motion. Councillor Tim Ball considered that a condition should be added so that sufficient litter bins should be provided on the site. The mover and seconder agreed to this amendment.

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

Item 3 Echo Gate, 27 Rodney Road, Saltford – Erection of 3 detached dwellings and garages – The Case Officer reported on this application and his recommendation to grant permission subject to conditions. The Update Report referred to a correction in the Report and to Officer's comments on representations received on ecology issues.

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

A Member asked a question about the proposal for clarification to which the Case Officer responded.

Councillor Tim Ball considered that the character and size of the development was appropriate for this site and therefore moved the Officer recommendation which was seconded by Councillor Eleanor Jackson.

Members debated the motion. A Member commented that the Arboricultural Method Statement needed careful consideration.

After a short discussion, the motion was put to the vote and was carried, 8 voting in favour and 0 against with 1 abstention.

Item 4 No 5 St James' Square, Bath – Change of use from Use Class C3 (last used as a House in Multiple Occupation) to House in Multiple Occupation (large HMO) (Use Class Sui Generis) and reconstruction of front lightwell staircase – The Planning Officer reported on this application and the recommendation to grant permission subject to conditions. She informed Members that the proposal was for a 7 bed HMO and not 8.

The public Speakers made their statements against and in favour of the application which was followed by a statement by the Ward Councillor Chris Pearce expressing concerns about the proposal.

Councillor Tim Ball could not see that there were reasons to refuse permission noting that the proposal was policy compliant and therefore moved the Officer recommendation. The motion was seconded by Councillor Eleanor Jackson.

Members debated the motion. It was generally felt that the HMO policy applied to all areas of the City and a mix of tenure helped to create a diverse community. There was a demand for accommodation by young people.

The motion was put to the vote and was carried, 7 voting in favour and 2 against.

Item 5 No 10 Entry Hill, Bath – Erection of 2 two bed dwelling – The Case Officer reported on this application and his recommendation to grant permission subject to conditions.

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

Members asked questions about the application for clarification to which the Case Officer responded.

Councillor Les Kew felt that there were issues that needed clarification on the ground and therefore moved that the application be deferred for a Site Visit which was seconded by Councillor Bryan Organ.

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

Item 6 Land at rear of 25-32 Sladebrook Avenue, Southdown, Bath – Erection of new single storey dwelling with associated parking and access (Resubmission) – The Case Officer reported on this application and her recommendation to refuse permission.

The applicant's Agent made a statement in favour of the proposal.

Members asked questions about the proposal for clarification to which Officers responded.

Councillor Tim Ball was against the application. He considered that this was backland development at the rear of established terraced housing. It would affect the parkland to the rear and the unsurfaced track could be made up which may not be wanted by residents in the terrace. He therefore moved the Officer recommendation to refuse permission which was seconded by Councillor Eleanor Jackson.

Members debated the motion. There was a divergence of opinion on the matter. Some Members felt that this development would tidy up the area of land and provide some housing with no harmful effects. However, some Members supported the motion to refuse permission as it was considered that it was an isolated site with no relationship to existing properties. It was an inappropriate site for a house which was of poor design and could set a precedent culminating in another street being formed at the rear of the terrace.

The Group Manager – Development Management gave advice on some of the issues raised after which the motion to refuse was put to the vote. Voting: 4 in favour and 5 against. Motion lost.

On the basis that this was just one house, whereas the previous Inspector's decision related to a scheme for 2 houses, being provided on derelict land in a housing area which would not, in his opinion, have a harmful effect on adjoining properties or the open green space, Councillor Les Kew moved that permission be delegated to Officers with appropriate conditions. This was seconded by Councillor Bryan Organ.

Members debated the motion. It was considered by one Member that these were not sufficient reasons to overturn the Officer's recommendation. Reference was made to the earlier appeal decision on the site upholding refusal but it was explained by Officers that this related to 2 dwellings so a different situation although the Officer advice was that the same amount of harm would result. Some Members considered that this was a sensible use of derelict land which would not harmfully affect adjoining properties or the open space.

The motion was put to the vote and was carried, 5 voting in favour and 4 against.

Item 7 Rosebank, Common Lane, Compton Dando – Erection of two storey side extension following the removal of existing conservatory – The Case Officer reported on this application and her recommendation to refuse permission. She emphasised that this was a 186% size increase above that of the original dwelling.

The Senior Democratic Services Officer read out a statement received from Compton Dando Parish Council supporting the application. The applicant and his Architect then made statements in support of the proposal.

Councillor Bryan Organ felt that further information was required on the increase in size and that the application needed to be assessed on the ground. He therefore

moved that it be deferred for a Site Visit which was seconded by Councillor Les Kew.

Members debated the motion. It was considered by one Member that special circumstances had been demonstrated in that accommodation was required for elderly parents. The Group Manager – Development Management advised that limited weight was given to personal circumstances but significant weight to harm to the Green Belt. It was considered by a Member that the relationship to other houses in the vicinity needed to be assessed.

The motion was put to the vote and was carried, 7 voting in favour and 0 against with 1 abstention.

Item 8 Woodborough Mill Farm, Woodborough Mill Lane, Woollard – Conversion and extension of existing barns to staff accommodation unit ancillary to equestrian use, American barn stabling and all weather riding arena – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. She informed Members that ecology issues had now been addressed and that 2 further conditions - relating to lighting and the development being carried out in accordance with the report - needed to be added to the recommendation.

The applicant and her Agent then made statements in support of the proposal.

Councillor Sally Davis stated that the Parish Council supported the application. Councillor Les Kew stated that S28 of the NPPF supported employment in rural areas. This was a successful equestrian enterprise where it was normal for barns and stabling to be attached. There would not be any harm to the setting of the Green Belt. He therefore moved the Officer recommendation which was seconded by Councillor Eleanor Jackson who considered that there were no good reasons to withhold permission.

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

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

The Committee considered the report of the Group Manager – Development Management.

Councillor Eleanor Jackson referred to the appeals in Radstock that had been dismissed and expressed her appreciation for the work undertaken by Officers in that regard. Councillor Les Kew referred to the appeal at Temple Inn Lane, Temple Cloud that had been allowed and stated that the access that would have to be determined by the Committee would need careful consideration. He drew attention to some applications that mistakenly stated that the Decision Level was “Chair Referral”.

The report was noted.

The meeting ended at 5.30 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 23rd September 2015

OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN AGENDA

ITEM

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
01	15/02931/FUL	43 Upper Oldfield Park, Bath

Local Representations:

Two additional letters of objection have been received one of which raises concerns that have already been raised, and addressed, in the main report.

The second letter raises concerns that the consultation periods for this application were too short and that the Council has not behaved appropriately in deciding this application. In this regard Officers are satisfied that all the necessary procedures have been followed, particularly with regard to consultations.

One additional letter of support for the development has also been received.

Correction:

Since the previous meeting, officers have re-evaluated condition 1 (which is directed at ensuring that the unauthorised development is regularised in a timely fashion) and have concluded that it would be clearer and easier to understand if the two different elements were separated. Officers therefore advise that condition 1 should be replaced by the two conditions set out below. Members will note that the condition limiting the life of the planning permission is now a stand-alone condition and is no longer linked to the build programme.

Amended conditions:

1. The development hereby permitted shall be begun before the expiration of 12 months from the date of this permission.

Reason: To ensure that the unauthorised development is regularised without delay.

2. Within 6 months of the date of this permission, a detailed programme for the implementation of the development, as shown on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The purpose of the planning permission is to regularise the unauthorised development. A programme is therefore required to assist the LPA in monitoring the progress of the development in the interest of the character and appearance of the Conservation Area.

Item No.	Application No.	Address
02	15/02465/RES	Foxhill, Bradford Road, Combe Down

Further amended plans (Highways)

Amended plans have been received from the applicant (14.09.15) seeking to resolve the identified sub-standard highway manoeuvre on an internal road junction. The amended plans provide for a localised widening of the road in question. Whilst this would still mean the vehicle needing to use both sides of the road to make the turn, the vehicle overhang of the pavement area has been greatly reduced.

In addition to this, amendments include revisions to proposed kerb alignments in other areas of the site, to allow more space for vehicles to manoeuvre. This has resulted in some proposed parking spaces being moved slightly.

In response to the amended plans your highways officers advise they are now content that their previous concerns have been satisfactorily addressed. Any outstanding matters they are confident can be dealt with at the technical approval stage (Section 38).

Officers Comments:

As a result of these amendments and subsequent comments from Highways officers, it is recommended that proposed condition 2 in the officer's recommendation is deleted. The condition is no longer necessary.

In addition, the approved plans list should be updated to refer to the revised plans submitted.

Plans to be added:

- CUR-FHC-HTA-0100 Rev P
- CUR-FHC-HTA-0101 Rev P

- SKC050 Rev H

Plans to be superseded:

- CUR-FHC-HTA-0100 Rev N
- CUR-FHC-HTA-0101 Rev N
- SKC050 Rev G

Historic England (formerly English Heritage)

Historic England offered observations on the application as originally submitted and has now provided further comment following perusal of the amended plans. The comments are limited to the advance planting (which is not submitted for approval at this time) and the long term maintenance of the gardens and features on the Bradford Road Frontage.

Officer comments:

In terms of the Bradford Road frontage, the garden areas, boundaries and street furniture within them would be maintained by the management company operating the apartments. As such these areas should be maintained in a good state to ensure an ongoing positive contribution to the Conservation Area.

Historic Environment (Bath and North East Somerset Council)

The Conservation Officer objected to the application as originally submitted. In response to the amended plans they consider the revisions to Blocks A and B fronting Bradford Road will provide a gentler transition to the existing housing either side. However, they consider the mansard roof now proposed would be incongruous in terms of the character of the wider conservation area.

Officer comments:

As discussed in the main report, the amended design of Blocks A and B is considered to be a positive step. Officers recognise that the immediate site context along Bradford Road is typified by pitched roofs rather than mansards. However, the wider area, including in the conservation area includes numerous examples of mansard roofs. In addition, mansard style roofs are employed elsewhere in the proposed Foxhill development. Therefore, their use on the Bradford Road frontage is considered to both assist in re-enforcing the character of the emerging development and be sympathetic to the heritage setting of this part of the site. The overall appearance of the amended Blocks A and B is assessed to be acceptable, taking account of their prominent location and heritage setting.

Urban Design (Bath and North East Somerset Council)

Confirm that following review of the amended plans there are no objections subject to consideration of materials in due course.

Officer comments:

The approval of materials is controlled by a condition on the outline planning permission. More detailed elements are also proposed to be controlled by an additional condition on the approval of reserved matters.

Education Services (Bath and North East Somerset Council)

Note the submission of the updated 'school plan' (11.09.15) and identify that the school site configuration leaves little flexibility to change its shape.

Officer comments:

As discussed in the main report, the school does not fall in this first reserved matters application. The S106 agreement requires the provision of the school and the retention of a 1 ha site for it. The S106 does not prescribe a uniform shape. The land retained is 1 ha in size and whilst an irregular shape can provide the school required and its constituent parts, e.g. the playing pitch.

Item No.	Application No.	Address
03	15/02904/FUL	Echo Gate, Rodney Road, Saltford

Correction:

There is an administrative error within the reasons for reporting to committee. The report refers to the objections from 'Claverton Parish Council'. This is incorrect and should read as 'Saltford Parish Council'.

Representations:

Ecology (Verbal Comments Only): Verbal advice was received from the Ecologist advising that because the site is maintained garden land and not significantly overgrown it is unlikely to play host to any protected species. An up-front ecology survey is therefore not required although a Wildlife Protection and Enhancement Plan could be appropriate as a precautionary approach.

Officer comments: The application site is maintained garden land (not overgrown) and, as a result, is considered that there would not be any protected wildlife present on the site. It is therefore not necessary to require an ecology survey up-front as part of the application. However, as an acknowledgement of third party concerns, a Wildlife Protection and Enhancement Plan is suggested as a condition to ensure a precautionary approach to wildlife on this site is adopted. Written acceptance of the requirements of this condition has been received from the applicant's agent.

Item No.	Application No.	Address
04	15/03171/FUL	5 St James's Square, Bath

Comments from Environment Protection officer:

Requested clarification on the storage of waste in light of residents' concerns if not adequately stored or contained could create a detrimental impact on the local amenity.

Planning officer response:

The agent has provided clarification on how to deal appropriately with waste. The intention is to store the reusable refuse sacks and the recycling boxes in the front vaults, under the road.

The tenants would move the waste to the entrance area for collection on the appropriate day.

The Environment Protection officer has confirmed that this is considered to be acceptable and does not raise any objections.

Item No.	Application No.	Address
05	15/00453/FUL	10 Entry Hill, Bath

Correction:

1. The consultation responses are incorrected listed below the policies/legislation section of the report and the planning policies are missing from the report. The policies/legislation section should read as below:

Policies/Legislation

At the meeting of the full Council on the 10th July 2014, the Bath and North East Somerset Core Strategy was adopted. Please note that from the 10th July 2014 the Development Plan for Bath and North East Somerset comprises:

- Bath and North East Somerset Core Strategy (July 2014);
- Saved policies from the Bath and North East Somerset Local Plan (2007);
- West of England Joint Waste Core Strategy (2011).

CORE STRATEGY

DW1	District Wide Spatial Strategy
B1	Bath Spatial Strategy

B4 World Heritage Site
CP6 Environmental Quality

LOCAL PLAN

D.2 General Design and public realm considerations
D.4 Townscape considerations
BH.2 Listed buildings and their setting
BH.6 Conservation Areas
GB.2 Visual amenity of the Green Belt
NE.1 Landscape character
NE.2 Areas of Outstanding Natural Beauty
NE.9 Locally important wildlife species
NE.10 Nationally important species and habitats
NE.11 Locally important species and habitats
T.1 Overarching access policy
T.24 General development control and access policy
T.26 On-site parking

The National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also material considerations. The following sections of the NPPF are of particular relevance:

Section 6: Delivery a wide choice of high quality homes

Section 7: Requiring good design

Section 9: Protecting Green Belt land

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 'In considering whether to grant planning permission for development which affects a listed building or its setting' to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

There is also a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

2. Within the officer assessment section of 'Character and appearance' reference is made to s16 of the Listed Buildings Act. This should be a reference to S66 of Planning (Listed Buildings and Conservation Areas) Act 1990 which states that

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Representations:

One additional letter of objection has been received. It requests that the existing access lane is re-surfaced. It also discusses concerns about possible damage to adjoining properties and states that there is a water pipe buried under the bank alongside the track.

Officer notes on additional comments: As the proposed dwelling is has no associated parking, it is considered that there is insufficient justification for requiring the access lane to be re-surfaced.

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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 MANAGEMENT COMMITTEE HELD
 ON WEDNESDAY 23RD SEPTEMBER 2015**

SITE/REPORT NAME/REPRESENTING FOR/AGAINST

SITE/REPORT	NAME/REPRESENTING	FOR/AGAINST
PLANS LIST - REPORT 9		
43 Upper Oldfield Park, Bath (Item 1, Pages 54- 75)	Caroline Kay, Chief Executive, Bath Preservation Trust Margaret Favager, Landmark Developments (Applicants)	Against For
Former MoD site, Foxhill, Combe Down, Bath (Item 2, Pages 76- 111)	Mark O'Sullivan, Greenway Lane Residents Association Geraint Oakley, Curo (Applicants) <u>AND</u> Simon Toplis, HTA	Against For – To share 3 minutes
Echo Gate, 27 Rodney Road, Saltford (Item 3, Pages 112-121)	Christine Radford Chris Dance, LPC (Applicant's Agents)	Against For
5 St James' Square, Bath (Item 4, Pages 122-127)	Rosalind Beale Quentin Elston, Mr Willat's Charity (Applicants)	Against For
10 Entry Hill, Bath (Item 5, Pages 128-138)	Steve Laurenson Lynsay Lucas <u>AND</u> Simon Sandford, David Brain Partnership (Applicant's Architects)	Against For – To share 3 minutes
Land rear of 25-32 Sladebrook Avenue, Southdown, Bath (Item 6, Pages 139-146)	Chris Dance, LPC (Applicants' Agents)	For
Rosebank, Common Lane, Compton Dando (Item 7, Pages 147-150)	John Casselden (Applicants' Architect) <u>AND</u> John Boyce (Applicant)	For – To share 3 minutes
Woodborough Mill Farm, Woodborough Mill Lane, Woollard (Item 8, Pages 151-162)	John White (Applicant's Agent) <u>AND</u> Dani Evans (Applicant)	For – To share 3 minutes

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BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

23rd September 2015

DECISIONS

Item No:	01	
Application No:	15/02931/FUL	
Site Location:	43 Upper Oldfield Park, Oldfield Park, Bath,	
Ward: Widcombe	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 14no residential apartments with parking and shared grounds (Revised Proposal)(Retrospective)	
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:	Landmark Developments Limited	
Expiry Date:	28th September 2015	
Case Officer:	Rachel Tadman	

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

A Authorise the Head of Legal and Democratic Services to enter a Section 106 Agreement to secure the following:

The provision of a parking space for the local car share club and membership of the aforementioned club for future residents on a lifetime basis at a ratio of two memberships per flat

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

1 The development hereby permitted shall be begun before the expiration of 12 months from the date of this permission.

Reason: To ensure that the unauthorised development is regularised without delay.

2 Within 6 months of the date of this permission, a detailed programme for the implementation of the development, as shown on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The purpose of the planning permission is to regularise the unauthorised development. A programme is therefore required to assist the LPA in monitoring the progress of the development in the interest of the character and appearance of the Conservation Area.

3 Within 6 months of the date of this permission a hard and soft landscape scheme shall be 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 new walls, fences and other boundary treatment, 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.

4 All hard and/or soft landscape works shall be carried out in accordance with the approved details and within 12 months of the date of this permission 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 The protective fences erected around the Pine tree on the Junction Road boundary, approved under Condition 4 of planning permission Ref: 07/02461/FUL, and discharged under application Ref: 11/05409/COND, which is located within Hayesfield School site, shall not be removed until the completion of the development. The area within the protected areas are to be kept clear of any building, plant, material, debris and trenching, with the existing ground levels maintained, and there shall be no entry to those areas except for arboricultural or landscape works as otherwise approved.

Reason: To safeguard the areas to be landscaped and the existing trees and planting to be retained within the site.

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 road safety.

7 Within 6 months of the date of this permission, or first occupation (whichever is the later), a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed, details of which shall have previously been submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety.

8 Within 3 months of the date of this permission the cycle parking indicated on the approved plans shall be provided and shall thereafter be kept clear of obstruction and shall not be used other than for the parking of cycles in connection with the development hereby permitted.

Reason: In the interests of sustainable development.

9 The vehicle access/exit from Junction Road shall not be used other than for servicing and emergency vehicles.

Reason: In the interest of Highway Safety.

10 New resident's welcome packs shall be issued to purchasers within 3 weeks of their first occupation. The packs 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. The packs shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

11 Notwithstanding the approved plans and 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 further satellite dishes or microwave antennae shall be attached to any building or erected within the site without the prior written permission of the Local Planning Authority.

Reason: In the interests of the appearance of the development and the character and appearance of the Conservation Area.

12 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 lines, mains, pipes, cables or other apparatus shall be installed or laid on the site other than in accordance with drawings first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the existing and proposed trees, vegetation and open spaces on the site.

13 Within 6 months of the date of this permission, minimum 1:50 scale details of the proposed front boundary wall and stone piers shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details and within 3 months of the details being approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development and the character and appearance of the Conservation Area.

14 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no further solar PV or solar thermal shall be installed on the building hereby approved unless a further planning permission has been granted by the Local Planning Authority.

Reason: In the interests of the appearance of the building and the character and appearance of this part of the Bath Conservation Area.

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

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

PLANS LIST:

PLANS LIST:

This decision relates to drawing nos 492.5.000, 492.BR.01E, 492.BR.02H, 492.BNR.03H, 492.BR.04H, 492.BR.05H, 492.BR.06H, 492.7.006A, 492.007A, 492.7.008A, 492.7.009B, 492.7.010B, 492.7.011A, 492.7.012A, 492.7.111.

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 Policy Framework. For the reasons given, and expanded upon in a related Committee report, a positive view of the submitted proposals was taken and consent 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.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

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

Item No:	02	
Application No:	15/02465/RES	
Site Location:	Former Ministry Of Defence Foxhill Premises, Bradford Road, Combe Down, Bath	
Ward: Combe Down	Parish: N/A	LB Grade: N/A
Application Type:	PI Permission (Approval Reserved Matters)	
Proposal:	Approval of reserved matters with regard to outline application 14/04354/EOUT for the development of 276 dwellings, public open space and all associated infrastructure.	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Sites with Planning Permission, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Tree Preservation Order, Water Source Areas, World Heritage Site,	
Applicant:	Curo Enterprise Ltd	
Expiry Date:	7th September 2015	
Case Officer:	Simon Metcalf	

DECISION APPROVE

1 The bin and cycle storage buildings shown on the approved drawings (ref: CUR-FHC-HTA-0250 Rev N, CUR-FHC-HTA-0251 Rev N, CUR-FHC-HTA-0252 Rev N, CUR-FHC-HTA-0253 Rev N) relating to Apartment Blocks A-E hereby approved shall be provided before the apartment blocks are first occupied, and thereafter retained for that purpose.

Reason: In the interest of the amenity of the area and to ensure the agreed storage is provided to serve the development.

2 Notwithstanding the detail shown on the approved plans, details of appropriate features at the ends of shared surface carriageways shall be submitted to and agreed with the Local Planning Authority prior to development commencing to enforce the concept. The features shall be implemented as approved and thereafter maintained.

Reason: In the interests of highway safety.

3 Prior to the construction of each of the elements set out below, detailed plans at a scale of no less than 1:10) shall be submitted to and approved by the Local Planning Authority:

- o Balconies
- o Railings
- o Rainwater goods
- o Parapets

Development shall then only take place in accordance with approved details.

Reason: In the interests of the character and appearance of the area, within the World Heritage Site.

4 Prior to development commencing details of the number, type and location of litter bins to be provided shall be submitted to and approved in writing by the Local Planning Authority. The development shall then only take place in accordance with the approved details.

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

5 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Part 1 of Schedule 2, classes A, B, C, D, E, F of that Order, shall be erected or undertaken on plots 119-127, 143-150 and 159 which adjoin existing properties on Bradford Road and Foxhill. These plots are clearly identified on approved drawing CUR-FHC-HTA-101 Rev N.

Reason: Any further extensions, alterations, outbuildings or development within the specified plots requires detailed consideration by the Local Planning Authority to safeguard existing trees and the amenities of the surrounding area.

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

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

PLANS LIST:

PLANS LIST:

CUR-FHC-HTA-0001
CUR-FHC-HTA-0100 Rev P
CUR-FHC-HTA-0101 Rev P
CUR-FHC-HTA-0102 Rev N
CUR-FHC-HTA-0110 Rev P
CUR-FHC-HTA-0111 Rev P
CUR-FHC-HTA-0112 Rev P
CUR-FHC-HTA-0113 Rev P
CUR-FHC-HTA-0114 Rev P
CUR-FHC-HTA-0115 Rev N
CUR-FHC-HTA-0118 Rev N

CUR-FHC-HTA-0200 Rev K
CUR-FHC-HTA-0201 Rev K
CUR-FHC-HTA-0202 Rev K
CUR-FHC-HTA-0204 Rev K
CUR-FHC-HTA-0205 Rev K
CUR-FHC-HTA-0206 Rev K
CUR-FHC-HTA-0207 Rev K
CUR-FHC-HTA-0208 Rev K
CUR-FHC-HTA-0210 Rev K
CUR-FHC-HTA-0211 Rev K
CUR-FHC-HTA-0212 Rev K
CUR-FHC-HTA-0214 Rev K
CUR-FHC-HTA-0215 Rev K
CUR-FHC-HTA-0216 Rev K
CUR-FHC-HTA-0217 Rev K
CUR-FHC-HTA-0218 Rev K
CUR-FHC-HTA-0220 Rev M
CUR-FHC-HTA-0221 Rev M
CUR-FHC-HTA-0223 Rev M
CUR-FHC-HTA-0225 Rev M
CUR-FHC-HTA-0226 Rev M
CUR-FHC-HTA-0227 Rev M
CUR-FHC-HTA-0228 Rev M
CUR-FHC-HTA-0229 Rev M
CUR-FHC-HTA-0230 Rev M
CUR-FHC-HTA-0231 Rev M
CUR-FHC-HTA-0232 Rev M
CUR-FHC-HTA-0233 Rev M
CUR-FHC-HTA-0235 Rev M

CUR-FHC-HTA-0236 Rev M
CUR-FHC-HTA-0237 Rev M
CUR-FHC-HTA-0238 Rev M
CUR-FHC-HTA-0239 Rev M
CUR-FHC-HTA-0240 Rev M
CUR-FHC-HTA-0241 Rev M
CUR-FHC-HTA-0242 Rev M
CUR-FHC-HTA-0243 Rev M
CUR-FHC-HTA-0245 Rev M
CUR-FHC-HTA-0246 Rev M
CUR-FHC-HTA-0247 Rev M
CUR-FHC-HTA-0248 Rev M
CUR-FHC-HTA-0249 Rev M

CUR-FHC-HTA-0250 Rev N
CUR-FHC-HTA-0251 Rev N
CUR-FHC-HTA-0252 Rev N
CUR-FHC-HTA-0253 Rev N

CUR-FHC-HTA-0300
CUR-FHC-HTA-0350
CUR-FHC-HTA-0351
CUR-FHC-HTA-0352

CUR-FHC-HTA-0400 Rev N
CUR-FHC-HTA-0404 Rev N
CUR-FHC-HTA-0410 Rev N
CUR-FHC-HTA-0415 Rev N
CUR-FHC-HTA-0416 Rev N
CUR-FHC-HTA-0417 Rev N
CUR-FHC-HTA-0420 Rev N
CUR-FHC-HTA-0421 Rev N
CUR-FHC-HTA-0425 Rev N
CUR-FHC-HTA-0426 Rev N
CUR-FHC-HTA-0435 Rev N
CUR-FHC-HTA-0436 Rev N
CUR-FHC-HTA-0445 Rev N
CUR-FHC-HTA-0446 Rev N
CUR-FHC-HTA-0455 Rev N
CUR-FHC-HTA-0456 Rev N
CUR-FHC-HTA-0457 Rev N
CUR-FHC-HTA-0465 Rev N
CUR-FHC-HTA-0466 Rev N
CUR-FHC-HTA-0468 Rev N
CUR-FHC-HTA-0470 Rev N
CUR-FHC-HTA-0471 Rev N
CUR-FHC-HTA-0472 Rev M
CUR-FHC-HTA-0473 Rev N
CUR-FHC-HTA-0475 Rev N
CUR-FHC-HTA-0476 Rev N

CUR-FHC-HTA-0485 Rev N
CUR-FHC-HTA-0486 Rev N
CUR-FHC-HTA-0490 Rev N
CUR-FHC-HTA-0491 Rev N
CUR-FHC-HTA-0495 Rev N
CUR-FHC-HTA-0496 Rev N
CUR-FHC-HTA-0500 Rev N
CUR-FHC-HTA-0510 Rev N
CUR-FHC-HTA-0520 Rev N

CUR-FHC- HTA-L-9000 Rev L
CUR-FHC- HTA-L-9001 Rev G
CUR-FHC- HTA-L-9003 Rev C
CUR-FHC- HTA-L-9004 Rev C
CUR-FHC- HTA-L-9005 Rev E
CUR-FHC- HTA-L-9006 Rev F
CUR-FHC- HTA-L-9008 Rev C
CUR-FHC- HTA-SK-0092 Rev C
CUR-FHC- HTA-SK-0111 Rev A

SKC020 Rev D
SKC050 Rev H

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 outlined in the above case officer's report, a positive view of the proposals has been taken and approval of the reserved matters has been given.

For the avoidance of doubt, notwithstanding the details on the plans hereby approved, the materials to be used in the development need to be submitted to and approved in writing by the Local Planning Authority in accordance with Conditions 6 and 7 on the outline planning permission ref: 14/04354/EOUT.

Item No:	03	
Application No:	15/02904/FUL	
Site Location:	Echo Gate, 27 Rodney Road, Saltford, BS31 3HR	
Ward: Saltford	Parish: Saltford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 3no. detached dwellings and garages.	
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Mr Nicholas Johnson	
Expiry Date:	25th September 2015	
Case Officer:	Chris Griggs-Trevarthen	

DECISION PERMIT

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

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

2 Prior to the construction of the external surfaces of the dwellings hereby approved, a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

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

3 No development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records. The statement should also include the control of potentially harmful operations such as 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 are not adversely affected by the development proposals. This condition is required prior to commencement to prevent possible harm to retained trees as a result of any initial and subsequent site works.

4 No development or other operations shall take place except in complete accordance with the approved Detailed Arboricultural Method Statement unless agreed in writing by the local planning authority. A signed certificate of compliance shall be provided by the appointed arboriculturalist to the local planning authority on completion and prior to the first occupation of the dwelling.

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

5 Prior to the occupation of the dwellings hereby approved a soft landscape scheme incorporating a scaled drawing shall be first submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation.

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

6 All soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in

accordance with the programme agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority.

Reason: To ensure that the landscape scheme is implemented and maintained.

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

Reason: In the interests of amenity and highway safety.

8 Prior to the occupation of the dwellings hereby approved, the access, parking and turning areas 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.

Reason: In the interests of highway safety and the amenities of adjoining occupiers.

9 Prior to the commencement of the development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of deliveries (including storage arrangements and timings), contractor parking, traffic management, hours of working and wheel washing facilities.

Reason: To ensure the safe operation of the highway and in the interests of the amenities of adjoining occupiers.

10 No development shall take place until full details of a Wildlife Protection and Enhancement Scheme to be produced by a suitably experienced ecologist have been submitted to and approved in writing by the local planning authority. These details shall include all necessary measures to avoid harm to wildlife and protected species including reptiles and nesting birds; and for provision of wildlife habitat, bird and bat boxes, and wildlife friendly planting. 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 approved works shall be carried out prior to the occupation of any part of the development.

Reason: In the interests of protecting important wildlife and ecology.

11 The highway works (as shown in Drawing TP5353-SK02 C), including the proposed build out, shall be completed in accordance with the approved details prior to the occupation of the dwellings hereby approved.

Reason: In the interests of highways safety.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no additional windows or rooflights (other than those expressly

approved by this permission) shall be inserted within any part of any roof of the dwellings hereby approved unless a further planning permission has been granted by the Local Planning Authority.

Reason: In the interests of protecting the residential amenities of adjoining occupiers.

13 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:

3641/201	Location Plan
3641/203	Existing Site Survey
3641/205 B	Proposed Site Plan
3641/206 B	Proposed Landscaping Plan
3641/210	Plot 01 - Proposed Floor Plans
3641/211	Plot 02 - Proposed Floor Plans
3641/212	Plot 03 - Proposed Floor Plans
3641/213	Plot 01 - Proposed Garage Floor Plan
3641/214	Existing House - Proposed Garage Floor and Roof Plan
3641/220	Plot 01 - Proposed Elevations
3641/221	Plot 02 - Proposed Elevations
3641/222	Plot 03 - Proposed Elevations
3641/223	Plot 01 - Proposed Garage Elevations
TP5353-SK02 C	Visibility Review
150529-RRS-TPP-REV C-LI&AM	Tree Protection Plan

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.

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.

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Item No:	04		
Application No:	15/03171/FUL		
Site Location:	5 St James's Square, Lansdown, Bath, Bath And North East Somerset		
Ward:	Kingsmead	Parish:	N/A
		LB Grade:	I
Application Type:	Full Application		
Proposal:	Change of use from use class C3 (last used as a House in Multiple Occupation) to House in Multiple Occupation (large HMO) (use class Sui Generis) and reconstruction of front lightwell staircase.		
Constraints:	Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, World Heritage Site,		
Applicant:	Mr Willats' Charity		
Expiry Date:	8th September 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 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 numbers 470.1 - 470.8 inclusive

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 and expanded upon in the related case officer's report a positive view of the proposals was taken and consent was granted.

Informative: The applicant should note that the site is located within a Controlled Parking Zone where existing permits exceed the supply of parking spaces. As such, in accordance

with Single Executive Member Decision E1176, dated 14th August 2006, residents of this proposed development will not be entitled to apply for additional Residents Parking Permits. This, however, is considered to be at the developers risk given the sustainable location of this development proposal.

Item No:	05
Application No:	15/00453/FUL
Site Location:	10 Entry Hill, Combe Down, Bath, Bath And North East Somerset
Ward: Lyncombe	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of 1 no two bed dwelling.
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Mr Brian Harwood
Expiry Date:	6th April 2015
Case Officer:	Chris Griggs-Trevarthen

DECISION Defer consideration to allow members to visit site to view the property on the context of the surroundings.

Item No:	06
Application No:	15/03124/FUL
Site Location:	Land At Rear Of 25-32, Sladebrook Avenue, Southdown, Bath
Ward: Southdown	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of new single storey dwelling with associated parking and access at land rear of 25-32 Sladebrook Avenue, Bath (resubmission)
Constraints:	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, Public Right of Way, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	John Riti Developments
Expiry Date:	28th September 2015
Case Officer:	Laura Batham

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

PLANS LIST:

This decision relates to drawings 1976/001, 1976/003, 1976/004, 1976/005. 1976/006 and site location plan received on 10th July 2015.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

Item No:	07	
Application No:	15/02801/FUL	
Site Location:	Rosebank, Common Lane, Compton Dando, Bristol	
Ward: Farmborough	Parish: Compton Dando	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of two storey side extension following the removal of existing conservatory	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,	
Applicant:	Mr And Mrs John Boyce	
Expiry Date:	23rd October 2015	
Case Officer:	Nikki Honan	

DECISION Defer consideration to allow members to visit site to view the property on the surrounding context.

Item No:	08	
Application No:	15/00987/FUL	
Site Location:	Woodborough Mill Farm, Woodborough Mill Lane, Woollard, Bristol	
Ward: Farmborough	Parish: Compton Dando	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Conversion and extension of existing barns to staff accommodation unit ancillary to equestrian use, american barn stabling and all weather riding arena.	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Greenbelt, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones,	

Applicant:	Ms M Evans
Expiry Date:	28th August 2015
Case Officer:	Rachel Tadman

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 occupation of the dwelling shall be used ancillary to the use of Woodborough Mill Farm as an equine establishment by a person who is solely or mainly working, or last working, at Woodborough Mill Farm, or a widow or widower of such a person, and to any resident dependants.

Reason: The development has been considered acceptable in relation to sustainability and flooding as an ancillary dwelling to the equine establishment at Woodborough Mill Farm.

3 No development shall take place until an annotated tree protection plan identifying measures to protect the adjacent vegetation and trees to be retained has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan should also take into account the control of potentially harmful operations such as the position of service runs including surface water drainage, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

Reason: Further information is required pre-commencement of development to ensure that no excavation, tipping, burning, storing of materials or any other activity takes place during the construction phase which would adversely affect the surrounding vegetation and trees to be retained.

4 Condition - Reporting of Unexpected Contamination

In the event that unexpected 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.

5 The proposed all weather arena shall be used solely for the purposes applied for and shall not include any events such as competitions, eventing or gymkhanas.

Reason: In the interests of highway safety.

6 The development permitted by this permission shall be carried out in full accordance with the following mitigation measures as detailed within the Flood Risk Assessment (FRA) by SLR Global Environmental Services ref 408.05494.00001 dated July 2015.

- 1) The finished ground floor levels of the barn conversion should be set no lower than 25.00mAOD.
- 2) The finished ground floor levels of the American Barn should be set no lower than 24.15mAOD.
- 3) The proposed Outdoor Arena will be elevated at, or close, to existing ground levels.
- 4) Incorporate flood-resilience measures into the proposed development as per section 6.6 of the Flood Risk Assessment.
- 5) The applicant, site management, and regular site users are to sign up to the Environment Agency Flood Warnings Direct Service.

The mitigation measures shall be fully implemented prior to occupation and maintained for the lifetime of development.

Reason: To minimise flood risk to the development and future users.

7 There should be no raising of ground levels above existing levels within 8m of the River Chew main river without the approval in writing of the Local Planning Authority.

Reason: To prevent flooding by ensuring the River Chew flood conveyance route is maintained

8 No occupation of the self contained accommodation unit shall commence until a Flood Warning and Evacuation Plan for future occupants has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: The site lies within a Flood Warning area and it is in the interests of the resident's safety that an adequate plan is in place.

9 No new lighting shall be installed without full details of proposed lighting design, in accordance with the recommendations of the approved ecological report and indicative lighting plan, being first submitted to and approved in writing by the Local Planning Authority; details to include lamp specifications, positions, numbers and heights; and details of all necessary measures to limit use of lights when not required and to prevent light spill onto vegetation and adjacent land; and to avoid harm to bat activity and other wildlife.

Reason: To avoid harm to bats and other wildlife

10 The development hereby permitted shall be carried out only in accordance with all the recommendations contained within the approved Extended Phase I Habitat report dated June 2015, and the approved Bat and Barn Owl Survey Report dated March 2015. No occupation shall commence of the self contained accommodation unit or use shall commence of the American barn until a plan and photographic evidence showing all measures in place, for example bat and bird boxes, together with written confirmation from a suitably experienced ecologist that all ecological mitigation has been satisfactorily

implemented, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid harm to wildlife and provide long term ecological benefit.

11 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 List:

The decision relates to the following plans: 2533 001 Rev A, 2533 002, 2533 003 Rev A, 2533/100, 2533/101, 2533/102, 2533/103, 2533/200, 2533/201, 2533/202.

Advice Notes:

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the River Chew, designated a 'Main River'. To discuss the scope of our controls and to obtain an application form please contact Bridgwater.FDCs@environment-agency.gov.uk.

The facilities must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Contaminated Land Desk Study and Walkover

Where development is proposed, the developer is responsible for ensuring that the development is safe and suitable for use for the purpose for which it is intended. The developer is therefore responsible for determining whether land is suitable for a particular development.

It is advised that a Desk Study and Site Reconnaissance (Phase 1 Investigation) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment. A Phase I investigation should provide a preliminary qualitative assessment of risk by interpreting information on a site's history considering the likelihood of pollutant linkages being present. The Phase I investigation typically consists of a desk study, site walkover, development of a conceptual model and preliminary risk assessment. The site walkover survey should be conducted to identify if there are any obvious signs of contamination at the surface, within the property or along the boundary of neighbouring properties. It is also advised that Building Control is consulted regarding the conversion. This is 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.

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 Policy Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the proposals was taken and consent was granted.