

Democratic Services

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Date: 17 August 2016

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To: All Members of the Development Management Committee

Councillors:- Rob Appleyard, Jasper Becker, Paul Crossley, Matthew Davies, Sally Davis, Eleanor Jackson, Les Kew, Bryan Organ, Caroline Roberts and David Veale

Permanent Substitutes:- Councillors: Neil Butters, Ian Gilchrist, Liz Hardman, Vic Pritchard, Dine Romero, Martin Veal and Karen Warrington

Chief Executive and other appropriate officers
Press and Public

Dear Member

Development Management Committee: Wednesday, 24th August, 2016

You are invited to attend a meeting of the **Development Management Committee**, to be held on **Wednesday, 24th August, 2016** at **2.00 pm** in the **Brunswick Room - Guildhall, Bath**

The Chair's Briefing Meeting will be held at 10.00am on Tuesday 23 August 2016 in the Meeting Room, Lewis House, Bath.

The rooms will be available for the meetings of political groups. Coffee etc. will be provided in the Group Rooms before the meeting.

The agenda is set out overleaf.

Yours sincerely



Marie Todd
for Chief Executive

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Marie Todd who is available by telephoning Bath 01225 394414 or by calling at the Guildhall Bath (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Marie Todd as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Marie Todd as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Reception: Civic Centre - Keynsham, Guildhall - Bath, The Hollies - Midsomer Norton. Bath Central and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators.

To comply with the Data Protection Act 1998, we require the consent of parents or guardians before filming children or young people. For more information, please speak to the camera operator

The Council will broadcast the images and sound live via the internet www.bathnes.gov.uk/webcast An archived recording of the proceedings will also be available for viewing after the meeting. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

5. **Attendance Register:** Members should sign the Register which will be circulated at the meeting.
6. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.

7. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

Development Management Committee - Wednesday, 24th August, 2016

at 2.00 pm in the Brunswick Room - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chairman will ask the Committee Administrator to draw attention to the emergency evacuation procedure as set out under Note 7

2. ELECTION OF VICE CHAIRMAN (IF DESIRED)

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

(a) The agenda item number and site in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** or **an other interest**, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer before the meeting to expedite dealing with the item during the meeting.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

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

(1) At the time of publication, no items had been submitted.

(2) To note that, regarding planning applications to be considered, members of the public who have given the requisite notice to the Committee Administrator will be able to make a statement to the Committee immediately before their respective applications are considered. There will be a time limit of 3 minutes for each proposal, ie 3 minutes for the Parish and Town Councils, 3 minutes for the objectors to the proposal and 3 minutes for the applicant, agent and supporters. This allows a maximum of 9 minutes per proposal.

7. ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

To deal with any petitions or questions from Councillors and where appropriate Co-

opted Members

8. MINUTES OF THE PREVIOUS MEETING (PAGES 9 - 40)

To confirm the minutes of the meeting held on 27 July 2016.

9. SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE (PAGES 41 - 48)

10. MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE (PAGES 49 - 88)

11. NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES (PAGES 89 - 94)

To note the report

12. QUARTERLY PERFORMANCE REPORT APRIL - JUNE 2016 (PAGES 95 - 108)

To note the report.

The Committee Administrator for this meeting is Marie Todd who can be contacted on 01225 394414.

Delegated List Web Link: <http://www.bathnes.gov.uk/services/planning-and-building-control/view-and-comment-planning-applications/delegated-report>

Member and Officer Conduct/Roles Protocol*

Development Management Committee

(*NB This is a brief supplementary guidance note not intended to replace or otherwise in any way contradict the Constitution or the Code of Conduct for Members and Co-Opted Members adopted by the Council on 19th July 2012 to which full reference should be made as appropriate).

1. Declarations of Interest (Disclosable Pecuniary or Other Interest)

These are to take place when the agenda item relating to declarations of interest is reached. It is best for Officers' advice (which can only be informal) to be sought and given prior to or outside the Meeting. In all cases, the final decision is that of the individual Member.

2. Local Planning Code of Conduct

This document, as approved by Full Council and previously noted by the Committee, supplements the above. Should any Member wish to state/declare that further to the provisions of the Code (although not a personal or prejudicial interest) they will not vote on any particular issue(s), they should do so after (1) above.

3. Site Visits

Under the Council's own Local Code, such visits should only take place when the expected benefit is substantial eg where difficult to visualize from a plan or from written or oral submissions or the proposal is particularly contentious. The reasons for a site visit should be given and recorded. The *attached note* sets out the procedure.

4. Voting & Chair's Casting Vote

By law, the Chair has a second or "casting" vote. It is recognised and confirmed by Convention within the Authority that the Chair's casting vote will not normally be exercised. A positive decision on all agenda items is, however, highly desirable in the planning context, although exercise of the Chair's casting vote to achieve this remains at the Chair's discretion.

Chairs and Members of the Committee should be mindful of the fact that the Authority has a statutory duty to determine planning applications. A tied vote leaves a planning decision undecided. This leaves the Authority at risk of appeal against non-determination and/or leaving the matter in abeyance with no clearly recorded decision on a matter of public concern/interest.

The consequences of this could include (in an appeal against "non-determination" case) the need for a report to be brought back before the Committee for an indication of what decision the Committee would have come to if it had been empowered to determine the application.

5. **Protocol for Decision-Making**

When making decisions, the Committee must ensure that it has regard only to relevant considerations and disregards those that are not material. The Committee must ensure that it bears in mind the following legal duties when making its decisions:

- Equalities considerations
- Risk Management considerations
- Crime and Disorder considerations
- Sustainability considerations
- Natural Environment considerations
- Planning Act 2008 considerations
- Human Rights Act 1998 considerations
- Children Act 2004 considerations
- Public Health & Inequalities considerations

Whilst it is the responsibility of the report author and the Council's Monitoring Officer and Chief Financial Officer to assess the applicability of the legal requirements, decision makers should ensure that they are satisfied that the information presented to them is consistent with and takes due regard of them.

6. **Officer Advice**

Officers will advise the meeting as a whole (either of their own initiative or when called upon to do so) where appropriate to clarify issues of fact, law or policy. It is accepted practice that all comments will be addressed through the Chair and any subsequent Member queries addressed likewise.

7. **Decisions Contrary to Policy and Officer Advice**

There is a power (not a duty) for Officers to refer any such decision to a subsequent meeting of the Committee. This renders a decision of no effect until it is reconsidered by the Committee at a subsequent meeting when it can make such decision as it sees fit.

8. **Officer Contact/Advice**

If Members have any conduct or legal queries prior to the meeting, then they can contact the following Legal Officers for guidance/assistance as appropriate (bearing in mind that informal officer advice is best sought or given prior to or outside the meeting) namely:-

1. Simon Barnes, Principal Solicitor and Deputy Monitoring Officer
Tel. No. 01225 39 5176
2. Simon Elias, Senior Legal Adviser
Tel. No. 01225 39 5178

General Member queries relating to the agenda (including public speaking arrangements for example) should continue to be addressed to Marie Todd Democratic Services Officer Tel No. 01225 39 4414

**Planning and Environmental Law Manager, Development Manager,
Democratic Services Manager, Monitoring Officer to the Council**

Site Visit Procedure

- (1) Any Member of the Development Management Committee or local Member(s) may request at a meeting the deferral of any application (reported to Committee) for the purpose of holding a site visit.
- (2) The attendance at the site inspection is confined to Members of the Development Management Committee and the relevant affected local Member(s).
- (3) The purpose of the site visit is to view the proposal and enhance Members' knowledge of the site and its surroundings. Members will be professionally advised by Officers on site but no debate shall take place.
- (4) There are no formal votes or recommendations made.
- (5) There is no allowance for representation from the applicants or third parties on the site.
- (6) The application is reported back for decision at the next meeting of the Development Control Committee.
- (7) In relation to applications of a controversial nature, a site visit could take place before the application comes to Committee, if Officers feel this is necessary.

DEVELOPMENT MANAGEMENT COMMITTEE**Minutes of the Meeting held**

Wednesday, 27th July, 2016, 2.00 pm

Councillor Rob Appleyard	- Bath & North East Somerset Council
Councillor Paul Crossley	- 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 Vic Pritchard	- Bath & North East Somerset Council
Councillor Caroline Roberts	- Bath & North East Somerset Council
Councillor Brian Simmons	- Bath & North East Somerset Council

23 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

24 ELECTION OF VICE CHAIRMAN (IF DESIRED)

Councillor Organ moved that Councillor Kew be appointed Vice Chair for this meeting. This was seconded by Councillor Simmons. It was noted that Councillor Kew would take the Chair for the consideration of planning application number 16/01982/FUL as the Chair would be leaving the room for this item.

RESOLVED that Councillor Kew be appointed Vice Chair for this meeting.

25 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

The following apologies for absence were received:

Councillor Jasper Becker – Councillor Brian Simmons acted as substitute.
Councillor David Veale – Councillor Vic Pritchard acted as substitute.

26 DECLARATIONS OF INTEREST

Councillor Sally Davis made a statement regarding planning application number 16/01982/FUL – 8 Rectory Close, Farmborough, Bath, BA2 0EW (Item 6, Report No. 9). She explained that she knew the architect as he had previously done some work for her. She did not have a close association with him which would amount to an interest under the code of conduct, but in the interests of transparency she would leave the meeting while this item was considered.

27 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no urgent items.

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

The Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when these items were discussed.

Rosemary Naish, Chair of Clutton Parish Council, made a general statement regarding the accuracy of the minutes of the last meeting. She stated that there had been no mention of the height of the hedge in the motion put forward by Councillor Jackson and asked that the reference to a height of "1m" be removed. The Chair stated that the Committee would consider this matter when discussing whether the minutes should be approved as a correct record.

29 **ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

There were no items from councillors or co-opted members.

30 **MINUTES - 29 JUNE 2016**

The minutes of the meeting held on 29 June 2016 were approved as a correct record and signed by the Chairman subject to the following amendment:

Minute No. 21 – Item No. 1 – Application No. 14/05692/RES – Parcel 0006, Maynard Terrance, Clutton – Amend paragraph 12 to read:

Councillor Jackson moved to delegate to officers to permit planning permission subject to conditions to adequately control the materials used and that the proposed replacement hedgerow at the frontage of the development was introduced to a suitable height and was to be outside of the private ownership of the properties facing the hedgerow. This was seconded by Councillor Crossley.

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

The Committee considered:

- A report by the Group Manager (Development Management) on various planning applications.
- An update report by the Group Manager (Development Management) on Item 5 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 2* to these minutes.

RESOLVED that in accordance with the Committee's delegated powers, the applications be determined as set out in the decisions list attached as *Appendix 3* to these minutes.

Item No. 1

Application No. 16/01581/FUL

**Site Location: 104 Faulkland View, Peasedown St John, Bath, BA2 8TQ –
Erection of a single storey extension to garage**

The Case Officer reported on the application and her recommendation to delegate to grant planning permission.

The registered speaker, Councillor Sarah Bevan, declared a disclosable pecuniary interest in this application as her property was next door to the site and would be affected by any decision made by the Committee. Councillor Bevan made a statement against the application in her capacity as a private individual and then went on to speak against the application in her capacity as Ward Councillor.

In response to a question the Case Officer confirmed that the extension would not come right out to the front of the house. Members also asked some questions regarding the roof and whether this would be a flat or hipped roof, and if a flat roof which materials would be used. The Case Officer had not received the necessary information to clarify these issues.

Councillor Crossley moved that consideration of this application be deferred pending a site visit to clarify the issues raised. This was seconded by Councillor Roberts.

The motion was put to the vote and it was **RESOLVED** by 8 votes for and 2 abstentions to **DEFER** consideration of this application pending a site visit.

Item No. 2

Application No. 16/01580/FUL

Site Location: 106 Faulkland View, Peasedown St John, BA2 8TQ – Erection of a single storey extension to garage and inclusion of parking space to the front

The Chair explained that this item had been withdrawn from the agenda due to further comments received from the Highways Team which needed to be considered.

Items No. 3 and 4

Application No. 16/01783/REG13

Colonnade Beneath Street, Grand Parade, Bath – Alterations to facilitate the change of use of the undercroft and vaults to restaurants and/or museum, including the provision of a staircase and lift at Grand Parade, the raising of internal floor levels, new openings in existing walls, new partitions and venting equipment, the removal and reconstruction of the ashlar stone screen wall incorporating glazed openings and steps, the installation of lighting, re-surfacing and works to Grand Parade, ground surfacing of Boat Stall Lane, alterations to existing waterside balustrade and all other associated works

Application No; 16/01782/REG03

Site Location: Colonnade Beneath Street, Grand Parade, Bath – Change of use of vault and undercroft spaces to restaurants (A3) and/or Museum use (D1) with works to allow pedestrian access to Lower Boat Stall Lane and the Colonnade and to facilitate future access to Slippery Lane. Provision of stair

and lift access to the undercroft/vault spaces on the public highway and associated works to the highway to facilitate the development

The Case Officer reported on the applications and her recommendation to grant listed building consent and delegate to grant planning permission. She explained that the following additional conditions could be included if the Committee agreed:

- The provision of a Tree Strategy.
- The inclusion of a Waste and Refuse Strategy
- The inclusion of a Drainage Strategy to address any issues in the vicinity of the Empire Hotel.

The registered speakers spoke against the application.

Councillor Peter Turner, local Ward Councillor, spoke regarding the lack of detail provided and requested that the decision be deferred pending further information and a site visit.

Councillor Jackson asked for further information about waste disposal from the site. The Case Officer explained that this would be addressed by the Waste Strategy which could be included as an extra condition.

In response to a question from Councillor Appleyard the Case Officer confirmed that the application would permit flexible use allowing for restaurants or a museum.

Councillor Roberts asked whether the access point to the site would be for 24 hours per day. Officers explained that there would be public access until approximately 7pm and then access would be restricted by the operators of the site.

Councillor Pritchard asked questions regarding the proposed staircase, the build-out and how it would operate. He had concerns regarding possible congestion in the area and asked whether traffic would be impeded. Officers explained that there was less build-out in the revised application and confirmed that checks had been made to ensure large buses could still manoeuvre in the area and in the parking bays.

In response to a question from Councillor Crossley it was confirmed that the lightwell would not compromise the listed building so was not a reason to refuse the application. Any issues arising would be a civil matter between the applicant and residents of the Empire Hotel. The Principal Solicitor advised that issues relating to land use and the setting of the listed building were material, but private matters such as insurance costs were not.

Councillor Kew expressed concern regarding the location of the stairwell and asked whether the build-out could be reduced. Officers explained that it was not possible to change the location due to the vaults underneath the construction and confirmed that this matter had been discussed with the applicant.

Councillor Pritchard stated that he was still unhappy with the proposed stairwell. He felt that good planning decisions should avoid civil confrontation and the residents of the Empire Hotel had concerns that the dividing wall would prevent access.

Councillor Pritchard moved that consideration of the application be deferred pending a site visit. This was seconded by Councillor Kew.

The motion was put to the vote and there were 2 votes for, 7 votes against and one abstention. The motion was therefore **LOST**.

Councillor Organ then moved to delegate to grant permission and to grant listed building consent as per the officer recommendations. This was seconded by Councillor Crossley.

Councillor Crossley spoke in favour of the application and stated that it was an imaginative design. The applicant had responded to the previous concerns raised by the Committee. The development would open up Boat Stall Lane and the Colonnades and would be beneficial. He stated that if the Committee decided to approve the application then they should ensure that the potential access through Slippery Lane was not compromised and was preserved.

It was also noted that there would be a condition to ensure that no development shall commence until archaeological investigation work has taken place.

Councillor Pritchard stated that he remained unhappy with the proposal and felt there were still issues that needed to be addressed. It was important to ensure that the details were correct and take time to address concerns raised.

Councillor Roberts stated that she believed the application was as good as it could be now and that the development now needs to commence. She stressed the importance of addressing tour bus arrangements and delivery access.

Councillor Kew stated that he supported the application but that more time should be taken to ensure that the Council gets things right with this very important development.

Councillor Jackson stated that the development was a good use for derelict space. She also stressed the importance of river safety in this location. She felt that on balance the benefits outweighed any problems.

The motion was then put to the vote and it was **RESOLVED**:

- (1) By 6 votes for and 4 votes against to **DELEGATE TO PERMIT** the application subject to conditions.
- (2) By 7 votes for, 2 votes against and 1 abstention to **GRANT LISTED BUILDING CONSENT** subject to conditions.

Item No. 5

Application No: 16/01913/FUL

**Site Location: Car Park Between 2 and 4 Silver Street, Midsomer Norton –
Erection of 8 two bed apartments, associated parking and landscaping**

The Case Officer reported on the application and her recommendation for refusal.

The registered speakers spoke for and against the application.

Councillor Paul Myers, local Ward Councillor spoke in favour of the application.

In response to a question from Councillor Crossley the Case Officer reported that the distance from the window to the neighbouring property was 15m. It was advised that whilst Inspectors sometimes use a rule of thumb distance guide of approximately 20m there is no specific distance requirement and each application should be looked at based upon its particular context.

In response to a question from Councillor Roberts the Case Officer confirmed that there was no evidence to suggest that noise would be an issue if the application were permitted and in any town centre location there is some acceptance that there would be noise from traffic and activity but the application was not recommended for refusal on noise grounds.

In response to a question from Councillor Pritchard the Case Officer explained that there were different ways of treating white lias stone.

Councillor Jackson stated that the site would be over developed and that the design was of poor quality. She also pointed out that the area was prone to flooding, the design offered poor security and the development would exacerbate the issue of retail giving way to residential development in this area. She then moved that planning permission be refused for the reasons set out in the officer report. This was seconded by Councillor Appleyard.

Councillor Kew felt that this proposal offered the best way of developing the site. He noted that the local Councillor was in favour of it. It would complement the bank building, be an excellent use of the land and would provide good quality housing.

The motion was put to the vote and there were 5 votes for and 5 votes against. The Chair used her casting vote in favour of the motion. It was therefore **RESOLVED** to **REFUSE** the application for the reasons set out in the officer report.

Item No. 6

Application No: 16/01982/FUL

Site Location: 8 Rectory Close, Farmborough, Bath, BA2 0AW – Erection of double garage following demolition of 2 existing

The Chair (Councillor Sally Davis) left the meeting while this application was considered and Councillor Kew took the Chair.

The Case Officer reported on the application and her recommendation to permit the application.

The registered speaker spoke against the application.

Councillor Organ moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Roberts.

The motion was put to the vote and it was **RESOLVED** unanimously to **PERMIT** the application subject to the conditions set out in the report.

**Item No. 7
16/01145/FUL**

Site Location: Plot between Croft House and 1, The Croft, Monkton Combe, Bath – Erection of single dwelling and car parking for 2 vehicles following the demolition of existing garages

Councillor Sally Davis resumed the Chair.

The Case Officer reported on the application and her recommendation to permit the application.

The registered speakers spoke for and against the application.

Councillor Jackson moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** to **PERMIT** the application subject to the conditions set out in the report.

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

The Committee considered the appeals report.

It was **RESOLVED** to **NOTE** the report.

The meeting ended at 4.25 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 27th July 2016

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

ITEMS FOR PLANNING PERMISSION

ITEM

Item No.	Application No.	Address
5	16/01913/FUL	Car Park Between 2 and 4 Silver Street, Midsomer Norton

OFFICER ASSESSMENT:

Materials:

Following the drafting of the Committee Report revised details have been received to confirm that the building is now proposed to be constructed of White Lias stone and Brick.

This change to the external materials is welcomed although the use of man made slate or clay tiles as a roofing material remains.

In conclusion, whilst the issue of unsatisfactory external walling materials has now been resolved, the overall poor quality of the proposal by way of its external and internal design still remains and there is no change to the Officer recommendation in the main report.

Parking:

It has been confirmed that each of the 8no flats will be provided within a single parking space and a further space will be provided for visitors.

Recommendation:

As in the main report.

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BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES MAK A STATEMENT AT THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE ON WEDNESDAY 27 JULY 2016

A. MAIN PLANS LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	104 Faulkland View, Peasedown St John	Councillor Sarah Bevan	Against
3 and 4	Colonnade Beneath Street, Grand Parade, Bath	Anne Robins – Empire Owners Association Committee	Against
		Councillor Peter Turner (Ward Councillor)	N/A
5	Car Park between 2 and 4 Silver Street, Midsomer Norton	Mario Cicirello	Against
		John White	For
		Councillor Paul Myers (Ward Councillor)	For
6	8 Rectory Close, Farmborough	Cllr Jean Rogers – Farmborough Parish Council	Against
7	Plot between Croft House and 1 The Croft, Monkton Combe	Cllr Lyn Alvis – Monkton Combe Parish Council	Against
		David Aitkin (on behalf of Jennifer Chapman and Terry and Julie Doman)	Against
		Nick Alexander – Monkton Combe School (Applicant)	For

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BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

27th July 2016

DECISIONS

Item No:	01	
Application No:	16/01581/FUL	
Site Location:	104 Faulkland View, Peasedown St. John, Bath, Bath And North East Somerset	
Ward: Peasedown St John	Parish: Peasedown St John	LB
Grade: N/A		
Application Type:	Full Application	
Proposal:	Erection of a single storey extension to garage.	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Mr Griffiths	
Expiry Date:	30th June 2016	
Case Officer:	Chloe Buckingham	

DECISION Deferred for site visit

Item No:	02	
Application No:	16/01580/FUL	
Site Location:	106 Faulkland View, Peasedown St. John, Bath, Bath And North East Somerset	
Ward: Peasedown St John	Parish: Peasedown St John	LB
Grade: N/A		
Application Type:	Full Application	
Proposal:	Erection of a single storey extension to garage and inclusion of parking space to the front.	
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Mr Palmer	
Expiry Date:	30th June 2016	
Case Officer:	Chloe Buckingham	

DECISION Deferred for further information

Item No:	03
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Application No:	16/01783/REG13
Site Location:	Colonnade Beneath Street, Grand Parade, City Centre, Bath
Ward: Abbey	Parish: N/A LB Grade: N/A
Application Type:	Regulation 13 Application
Proposal:	Alterations to facilitate the change of use of the undercroft and vaults to a restaurants and/or a museum, including the provision of a staircase and lift at Grade Parade, the raising of internal floor levels, new openings in existing walls, new partitions and venting equipment, the removal and reconstruction of the ashlar stone screen wall incorporating glazed openings and steps, the installation of lighting, re-surfacing and works to Grand Parade, ground surfacing of Boat Stall Lane, alterations to existing waterside balustrade, and all other associated works
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Bath Enterprise Area, Centres and Retailing, Conservation Area, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Bath And North East Somerset Council Property Services
Expiry Date:	29th July 2016
Case Officer:	Tessa Hampden

DECISION CONSENT

1 Time Limit - Listed Building Consent (Compliance)

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Treatment of the vaults and undercroft ((Bespoke Trigger)

Prior to commencement of the internal works full survey details of the existing condition of the vaults and undercroft, together with a full repair schedule and detailed method statement for the conversion and damp proofing works are to be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard the character and appearance of the listed building together with that of adjacent listed buildings and the Bath City Conservation Area.

3 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls surfaces shall commence until a sample panel of all new external walling materials to be used have been erected on site and approved in writing by the Local Planning Authority. They must be kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

4 Vent/railing details (Bespoke Trigger)

Prior to commencement of the installation of the vents or railings, large scale details shall first have been submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard the character and appearance of the listed building together with that of adjacent listed buildings and the Bath City Conservation Area.

5 Further details -openings (Bespoke Trigger)

No demolition works shall commence until the the precise areas of structure to be removed to provide openings between the vaults, and the finish treatment of the new openings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard the character and appearance of the listed building together with that of adjacent listed buildings and the Bath City Conservation Area.

6 Lighting (Bespoke Trigger)

Prior to any lighting being installed, full details including the design of the light fittings shall be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with these approved details.

Reason: To safeguard the character and appearance of the listed building together with that of adjacent listed buildings and the Bath City Conservation Area.

7 Further details- gates (Bespoke Trigger)

Prior to installation of the steel gates, details of the finishes and colours of these shall be submitted to the Local Planning Authority for approval in writing and installed in accordance with these approved details.

To safeguard the character and appearance of the listed building together with that of the Bath City Conservation Area.

8 Plans List (Compliance)

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:

12 Apr 2016	15121_D_003_B	UNDERCROFT WINDOW DETAILS
12 Apr 2016	15121_D_004_C	VAULTS WINDOW DETAILS
12 Apr 2016	15121_D_005_B	COLONNADE BRIDGE ABUTMENT STAIRS DETAILS
12 Apr 2016	15121_D_006_B	DOOR TO PARADE GARDENS DETAILS
12 Apr 2016	15121_D_007_C	COLONNADE BALUSTRADE DETAILS
12 Apr 2016	15121_D_011_C	BOATSTALL LANE DETAIL PATH
12 Apr 2016	15121_D_020_D	PROPOSED NORTH ACCESS STAIR DETAILS
12 Apr 2016	15121_L_002_C	PROPOSED UNDERCROFT LEVEL
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12 Apr 2016	15121_L_008_C	DEMOLITION PLAN
12 Apr 2016	15121_L_009_C	DEMOLITION RIVER ELEVATION
12 Apr 2016	15121_L_010_C	DEMOLITION INTERNAL
12 Apr 2016	15121_L_011_C	DEMOLITION 3D VIEW
12 Apr 2016	15121_L_012_F	PROPOSED PLAN
12 Apr 2016	15121_L_013_C	EXISTING AND PROPOSED RIVER ELEVATION
12 Apr 2016	15121_L_014_C	PROPOSED ELEVATION FROM PARADE GARDENS
12 Apr 2016	15121_L_015_D	PROPOSED RIVER ELEVATION
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12 Apr 2016	307GPUDM / P30 / 001 T2	INCOMING SERVICES PRINCIPLES
12 Apr 2016	307GPUDM / V50 / 001 T2	LIGHTING LAYOUT UNDERCROFT
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08 Jul 2016	L003 G	PROPOSED HIGHWAY PLAN
08 Jul 2016	L005 G	PROPOSED HARD SURFACE AT HIGHWAY LEVEL

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/revised proposals was taken and consent was granted.

This permission does not convey or imply any civil or legal consents required to undertake the works.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

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Item No:	04	
Application No:	16/01782/REG03	
Site Location:	Colonnade Beneath Street, Grand Parade, City Centre, Bath	
Ward: Abbey	Parish: N/A	LB Grade: N/A
Application Type:	Regulation 3 Application	

Proposal:	Change of use of vault and undercroft spaces to restaurants (A3) and/or Museum use (D1) with works to allow pedestrian access to lower Boat Stall lane and the Colonnade and to facilitate future access to Slippery Lane. Provision of stair and lift access to the undercroft/vault spaces on the public highway and associated works to the highway to facilitate the development.
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Air Quality Management Area, Article 4, Bath Core Office Area, Bath Enterprise Area, Centres and Retailing, Conservation Area, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, World Heritage Site,
Applicant:	Bath And North East Somerset Council Property Services
Expiry Date:	29th July 2016
Case Officer:	Tessa Hampden

DECISION PERMIT

1 Standard Time Limit (Compliance)

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 permission

2 Contaminated Land - Investigation and Risk Assessment (Pre-commencement)

No development shall commence until an investigation and risk assessment of the nature and extent of contamination on site and its findings has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. The assessment must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;

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

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. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

3 Contaminated Land - Remediation Scheme (Pre-commencement)

No development shall commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required. The scheme shall include:

- (i) all works to be undertaken;
- (ii) proposed remediation objectives and remediation criteria;
- (iii) timetable of works and site management procedures; and,
- (iv) where required, a monitoring and maintenance scheme to monitor the long-term effectiveness of the proposed remediation and a timetable for the submission of reports that demonstrate the effectiveness of the monitoring and maintenance carried out.

The remediation scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The approved remediation scheme shall be carried out prior to the commencement of development, other than that required to carry out remediation, or in accordance with the approved timetable of works.

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. This is a condition precedent because the works comprising the development have the potential to uncover harmful contamination. Therefore these details need to be agreed before work commences.

4 Contaminated Land - Verification Report (Pre-occupation)

No occupation shall commence until a verification report (that demonstrates the effectiveness of the remediation carried out) has been submitted to and approved in writing by the Local Planning Authority, unless the findings of the approved investigation and risk assessment has confirmed that a remediation scheme is not required.

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 Contaminated Land - Unexpected Contamination (Compliance)

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. Thereafter an investigation and risk assessment shall be undertaken, and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.

Reason: In order to ensure that the land is suitable for the intended uses and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

6 Ventilation and Extraction (Pre-commencement of use)

The use of either unit hereby permitted shall not commence until a detailed scheme for that unit ventilation and extraction of fumes/cooking smells has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork and filters; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be installed in accordance with the approved details prior to the commencement of the use and thereafter maintained as such.

Reason: In the interests controlling odours and protecting residential amenity in accordance with policy ES.10 of the Bath and North East Somerset Local Plan.

7 Finished floor levels (compliance)

The development hereby permitted, shall be constructed with Finished Floor Levels of the restaurants set at a minimum of 20.8m AOD and the Colonnades set at a minimum of 19.75m AOD as stated in the submitted Flood Risk Assessment (dated March 2016).

Reason: In the interests of flood resilience and to minimise the potential impact of flooding on the proposed development and future users.

8 Floor levels Boat Stall Lane(compliance)

The development hereby permitted shall be constructed with access from Boatsall Lane including the doorway into the northern vaults set a minimum level of 20.8m AOD as stated in the submitted Flood Risk Assessment (dated March 2016).

Reason: In the interests of flood risk management and to minimise the potential impact of flooding on the proposed development and future users.

9 Flood resilience measures (pre commencement)

Prior to the commencement of the development hereby permitted, full details of the proposed flood resilience measures to be incorporated within the design of the structure shall be submitted to, and approved in writing by the Local Planning Authority. Such detail shall include, inter alia, specification of the proposed glass frontage, electrics, and proposals in respect of vulnerable apparatus i.e. electric lift. The development thereafter shall be implemented in accordance with the approved details prior to occupation and the measures shall be maintained in full working order for the lifetime of development.

Reason: In the interests of flood resilience and to minimise the potential impact of flooding on the proposed development and future users.

10 Flood Warning Evacuation Plan (Pre-occupation)

No occupation of the development shall commence until a Flood Warning Evacuation Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall address the matters required pursuant to section 10 of the National Planning Policy Framework and the National Planning Practice Guidance. Thereafter the approved Flood Warning Evacuation Plan shall be implemented in perpetuity.

Reason: To limit the risk of flooding by ensuring the provision of satisfactory means of flood management and incident response on the site in accordance with paragraph 17 and section 10 of the National Planning Policy Framework.

11 Tour Bus Stop (pre occupation)

Prior to the occupation of the development, a management plan for controlling the use of the 'dual use' Tour Bus stop/servicing bay shall be submitted to and approved in writing by the Local Planning Authority and shall include, but not exclusively, the following: dedicated Tour Bus times and restricted time periods available for servicing/refuse collection, means of enforcement (beyond signing) and means of communicating the restrictions in place to regular suppliers.

Reason: To ensure the safe and unobstructed operation of the highway and to ensure that Tour Bus pick-up/drop-off here is not compromised

12 Construction Management Plan (Pre-commencement)

No development shall commence until a Construction Management Plan has been 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, working hours, site opening times, wheel wash facilities and site compound arrangements. The development shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policies T.24 and D.2 of the Bath and North East Somerset Local Plan. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

13 Archaeology - Watching Brief (Pre-commencement)

No development shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

14 Archaeology - Controlled Excavation (Pre-commencement)

No development shall commence, except archaeological investigation work, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled excavation of all significant deposits and features which are to be disturbed by the proposed development, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation. Thereafter the building works shall incorporate any building techniques and measures necessary to mitigate the loss or destruction of any further archaeological remains.

Reason: The site is within an area of major archaeological interest and the Council will wish to examine and record items of interest discovered. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

15 Archaeology - Engineering Solution (Pre-commencement)

No development shall commence (including any site clearance or demolition works), except archaeological investigation work, until the applicant, or their agents or successors in title, has produced detailed drawings of all underground works, including foundations, drainage and those of statutory undertakers, which have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, extent and depth of all excavations and these works shall be carried out and completed in accordance with details as approved.

Reason: The site is within an area of major archaeological interest and the Council will wish to examine and record items of interest discovered. This is a condition precedent because archaeological remains and features may be damaged by the initial development works.

16 Operational Statement (pre occupation)

Prior to each restaurant or museum being brought into operation, an operational statement shall be submitted to and approved in writing by the Local Planning Authority. This should include details of refuse collection and storage, hours of operation, public

access to the covered walkway of the colonnade area, use of Boat Stall Lane, cycle storage, and details of deliveries. The development shall thereafter be carried out/occupied in accordance with the approved operational statement.

Reason: To safeguard the residential amenity of the neighbouring occupiers, to ensure public access is retained to the Colonnades and to safeguard the general visual amenities of the area.

17 Lighting (bespoke trigger)

Prior to the installation of any lighting within the development a full lighting strategy detailing of all forms of lighting (including their fittings) including that to Boat Stall Lane, the Kiosks and the lighting to the undercroft and Colonnades area shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of residential amenity, visual amenity and ecology.

18 Ecology (bespoke trigger)

No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the LPA; details to include:

1. Detailed specifications and plans showing numbers, types, positions and heights of lamps;
2. A lux contour plan showing predicted light spill levels arising from the proposed lighting scheme, which must factor in predicted light spill from internal lighting, and showing dark zones on the river within which predicted lux levels will increase by no more than zero lux compared to existing light levels
3. details of all measures that shall be incorporated into the scheme to minimise light spill onto the river, thus minimising impacts on bats and aquatic ecology; for example, through use of warm white LED; directional lighting, baffles and screening; time switches and remote sensors; adherence to specified times of use and use of dimming regimes.

Upon approval in writing, the details shall be implemented and thereafter the development shall be operated in accordance with the approved details.

Reason: to provide a sensitive lighting scheme that avoids harm to bat activity and other wildlife

19 Surface water drainage (bespoke trigger)

A surface water drainage strategy in accordance with that outlined in the Flood Risk Assessment should be submitted to and approved by the Local Planning Authority prior to the occupation of the development hereby approved. Specifically details about the proposed drainage channels in the floor of Boatsall Lane should be supplied.

Reason: In the interests of flood risk management

20 External adverts (bespoke trigger)

Prior to the any external advertisements being put in place, a signage strategy is to be submitted to the local planning authority for approval in writing and thereafter signage shall be only installed in accordance with these approved details.

Reason; To safeguard the character and appearance of this area.

21 Highway structural works

Prior to the commencement of the development, details of the structural works to form the openings in Grand Parade shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include plans and supporting structural calculations in accordance with Section 180 of the Highways Act 1980. The applicant should be aware that this process can take in the region of 6 weeks to conclude and will incur an additional fee.

Reason: In the interest of highway safety.

22 Public access (compliance)

The public shall be allowed access to the colonnade walkway between the hours 9am and 7pm and this area shall not be closed off during this time.

Reason. To ensure that the public have the benefit of this development.

23 No deliveries or collections shall be taken at or dispatched from the site outside the hours of 07.00hrs to 19.00hrs.

Reason: In the interest of residential amenity.

24 Boat Stall Lane access (compliance)

Access for staff, deliveries and customers via Boatstall Lane shall be restricted to be permitted from 08.00hrs to 19.00hrs only.

Reason: To safeguard residential amenity

25 Sample Panel - Walling (Bespoke Trigger)

No construction of the external walls surfaces shall commence until a sample panel of all new external walling materials to be used have been erected on site and approved in writing by the Local Planning Authority. They must be kept on site for reference until the development is completed. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

26 Waste Strategy (Pre Occupancy)

Neither unit hereby approved shall be occupied until a Waste and Refuse Strategy for the relevant unit has been submitted to and approved in writing by the Local Planning Authority. This shall include, methods of storage prior to collection, details of how the refuse will be removed from the application site (including times), timings for refuse collection if stored on the street ready for collection, and methods to limit the noise from bottle collection. The development shall thereafter be carried out in full accordance with this waste strategy.

Reason: In the interest of residential and visual amenity

27 Lift details (Bespoke Trigger)

No works shall commence on the lift kiosk, until the elevation of this at Colonnade level have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies B6, D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

28 Drainage Strategy (Bespoke Trigger)

Prior to construction works a drainage strategy to deal with the surface water around the Empire Hotel Lightwell shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure that suitable strategy drainage is in place

29 Tree Strategy (Bespoke Trigger)

No works to the pavement to the adjacent lift shaft shall commence until a tree works strategy has been submitted to and approved in writing by the Local Planning Authority. This shall include details of proposed investigative works to assess whether the trees can be retained, and if not options for replacement planting. The development must be carried out in accordance with the approved tree strategy.

Reason: To ensure that if possible the trees can be retained if necessary to ensure replacement trees are provided in accordance with Policy NE.4 of the Bath and North East Somerset Local Plan.

30 Plans List (Compliance)

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.

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08 Jul 2016	L005 G	PROPOSED HARD SURFACE AT HIGHWAY LEVEL	
08 Jul 2016	SK A	TREEPIT LOCATIONS	
OS Extract	12 Apr 2016	15121_L_001_C	SITE LOCATION PLAN

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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/revised proposals was taken and consent was granted.

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Avon, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

This permission does not convey or imply any civil or legal consents required to undertake the works.

Item No:	05
Application No:	16/01913/FUL

Site Location:	Car Park Between 2 And 4, Silver Street, Midsomer Norton,		
Ward:	Midsomer Norton Redfield	Parish:	Midsomer Norton
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of 8no of two bed apartments, associated parking and landscaping.		
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Centres and Retailing, Coal - Standing Advice Area, Conservation Area, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,		
Applicant:	RIG Trading Ltd		
Expiry Date:	29th July 2016		
Case Officer:	Rachel Tadman		

DECISION REFUSE

1 The proposed development, by reason of its design, size and layout, would have an unacceptable overbearing impact on the side windows of 2 Silver Street, Midsomer Norton facing the development, and also provide a poor quality level of outlook to the future residents of the second floor flats which are considered to have a detrimental impact on the amenity of the occupiers of 2 Silver Street and the future occupiers of the second floor flats. This is contrary to Policy D2 of the Bath & North East Somerset Local Plan, adopted October 2007.

2 The proposed development, by reason of its design, size and layout, is considered to be of a poor quality design which result in an insecure an unwelcoming environment for residents and would have a significant harmful impact on the character and appearance of the street scene, the setting of the Grade II listed Town Hall and fails to preserve or enhance the character and appearance of this part of the Midsomer Norton Conservation Area. This is contrary to Policies D2, D4, BH2 and BH6 of the Bath & North East Somerset Local Plan, adopted October 2007 and Policy CP6 of the Bath & North East Somerset Core Strategy, adopted July 2015.

PLANS LIST:

This decision relates to drawing nos 15/0823/01, 15/0823/02, 15/0823/03, 15/0823/04, 15/0823/05, 15/0823/06, 15/0823/07, 15/0823/08, 15/0823/09, 15/0823/10, 15/0823/11, 15/0823/12

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. The submitted application was found to be 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.

Item No:	06
Application No:	16/01982/FUL
Site Location:	8 Rectory Close, Farmborough, Bath, Bath And North East Somerset
Ward: Farmborough	Parish: Farmborough LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of double garage following demolition of 2no existing.
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, Tree Preservation Order,
Applicant:	Mr & Mrs Brown
Expiry Date:	20th June 2016
Case Officer:	Rachel Tadman

DECISION PERMIT

1 Standard Time Limit (Compliance)

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 permission

2 Highways - Garages (Compliance)

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose.

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

3 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to drawing nos Proposed Plans, Existing Plans, Proposed Building Regulations.

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 submitted proposals was taken and consent was granted.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Item No:	07	
Application No:	16/01145/FUL	
Site Location:	Plot Between Croft House And 1, The Croft, Monkton Combe, Bath	
Ward: Bathavon South	Parish: Monkton Combe	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of single dwelling and car parking for 2 vehicles following demolition of existing garages	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Greenbelt, Housing Development Boundary, MOD Safeguarded Areas, SSSI - Impact Risk Zones,	
Applicant:	Monkton Combe School	

Expiry Date:	29th July 2016
Case Officer:	Alice Barnes

DECISION PERMIT

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

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

2 Prior to the construction of the development written confirmation from the sewerage company (Wessex Water) accepting the surface water discharge into their network including point of connection and rate shall be submitted to the Local Planning Authority. If the sewerage company are not able to accept the proposed surface water discharge, an alternative method of surface water drainage, which has first been submitted to and approved in writing by the Local Planning Authority, should be installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with Policy CP5 of the Bath and North East Somerset Core Strategy. This is a condition precedent because it is necessary to understand whether soakaways are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

3 The proposed window on the south-west elevation shall be non-opening and glazed with obscure glass and permanently retained as such.

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

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

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

5 No development shall commence until details of the existing and proposed ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: For the avoidance of doubt and to clarify the finished ground levels of the development to accord with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan. This is a condition precedent because the ground levels have the potential to affect the overall impact of the development. Therefore these details need to be agreed before work commences as they could not easily be amended after.

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

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

PLANS LIST:

Location plan 01
Existing site plan 02
Existing north west and east elevations 03
Existing south east and south west elevations 04
Existing site sections 05
Proposed context plan 06
Proposed site plan 07
Proposed ground floor plan 08
Proposed first floor plan 09
Proposed second floor plan 10
Proposed roof and landscape plan 11
Proposed north west and north east elevations 12 A
Proposed south east and south west elevations 13 A
Proposed site section AA 14 A
Proposed site section BB 15
Proposed site section CC 16

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

Bath & North East Somerset Council	
MEETING:	Development Management Committee
MEETING DATE:	24th August 2016
RESPONSIBLE OFFICER:	Mark Reynolds – Group Manager (Development Management) (Telephone: 01225 477079)
TITLE:	APPLICATIONS FOR PLANNING PERMISSION
WARDS:	ALL
BACKGROUND PAPERS:	
AN OPEN PUBLIC ITEM	

AGENDA
ITEM
NUMBER

BACKGROUND PAPERS

List of background papers relating to this report of the Group Manager, Development Management about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

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- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
 - (i) Sections and officers of the Council, including:
 - Building Control
 - Environmental Services
 - Transport Development
 - Planning Policy, Environment and Projects, Urban Design (Sustainability)
 - (ii) The Environment Agency
 - (iii) Wessex Water
 - (iv) Bristol Water
 - (v) Health and Safety Executive
 - (vi) British Gas
 - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
 - (viii) The Garden History Society
 - (ix) Royal Fine Arts Commission
 - (x) Department of Environment, Food and Rural Affairs
 - (xi) Nature Conservancy Council
 - (xii) Natural England
 - (xiii) National and local amenity societies
 - (xiv) Other interested organisations
 - (xv) Neighbours, residents and other interested persons
 - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

The following notes are for information only:-

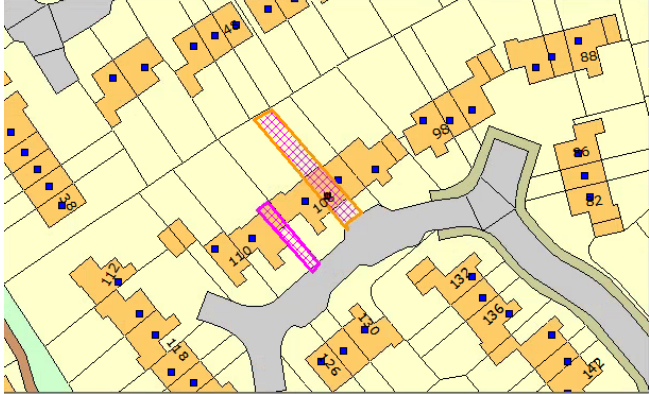
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- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
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ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
001	16/01581/FUL 30 June 2016	Mr Griffiths 104 Faulkland View, Peasedown St. John, Bath, Bath And North East Somerset, BA2 8TQ Erection of a single storey extension to garage.	Peasedown St John	Chloe Buckingham	PERMIT

REPORT OF THE GROUP MANAGER, DEVELOPMENT MANAGEMENT ON APPLICATIONS FOR DEVELOPMENT

Item No:	001	
Application No:	16/01581/FUL	
Site Location:	104 Faulkland View Peasedown St. John Bath Bath And North East Somerset BA2 8TQ	
		
Ward: Peasedown St John	Parish: Peasedown St John	LB
Grade: N/A		
Ward Members:	Councillor Sarah Bevan Councillor Karen Walker	
Application Type: Full Application		
Proposal:	Erection of a single storey extension to garage.	

Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,
Applicant:	Mr Griffiths
Expiry Date:	30th June 2016
Case Officer:	Chloe Buckingham

REPORT

REASON FOR REPORTING APPLICATION TO COMMITTEE:

An objection has been received from Peasedown Parish Council as the proposal will result in significant change to the material impact of the street scene and because the proposed development does not meet with the recommended thresholds for garage widths as detailed in the DCLG & DoT Manual for Streets (item 8.3.41 refers). Councillor Sarah Bevan who lives next door to this development has also objected to the proposal. The chair of the committee has therefore decided that this application should be considered by committee.

This application was deferred at the last meeting of the Committee to allow members to visit the site.

DESCRIPTION OF SITE AND APPLICATION:

This application relates to a garage that is in the ownership of no.104 Faulkland View but situated between no.s 106 and 108 Faulkland View. The application seeks planning permission for the erection of a single storey front extension to the existing garage which will be joined to an identical proposed extension to the garage for no.106 which is attached to the garage for no.104.

The garage for no.104 is proposed to be extended to the front by 3m with the inclusion, when viewed from the front, of a mono-pitched roof. Behind the mono-pitched roof will be a flat felt roof joining the extension to the existing garage. A planning application for an identical and conjoined proposal for the adjoining garage for no.106 Faulkland Road (16/01580/FUL) is also for consideration by committee. If the proposed garage extension to no.104 Faulkland View is built independently from the proposed extension at no.106 Faulkland View then the exposed side wall will be constructed of materials to match the existing walls.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Highway Development Officer:

- This will serve to extend the existing garage by a further 3m to around 8m in length so insufficient to house two vehicles.
- This will reduce the effective length of the remaining driveway and its capacity to park a second vehicle clear of the highway boundary.
- Having checked the adopted highway limits of this shared surface road there is sufficient driveway space for the parking of a second vehicle between the extended line of the garage and the highway. Therefore, there are no objections to his application.

OTHER REPRESENTATIONS / THIRD PARTIES

Two neighbour objection comments have been received, one from no.108 and one from no.126 on the other side of the road can be summarised as follows:

- 1) The extension will block damp course ventilations in the wall on the side elevation of no.108.
- 2) The extension to the garage would prevent the owner of no.108 from maintaining this wall.
- 3) It will compromise the link detached status of no.108. This will necessitate a change in the deeds, and may therefore compromise the value of the property.
- 4) The wiring for the satellite dish will need to be re-routed, which will incur unnecessary expense.
- 6) No.108 would however prefer that only one garage is extended as the extension to the garage for no.104 will still materially affect no.108.
- 7) The extensions involve a flat roof which is out-of-keeping with the wider area.
- 8) The residents opposite the application site cannot safely access or exit their family car from their private driveway due to the length of the trade vehicles parked on both applicants' driveways. This will present an even greater danger if both driveways are reduced in length.
- 9) Both applicants already use their existing garages as business premises in order to carry out noisy construction work. If the application is approved this is likely to increase noise.
- 10) This will result in the displacement of the trade vehicle when parked to the end of the driveway. This will overshadow/block the light to the sitting room and front garden of no.108. This will cause damage to the grass and fig tree in the front garden.
- 11) Development will create a dominant, almost overbearing form, Thus creating a terraced effect on properties that are currently link detached, spoiling the characteristics of the cul-de-sac.
- 12) The proposed extensions do not leave room for commercial vans to be parked either in their garage or on their driveways. Therefore, the only option will be to park them on the road. There are many young children living in the street and blocking the road with vans will only cause more traffic congestion. This does not support the 'Peasedown St John Local Parish Plan 2010', which highlights plans to create safer communities within the village, as quoted on page 7 of the plan "overnight parking of cars and lorries on roads within the residential areas of the village causes concern for some. This can be attributed to the increase in car ownership and parking of company vehicles adjacent to drivers' houses, particularly where parking takes place on pavements or blocks access or sightlines to residential driveways".

RELEVANT PLANNING HISTORY:

- There is no relevant planning history for this site.

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

- Bath & North East Somerset Core Strategy (July 2014)
- Saved Policies from the Bath & North East Somerset Local Plan (2007)
- Joint Waste Core Strategy

The following policies of the Core Strategy are relevant to the determination of this application:

- CP6 - Environmental Quality
- CP2 - Sustainable Construction

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application.

- D2 - General Design and public realm considerations
- D4 - Townscape considerations
- T24 - General development control and access policy
- T26 - Parking

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of planning applications. The following policies are relevant:

- D.1 General urban design principles
- D.2 Local character and distinctiveness
- D.6 Amenity
- ST.1 Promoting sustainable travel.

Peasedown St John Local Parish Plan (2010)- Note: this document does not form part of the statutory Development Plan.

Peasedown St John Village Statement (2001)

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework
- National Planning Practice Guidance

OFFICER ASSESSMENT

PRINCIPLE OF DEVELOPMENT:

There is no objection in principle to extending a domestic garage by 3m in length within the housing development boundary of Peasedown St John. However, the details of the proposal must be considered acceptable and this is addressed below.

DESIGN OF THE DEVELOPMENT AND IMPACT ON THE STREET SCENE AND SURROUNDING AREA:

The design of the extension to the garage is considered to be in-keeping with the design of the existing garages and properties within the street scene. The extension extends to the front by 3m and has a proposed mono-pitched roof design (when viewed from the front), matching the tiles and brickwork of the existing garage. The development is considered to be of an acceptable scale, siting and design that will ensure that the character and appearance of the property is safeguarded.

IMPACT ON RESIDENTIAL AMENITY:

The proposed extension is situated to the front of the existing garage, with an identical extension proposed to the garage for no.106 which is situated to the side of the garage for no.104. The modest nature of the extension is such that there are not considered to be any significant negative impacts in terms of overlooking, loss of privacy or loss of light for any of the surrounding properties. The dwellings to the front of the property are considered to be a sufficient distance away from the property, separated by an access road and garden space. No.108 to the side of the property also has a large blank side elevation nearest to the garage and the garage extension is not proposed to extend beyond the front elevation of no.108. There have been objections made from no.108 to explain that the displacement of the trade vehicle will create a loss of light to the sitting room and front garden of no.108. However, the development is not considered to result in any significant loss of light to the sitting room and front garden of no.108. Overall, given the way in which the single storey extension to the garage is well integrated with the existing building, the development is not considered to result in any harm to the residential amenity of the neighbouring occupiers.

PLANNING OFFICER ASSESSMENT OF HIGHWAY ISSUES:

The existing garage will be extended by a further 3m to around 8m in length which is insufficient to house two vehicles. This will reduce the length of the remaining driveway and its capacity to park a second vehicle clear of the highway boundary. However, there is sufficient driveway space for the parking of a second vehicle between the extended line of the garage and the highway and so there are no objections. With this in mind, the proposed development is not considered to cause any issues in relation to parking provision or access.

OTHER MATTERS: There have been objections made from no.108 to explain that the extension will block damp course ventilations in the wall on the side elevation of no.108 and that the extension to the garage would prevent the owner from maintaining this wall. The objection also explains that the extension will compromise the link detached status of the property and compromise the value of the property. However, it must be noted that party wall issues are a civil matter between the neighbours and are not considered through the planning system. Similarly loss of property value is not a material planning consideration and so this cannot be considered within this report. Objections have also been raised to explain that the garage is to be used as a business premises however, this application is for a domestic garage and a separate change of use application would have to be submitted if this were the case.

CONCLUSION:

The modest 3m extension to the front of the garage will not extend beyond the principle building line of no.108 and so there are not considered to be any significant negative residential amenity impacts regarding loss of light, loss of privacy or overlooking for surrounding neighbours. The design and use of materials are also considered to be in-keeping with the streetscene and there is sufficient space within the driveway after the extension has been constructed in order to park one vehicle. Objections have also been raised to explain that the garage is to be used as a business premises however, this application is for a domestic garage and a separate change of use application would have to be submitted if this were the case.

Members should note that whilst it is proposed to extend this garage in association with the proposed garage extension at no.106 Faulkland View it is considered acceptable for this proposal to be constructed on its own.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

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 Highways - Garages (Compliance)

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose.

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

3 Plans List (Compliance)

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 Location Plan, the Existing and Proposed Site Plan and the Existing and Proposed Floor Plans and Elevations (16021_P1 Rev A) received by the Council on 19th May 2016.

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 delegated report, a positive view of the submitted proposals was taken and planning permission was granted.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

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Bath & North East Somerset Council	
MEETING:	Development Management Committee
MEETING DATE:	24th August 2016
RESPONSIBLE OFFICER:	Mark Reynolds – Group Manager (Development Management) (Telephone: 01225 477079)
TITLE:	APPLICATIONS FOR PLANNING PERMISSION
WARDS:	ALL
BACKGROUND PAPERS:	
AN OPEN PUBLIC ITEM	

AGENDA
ITEM
NUMBER

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ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
01	16/01580/FUL 30 June 2016	Mr Palmer 106 Faulkland View, Peasedown St. John, Bath, Bath And North East Somerset, BA2 8TQ Erection of a single storey extension to garage and inclusion of parking space to the front.	Peasedown St John	Chloe Buckingham	PERMIT
02	16/01609/FUL 22 June 2016	Mr Mark Edwards Castle Farm Barn, Midford Road, Midford, Bath, Bath And North East Somerset Change of use of agricultural barns to a flexible commercial use comprising farm shop and cafe.	Bathavon South	Alice Barnes	PERMIT
03	16/02798/FUL 10 August 2016	Mr James Thomas 65 Canons Close, Southdown, Bath, Bath And North East Somerset, BA2 2LN Change of use from 4 bed HMO (C4) to 7 bed HMO (Sui Generis). Associated internal alterations including erection of partition walls, works to porch, new door and window, and change of wall structures to rear conservatory.	Odd Down	Emma Watts	PERMIT
04	16/02530/FUL 16 July 2016	Mr & Mrs Chris and Josephine Vercoe 23 Lymore Avenue, Twerton, Bath, Bath And North East Somerset, BA2 1BA Demolition of existing single storey rear extension and erection of side and rear, single storey extension	Westmoreland	Jessica Robinson	PERMIT
05	16/00847/FUL 10 June 2016	Mrs Gemma Cozzubbo 27 Albert Road, Keynsham, Bristol, Bath And North East Somerset, BS31 1AA Erection of single storey side extension to existing garage.	Keynsham South	Rachel Tadman	PERMIT

06	16/02107/LBA 24 June 2016	Ms McWilliams Under The Hill, Weston Road, Lower Weston, Bath, Bath And North East Somerset Internal alterations for a new opening between the living and family rooms (on ground floor level) to incorporate a set of double 'wedding' doors.	Weston	Suzanne D'Arcy	REFUSE
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**REPORT OF THE GROUP MANAGER, DEVELOPMENT MANAGEMENT ON
APPLICATIONS FOR DEVELOPMENT**

Item No:	01		
Application No:	16/01580/FUL		
Site Location:	106 Faulkland View Peasedown St. John Bath Bath And North East Somerset BA2 8TQ		
			
Ward:	Peasedown St John	Parish:	Peasedown St John
Grade:	N/A		LB
Ward Members:	Councillor Sarah Bevan Councillor Karen Walker		
Application Type:	Full Application		
Proposal:	Erection of a single storey extension to garage and inclusion of parking space to the front.		
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
Applicant:	Mr Palmer		
Expiry Date:	30th June 2016		
Case Officer:	Chloe Buckingham		

REPORT

REASON FOR REPORTING APPLICATION TO COMMITTEE:

- An objection was received in relation to the proposed garage extension for no.104 Faulkland View (16/01581/FUL) from Peasedown Parish Council. This extension will be attached to the proposed garage extension at no. 106 Faulkland View, the subject of this

application. In relation to the extension at no.106 Faulkland View the Parish Council agreed to neither support nor object to this application but to submit the following comments: It is noted that the original garage was converted to living accommodation which is in accordance with permission granted under application ref. 11/03110/FUL. If B&NES Council is minded to grant planning permission for this new revised application the Parish Council recommends that the development is checked after it has been built to ensure the new garage is actually being used as specified, for the garaging of vehicles, and is not being used as living accommodation or storage, both of which will result in a loss of parking space. The chair of committee having agreed to refer the proposal for no.104 Faulkland View to committee has decided to also refer this application to committee as both proposals are conjoined.

This application was withdrawn from the Agenda of the last Committee in order to address an unresolved highway objection.

DESCRIPTION OF SITE AND APPLICATION:

This application relates to a garage that is attached to the side of no.106 Faulkland View and the garage of no.104 Faulkland View. The application seeks planning permission for the erection of a single storey front extension to the existing garage which will be joined to an identical proposed extension to the garage for no.104 which is attached to the garage for no.106.

The garage for no.106 is proposed to be extended to the front by 3m with the inclusion, when viewed from the front, of a mono-pitched roof. Behind the mono-pitched roof will be a flat felt roof joining the extension to the existing garage. A planning application for an identical and conjoined proposal for the adjoining garage for no.104 Faulkland View (16/01581/FUL) is also for consideration by committee. If the proposed garage extension to no.106 Faulkland View is built independently from the proposed extension to no.104 Faulkland View then the exposed side wall will be constructed of materials to match the existing wall.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

CONSULTATIONS AND REPRESENTATIONS:

Highway Development Officer:

- As previously noted, what was originally a garage no longer serves as such. There is instead a shallow store accessed via the garage door, with the back part of the former garage forming part of a dining room.
- In the original response it was noted that: "The proposals, in conjunction with a parallel application to alter the adjoining garage (no 104) will serve to extend the building by a further 3.0m. This is intended to create a new garage, although the internal length between the back wall and the up-an-over door is only 4.2m. Given a normal parking bay is 4.8m in length, there is a concern that this will not be suitable for vehicle parking" and.
- "This proposal should not serve to reduce off-street parking available to this dwelling, thus encouraging the use of the shared surface road for this purpose."
- A subsequently re-submitted drawing 16020_P1 Rev A showed the garage extended to an internal length of 4.850m, which was deemed acceptable in that it would

have been fit for purpose in accommodating a parked vehicle, with a second space maintained in the driveway. However, this plan has now been withdrawn.

- Drawing 16020_P1 Rev B submitted now resurrects the original proposal, with this described as a single storey extension on the proposed site plan, albeit a garage on the proposed ground floor plan. It is too small to serve adequately as the latter. However, the revised plan shows an additional vehicle parked within the front curtilage to the right of the driveway. This would maintain the parking for two vehicles within the curtilage which is possible now and, as such, the extension which affects part of the existing driveway area is accepted. However, if using the front curtilage in this way requires a widened vehicle cross-over to the shared use carriageway, the applicant will need to contact the Highway Maintenance Team to get the appropriate license and details approval for such works. This is not readily clear from the drawing.

- There is no highway objection subject to the conditions to ensure that the area to the side on the submitted plan is kept clear of obstruction and shall not be used other than for parking vehicles in connection with the development permitted. A second condition is required to ensure that details of the additional parking space is submitted and surfaced in accordance with details and constructed before the extension is commenced.

- If the increased hard-standing area to the front of the property requires a widening of the cross-over area to the carriageway beyond the existing driveway extents the applicant should be advised to contact the Highway Maintenance Team.

OTHER REPRESENTATIONS / THIRD PARTIES

Three objection comments have been received from neighbours being; no.108, 126 and 110 Faulkland View:

1) No objection to this application on its own merits but no.108 will be seriously affected by the planning application associated with this one at site 104, Faulkland View, REF 16/01581/FUL.

2) Issues regarding maintenance of the wall for the owner of no.108.

3) Both extensions involve a flat roof which is out-of-keeping with the wider area.

4) The residents opposite the application site cannot safely access or exit their family car from their private driveway due to the length of the trade vehicles parked on both applicants' driveways. This will present an even greater danger if both driveways are reduced in length.

5) Both applicants already use their existing garages as business premises in order to carry out noisy construction work. If the application is approved this is likely to increase noise.

6) The development is likely to create more on-street parking.

7) There has been no communication of these planning applications sited around the proposed area.

8) Development will be out-of-keeping with the existing style of the neighbourhood, it will create a dominant, almost overbearing form, Thus creating a terraced effect on properties that are currently link detached, spoiling the characteristics of the culdesac.

9) The proposed extensions do not leave room for commercial vans to be parked either in their garage or on their driveways. Therefore, the only option will be to park them on the road. There are many young children living in the street and blocking the road with vans will only cause more traffic congestion. This does not support the 'Peasedown St John Local Parish Plan 2010', which highlights plans to create safer communities within the village , as quoted on page 7 of the plan "overnight parking of cars and lorries on roads within the residential areas of the village causes concern for some. This can be

attributed to the increase in car ownership and parking of company vehicles adjacent to drivers' houses, particularly where parking takes place on pavements or blocks access or sightlines to residential driveways"

RELEVANT PLANNING HISTORY:

11/03110/FUL- Erection of single storey rear extension and hip to gable roof extension- PERMITTED- 14.09.2011

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

- Core Strategy
- Saved Policies in the B&NES Local Plan (2007)*
- Joint Waste Core Strategy

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

- Bath & North East Somerset Core Strategy (July 2014)
- Saved Policies from the Bath & North East Somerset Local Plan (2007)
- Joint Waste Core Strategy

The following policies of the Core Strategy are relevant to the determination of this application:

- CP6 - Environmental Quality
- CP2 - Sustainable Construction

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application.

- D2 - General Design and public realm considerations
- D4 - Townscape considerations
- T24 - General development control and access policy
- T26 - Parking

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of planning applications. The following policies are relevant:

- D.1 General urban design principles
- D.2 Local character and distinctiveness
- D.6 Amenity

- ST.1 Promoting sustainable travel.

Peasedown St John Local Parish Plan (2010)- Note: this document does not form part of the statutory Development Plan.

Peasedown St John Village Statement (2001)

Other possible Relevant Considerations (without limitation):

- National Planning Policy Framework
- National Planning Practice Guidance

OFFICER ASSESSMENT

PRINCIPLE OF DEVELOPMENT:

There is no objection in principle to extending a domestic garage by 3m in length within the housing development boundary of Peasedown St John. However, the details of the proposal must be considered acceptable and this is addressed below.

DESIGN OF THE DEVELOPMENT AND IMPACT ON THE STREET SCENE AND SURROUNDING AREA:

The design of the extension to the garage is considered to be in-keeping with the design of the existing garages and properties within the street scene. The extension extends to the front by 3m and has a proposed mono-pitched roof design (when viewed from the front), matching the tiles and brickwork of the existing garage. The development is considered to be of an acceptable scale, siting and design that will ensure that the character and appearance of the property is safeguarded.

IMPACT ON RESIDENTIAL AMENITY:

The proposed extension is situated to the front of the existing garage, with an identical extension proposed to the adjoining garage for no.104. The modest nature of the extension is such that there are not considered to be any significant negative impacts in terms of overlooking, loss of privacy or loss of light for any of the surrounding properties. The dwellings to the front of the property are considered to be a sufficient distance away from the property, separated by an access road and garden space. Overall, given the way in which the single storey extension to the garage is well integrated with the existing dwelling, the development is not considered to result in any harm to the residential amenity of the neighbouring occupiers.

PLANNING OFFICER ASSESSMENT OF HIGHWAY ISSUES:

The application was consulted on three times by the Highways team due to some confusion regarding the amended plans. As previously highlighted, what was originally a

garage no longer serves as such. There is instead a shallow store accessed via the garage door, with the back part of the former garage forming part of a dining room. A subsequently re-submitted drawing 16020_P1 Rev A showed the garage extended to an internal length of 4.850m, which was deemed acceptable in that it would have been fit for purpose in accommodating a parked vehicle, with a second space maintained in the driveway. However, this plan has now been withdrawn and drawing 16020_P1 Rev B was submitted on 2nd June 2016. The new plans propose no changes to the original 3m increase in the garage of the original proposal and the inclusion of a parking space to the front of no.106.

The garage is too small to serve adequately as a garage. However, the revised plan shows an additional vehicle parked within the front curtilage to the right of the driveway. This would maintain the parking for two vehicles within the curtilage which is possible. It is noted that the area to the front of no.106 Faulkland View currently comprises of raised steps up to the front door and gravel. It is considered that the additional parking space to the front will not result in any significant negative visual impacts due to the presence of other vehicles parked forward of the principle elevations of neighbouring dwellings in the streetscene. However, if using the front curtilage in this way requires a widened vehicle cross-over to the shared use carriageway, the applicant will need to contact the Highway Maintenance Team to get the appropriate license and details approval for such works. This information will be included within the informatives section of the decision notice.

Conditions are considered necessary to ensure the driveway is kept clear of obstruction and the surfacing of the driveways are considered necessary in order to protect highway safety to ensure that adequate parking remains on site.

Objections received have stated that the development will create an increase in on-street parking. However, as there is now sufficient parking space available the development is not considered to create an increase in on-street parking.

OTHER MATTERS: Objections have also been raised to explain that the garage is to be used as a business premises however, this application is for a domestic garage and a separate change of use application would have to be submitted if this were the case.

CONCLUSION:

The modest 3m extension to the front of the garage will not extend beyond the principle building line of no.106 and so there are not considered to be any significant negative residential amenity impacts regarding loss of light, loss of privacy or overlooking for surrounding neighbours. The design and use of materials are also considered to be in-keeping with the streetscene and there is sufficient parking space within the site.

Members should note that whilst it is proposed to extend this garage in association with the proposed garage extension at no.104 Faulkland View it is considered acceptable for this proposal to be constructed on its own, as satisfactory details have been submitted showing what would be the external side wall.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

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 Parking (Compliance)

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

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

3 Parking (Pre-commencement)

No development shall commence until details, including surface treatment of the additional parking space at the front of the house have been submitted to and approved in writing by the Local Planning Authority. The extended garage shall not be brought into use or occupied until the approved details of the parking space have been fully implemented on site and thereafter retained solely for the parking of vehicles in connection with No. 106 Faulkland View.

Reason: In the interests of amenity and highway safety.

4 Highways - Garages (Compliance)

The garage hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose.

Reason: To ensure adequate off-street parking provision is retained in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

5 Plans List (Compliance)

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:

1 This decision relates to the Location Plan and the Existing and Proposed Site Plan, Floor Plans and Elevations (16020_P1 Rev B) received by the Council on 2nd June 2016.

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 delegated report, a positive view of the submitted proposals was taken and planning permission was granted.

2 Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

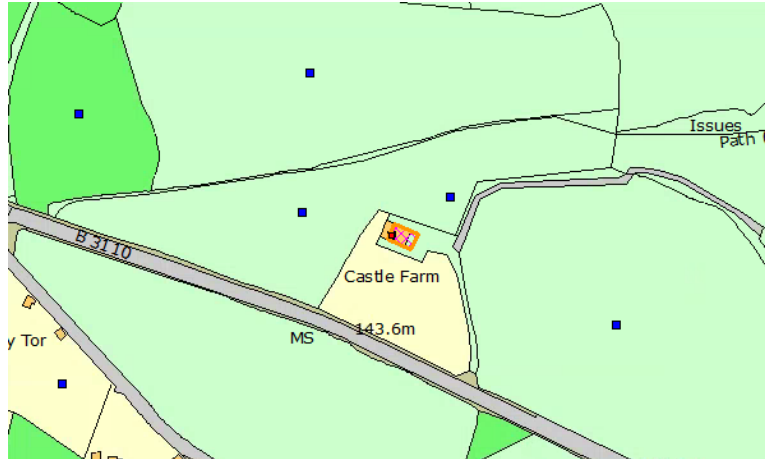
Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

3 If the increased hard-standing area to the front of the property requires a widening of the cross-over area to the carriageway beyond the existing driveway extents 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 the extended vehicular crossing. The additional parking area to the side of the driveway shall not be brought into use until the details of any cross-over extension necessary have been approved and constructed in accordance with the current Specification.

Item No: 02
Application No: 16/01609/FUL
Site Location: Castle Farm Barn Midford Road Midford Bath Bath And North East Somerset



Ward: Bathavon South **Parish:** South Stoke **LB Grade:** N/A

Ward Members: Councillor Neil Butters

Application Type: Full Application

Proposal: Change of use of agricultural barns to a flexible commercial use comprising farm shop and cafe.

Constraints: Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Water Source Areas,

Applicant: Mr Mark Edwards

Expiry Date: 22nd June 2016

Case Officer: Alice Barnes

REPORT

Reason for reporting the application to the committee

The application is being referred to the committee as the parish council have objected to the application contrary to the case officers recommendation to permit.

Castle Farm Barn is located to the south of Bath within the open countryside. The existing site is located within the Green Belt and Area of Outstanding Natural Beauty. The application site is located within the open countryside and occupies a hillside position within the valley. The site is accessed from a vehicle entrance on Midford Road to the south of the site. A public footpath runs to the north of the site within the valley.

This is an application for the change of use of the existing barn to a farm shop and café. No external alterations will occur. A site visit has confirmed that the barn is not currently in use as a café or shop. The existing holding includes the cultivation of vegetables to be

sold as veg boxes and the rearing of a beef herd. The existing barn is set back from the road edge and has a floor area of approximately 106 sqm.

Relevant History

DC - 02/00764/AGRN - Permission not required - 17 April 2002 - Provision of one greenhouse and two polytunnels.

DC - 02/02316/AGRA - RF - 18 November 2002 - Provision of two polytunnels and one greenhouse

DC - 04/00748/AGRN - PRAPRQ - 1 April 2004 - 2 No Poly tunnels to existing Farm building and access

DC - 96/02323/AGRN - PER - 25 October 1996 - Agricultural storage building for machinery/feed together with farm track for access as by plans received 2nd October 1996.

DC - 97/02313/FUL - PER - 15 July 1997 - Retention of farm track along former way linking agricultural buildings as amended by information received 28th May 1997.

DC - 97/02649/AGRN - PER - 1 August 1997 - Erection of an agricultural building (machinery/hay store)

DC - 97/02885/AGRA - PER - 2 February 1998 - Agricultural storage building as amended/amplified by letter received 24th November 1997 and plans received 18th December 1998, 8th January 1998 and 2nd February 1998.

DC - 98/02309/AGRN - REF - 21 April 1998 - Alterations to existing farm tracks consisting of removal of topsoil to expose stone surface and provision of stone and concrete surfaces to field shelter spring and cattle watering area.

DC - 98/02522/FUL - REF - 1 October 1998 - Stationing of mobile home to house agricultural worker amplified by information received 23rd July 1998, 7th August 1998 and 16th September 1998 (Castle Farm)

DC - 98/02742/AGRA - PER - 20 October 1998 - Details of proposed alterations to farm track and provision of hard surface amplified by information received on 15th September 1998 and amended/amplified by information received on 16th September 1998 and 6th October 1998.

DC - 06/03103/FUL - PERMIT - 26 October 2006 - Installation of wind generator to roof of farm building for sustainable energy.

DC - 12/00707/FUL - RF - 9 May 2012 - Erection of a temporary agricultural dwelling and an extension to cattle shed, appeal allowed

DC - 15/03325/OUT - APP - 17 December 2015 - Erect of an agricultural workers dwelling (Outline application with all matters reserved).

DC - 16/01584/RES - not yet determined - Approval of reserved matters with regard to outline application 15/03325/OUT, for the approval of access, appearance, landscaping, layout and scale of proposed agricultural workers dwelling.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Highways: Visibility to the west is acceptable. Visibility to the east is obstructed by the hedgerow adjacent to the B3110. The hedgerow should be trimmed back to maximise visibility to the east.

South Stoke Parish Council: Object. This indicates a plan for commercial development complete with B & B accommodation.

This barn was originally stated to be required for the development of the small holding.

The site is located on a busy road an increased use of the access will result in greater risk to accidents occurring.

This will lead to urbanisation and commercial use of the site.

It will harm the surrounding Area of Outstanding Natural Beauty.

The creation of a substantial car park to support this new, entirely commercial and non-agricultural venture represents new building in the Green Belt and is therefore inappropriate by definition, unless Very Special Circumstances can be proved to exist, which would outweigh the harm caused.

Representations: Five representations have been received objecting to the application for the following reasons:

This is an attempt at a creeping commercial use.

The access to the site is dangerous.

A four bedroom dwelling is not farm workers accommodation.

This is a bed and breakfast and restaurant business.

This is out of character with the surrounding Area of Outstanding Natural Beauty.

The development has not been properly advertised.

This could result in higher parking demand and associated infrastructure.

This would result in visual harm to the green belt.

The NPPF does not allow for development within the green belt unless there are very special circumstances.

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

Core Strategy

Saved Policies in the B&NES Local Plan (2007)

Joint Waste Core Strategy

The following policies of the Core Strategy are relevant to the determination of this application:

CP6 - Environmental Quality

CP8 - Green Belt

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application.

D.2: General design and public realm considerations

D.4: Townscape considerations

GB.2: Visual Amenities of the Green Belt

Ne.2: Areas of outstanding natural beauty

Ne.4: Trees and Woodland

T.24: General development control and access policy

T.26: On-site parking and servicing provision

ET.8: Farm diversification

ET.9: Re-use of rural buildings

S.9: Retention of local needs shops outside the identified centres and development of new small scale local shops.

National Policy

The National Planning Policy Framework adopted March 2012

National Planning Practice Guidance 2014

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of planning applications.

D.2 - Local character and distinctiveness

D.3 - Urban Fabric

D.5 - Building design

D.6 - Amenity

ST.7 - Transport requirements for managing development

RE.4 - Essential dwellings for rural workers

NE.2 - Conserving and enhancing the landscape and landscape character

NE6- Trees and woodland conservation

RE.6 - Re-use of rural buildings

OFFICER ASSESSMENT

This is an application for the change of use of the existing barn to a farm shop and café. Castle Farm Barn is located to the south of Bath within the open countryside. The application site is located within the Green Belt and Area of Outstanding Natural Beauty. The application site is located within the open countryside and occupies a hillside position within the existing valley. The site is accessed from a vehicle entrance on Midford Road to the south of the site. A public footpath runs to the north of the site within the valley.

The existing barn is located within a hillside position. On visiting the site the barn is not currently in use. The barn was previously used as a café but this has stopped over the winter months. The barn is currently used for general storage. The use of the barn as a café would usually be permitted development if a prior notification is submitted before the use is commenced. A prior notification was not submitted when the cafe previously operated so planning permission is now required.

The existing farm operation is focused around the growing of vegetables and the beef herd. Part of the farm business supplies veg boxes which are sold on site.

Principle

The application site is located within the green belt. Paragraph 90 of the NPPF allows for the re-use of rural buildings provided that the buildings are of permanent and substantial construction provided that the re-use preserves the openness of the Green Belt and does not conflict with the purposes of inducing land within the Green Belt. Subject to the proposed use not impacting upon the green belt no very special circumstances are required to justify the development within the green belt.

Policy ET.8 relates to farm diversification. It states that the development should not result in a dispersal of activity which prejudices a town or village. The proposed café will be over 1 mile for the local shopping centres within Bath. It will have a floor space of 45sqm and will provide seating for approximately 24 people. The nearest village of Southstoke currently includes no local services (the pub is closed).

The next nearest village is Midford where the only local service is a pub. The proposed café would open during the daytime whilst the public house at Midford opens within the evening and is closed for part of the afternoon. Therefore the two business would not be in direct competition and would operate at different times.

Therefore the proposed development is considered to be a sufficient distance away so as not to result in harm to the vitality of the closest local centres. The policy also requires existing buildings to be used in accordance with policy ET.9 which is discussed below.

Policy ET.9 of the local plan relates to the change of use of rural buildings. Policy ET.9 sets out the criteria with which a conversion must comply.

Part 1 of policy ET.9 states that the general design of the development should be in keeping with its surroundings. The exterior of the building will not be altered.

Part 2 of ET.9 states that the appearance of the building should not be adversely affected. As stated above the exterior of the building will not be altered.

Part 3 of policy ET.9 states that the building should be capable of conversion without substantial reconstruction. The applicant will not make any physical changes to the building and the structure will not be altered.

Part 4 of policy ET.9 states that the development should not result in the dispersal of activity that prejudices a villages vitality. The site is located outside of any settlement. The nearest village is South Stoke village which does not include a shop or café therefore the development will not impact on the vitality of South Stoke village. The development is located close to the city of Bath. The provision of a farm shop and café is unlikely to harm the vitality of nearby local centres within the city.

Part 5 b, of policy ET.9 states that the development should not be in a position isolated from public service, community facilities and unrelated to an existing group of buildings. The site is located within the existing farm holding. Whilst is located outside of the City of

Bath there is pavement access to the nearby dwellings where there is access to a bus service. The existing site is not considered not to be in such an isolated position, as to warrant refusal of the application.

Part 6 of policy ET.9 states that the development should not result in the provision of a replacement agricultural building. The applicant has advised that the front section of the barn has previously been used to provide food and drink to farm workers and the back section is used for the packing of produce. A new building is not required for livestock as this was approved in 2012 at a different location within the holding. Therefore the proposed café will not result in the need for a further building within the site.

Part 7 of the policy states that in the case of buildings in the green belt the development should not have a materially greater impact than the present use on the openness of the green belt. The existing barn will not be enlarged or altered. The existing site already includes a parking area so the surrounding site will not be changed. The development will not harm the openness of the surrounding green belt.

The applicant has advised that the café would operate between the hours of 11:00 and 17:00. It is intended to offer refreshments, snacks and a lunch menu. Produce from the farm will be sold on site and the farm produce will be prioritised within the café. It is accepted that some produce would have to be brought in for example milk which is not produced on site. The applicant has advised that the seating within the barn will provide seating for a maximum of 25 people.

The provision of a café could be regarded as ancillary to the existing farm operation on site and the holding will continue to operate as a farm with the main focus being on the growing of vegetables and its beef herd. The principle of the development is accepted provided that the café is conditioned to remain of a size that could be regarded as ancillary to the existing farm business.

Such a change of use may have been considered under permitted development prior notification procedures. However if a barn is to be converted under permitted development the applicant should make an application for prior notification to the local authority. As the applicant used the barn as a café in the last year without submitting an application for prior notification it is considered that planning permission is now required.

Highways

The existing farm is located on Midford Road which is a classified road of national speed limit. Outline permission has been granted for an agricultural workers dwelling and the reserved matters are currently being considered under application 16/01584/RES. The proposed dwelling includes on site parking and vehicles associated with the dwelling would not be parked within the hardstanding.

Concern has been raised within the representations that the proposed development will result in an increase in traffic to the site. The existing site includes an area of hardstanding that includes a parking area and turning area. Vehicles will be able to park on site and enter and leave in forward gear. The highways officer has commented that the hardstanding would be able to accommodate 20 vehicles. Current parking standards require one space per 10sqm of dining area. The proposed café has a floor space of

45sqm so the level of parking provided is considered to be appropriate as it would still allow for parking for workers on site.

Following the granting of permission for the temporary works dwelling in 2012 works were undertaken to the existing farm access to improve visibility when exiting the site. The highways officer has reviewed the existing access arrangements. Visibility to the east is partially obstructed by a mature hedgerow which would need to be trimmed back to maximise visibility to the east. This could be secured by condition. Visibility to the west is considered to be acceptable and the proposed development will not be considered to cause harm to highway safety.

Other matters

The representations received have made reference to an agricultural workers dwellings and the possibility of it being used as bed and breakfast accommodation. Outline permission has been granted for an agricultural workers dwelling under a separate application which has been conditioned so that it must be used for agricultural workers accommodation, it cannot be used as a bed and breakfast without further permission and in any event the dwelling is subject to an application that is considered separately to this proposal .

Concern has been raised that the development will harm the surrounding Area of Outstanding Natural Beauty. As stated above the application is not proposing to alter the existing building. There is a parking area to the front of the site and the applicant has not proposed to alter this. The exterior of the site will remain the same if permission is granted for the change of use. Therefore the proposed development will not harm the appearance of the surrounding Area of Outstanding Natural Beauty or the openness of the green belt.

Concern has been raised that the development has not been advertised correctly. There are few houses which surround the site therefore a site notice has been displayed at the farm entrance and the application advertised in the local paper, which accords with the council guidance in this matter.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

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 permission

2 Time limit (Compliance)

The use hereby approved shall not be carried on and no customer shall be served or remain on the premises outside the hours of 11:00 and 17:00.

Reason: To safeguard the amenities of nearby occupiers in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

3 Use (Compliance)

The proposed use hereby permitted shall not be used other than for purposes ancillary to the existing farm operations at Castle Farm Barn and shall remain within the red line shown on the submitted block plan.

Reason: The proposed use is considered to be acceptable on the scale outlined by the application. Any increase in the size of the operation could have a detrimental impact on highway safety and the openness of the green belt.

4 Highways (prior to commencement)

No development shall commence until details of the works of the cutting back and maintenance of the hedgerow to the east of the vehicle entrance shall be submitted to and approved in writing by the local planning authority

Reason: In the interests of highway safety.

5 Highways (Compliance)

Prior to the occupation of the cafe confirmation that the works to the hedgerow shall have been carried out in accordance with the details approved

Reason: In the interests of highway safety.

6 Highways (Compliance)

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

Reason: In the interests of highway safety.

7 Plans List (Compliance)

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:

- 1 Site location plan
- Block plan
- Cafe layout plan

Advice note:

It is recommended by the highways officer that the existing hedgerow to the east of the site is trimmed back to maximise visibility to the east.

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

2 Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

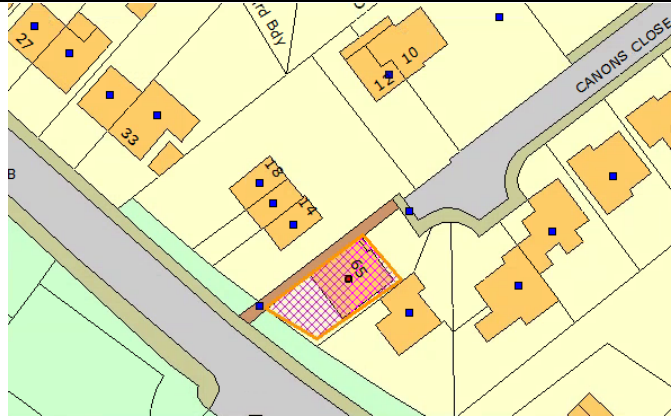
Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Item No:	03
Application No:	16/02798/FUL
Site Location:	65 Canons Close Southdown Bath Bath And North East Somerset BA2 2LN



Ward: Odd Down **Parish:** N/A **LB Grade:** N/A
Ward Members: Councillor Steve Hedges Councillor Nigel Roberts
Application Type: Full Application
Proposal: Change of use from 4 bed HMO (C4) to 7 bed HMO (Sui Generis). Associated internal alterations including erection of partition walls, works to porch, new door and window, and change of wall structures to rear conservatory.
Constraints: Affordable Housing, Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant: Mr James Thomas
Expiry Date: 10th August 2016
Case Officer: Emma Watts

REPORT

Reason for reporting application to Committee:

The application is being referred to the Committee because Councillor Roberts has called the application in if Officers are minded to recommend approval. The application has been referred to the Chair who agrees that the application should be considered by the Committee.

Description of site and application:

The application property is a two storey detached dwelling located at the south western end of Canons Close. The site backs on to Rush Hill to the rear. The property is currently used as a four bedroom House in Multiple Occupation. There is an existing rear conservatory extension. The locality is primarily residential and is characterised by a range of two storey detached and semi-detached houses. The site is located to the north east of Bath Spa University Rush Hill Campus, Culverhay Sports Centre and Bath Community Academy.

Planning permission is sought to convert the property from a four bed House in Multiple Occupation (Use Class C4) to a seven bedroom HMO (sui generis use). As part of the proposal the existing garage would be converted to a bedroom, shower room and utility area with single storey front infill extension measuring approximately 1.15m in depth and

2.55m wide. The main entrance to the property would be repositioned to the front elevation. An internal partition would subdivide the existing living room to create two further bedrooms and one ground floor side window would be installed facing towards No. 63 to serve one of the bedrooms. Alterations are also proposed to the external walls of the existing conservatory to replace some glazing with rendered blockwork cavity walls.

Relevant planning history:

02/00983/FUL - Rear Conservatory. Permitted 8/07/2002

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Councillor Roberts: I believe this is an over development of this dwelling, changing it out of all proportions. That there is not suitable parking for this number of residents. The dwelling is not on a suitable bus route being half way up a hill from both Bath Spa and Bath University.

Objections have been received from the owners/occupiers of Nos. 3, 4, 10, 18, 49, 51, 57, 59, 61 and 63 Canons Close and 18 Arundel Road, the content of which is summarised below:

- Concerns regarding increased car parking demand;
- Concerns that the turning head will be parked on and access to the footpath alongside the site will be blocked;
- The cul-de-sac already experiences parking congestion. People from the nearby school, university annexe and doctors and dentist surgeries park in the street. Existing on street parking makes it difficult for residents to manoeuvre into and out of their driveways;
- Concerns that existing on street parking already limits access by emergency vehicles;
- The property will be overcrowded;
- There have been four additional properties constructed in this part of the close in recent years;
- Canons Close is a quiet residential area and not suited to an HMO of this size;
- The Highways Department's use of car ownership data for non-owner occupied houses is being misused and is not applicable to HMOs;
- The condition of the property lets down the area;
- Concerns regarding noise and disturbance from increased bedroom numbers.

Highways: no objection subject to bicycle storage condition.

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

Core Strategy (2014)

Saved Policies in the B&NES Local Plan (2007)

West of England Joint Waste Core Strategy (2011) which supersedes all 2007 Local Plan policies on Waste apart from Policies WM.4 and WM.9

The following policies of the Core Strategy (2014) are relevant to the determination of this application:

DW1: District wide spatial strategy
B1: Bath spatial strategy
SD1: Presumption in favour of sustainable development
CP6: Environmental quality

The following saved policies of the Bath and North East Somerset Local Plan (2007) are also relevant to the determination of this application:

D.2: General design and public realm considerations
D.4: Townscape considerations
HG.12: Residential development involving dwelling subdivision, re-use of buildings for multiple occupation
T.24: General development control and access policy
T.26: On-site parking and servicing provision

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. Currently the Plan has limited weight in the determination of planning applications; however, the following policies are relevant to the determination of this application:

D.2: Local character and distinctiveness
D5: Building design
D.6: Amenity
H.2: Houses in Multiple Occupation
ST1: Promoting sustainable travel
ST.7: Transport requirements for managing development

The following Supplementary Planning Documents are relevant to the determination of this application:

Houses in Multiple Occupation in Bath SPD

National Policy:
The National Planning Policy Framework adopted March 2012
National Planning Practice Guidance

OFFICER ASSESSMENT

PRINCIPLE OF DEVELOPMENT

The property is already used as a 4 bedroom HMO. The acceptability of an HMO in this location is therefore not a matter for consideration. As such, the Article 4 Direction and the tests contained in the Houses in Multiple Occupation SPD are not applicable in this case. The key issue is the impact of the proposed increase in bedrooms numbers from 4 to 7.

IMPACT ON CHARACTER AND APPEARANCE

The proposal includes minor external changes to the building, including a modest single storey front infill extension as part of the proposed garage conversion, repositioning the main entrance door, installation of a ground floor side window and alterations to the external walls of the rear conservatory. These changes would be in compatible with the design of the host building and would have an acceptable impact on the character and appearance of the street scene and the general locality.

Aside from the proposed single storey front infill extension, the scale of built development on the site would remain unchanged compared to the existing situation.

The proposal would increase the occupancy level of the property. However, compared to the existing 4 bed HMO, it is not considered that this would cause demonstrable harm to the character or amenity of the locality.

Whilst local objectors have raised concerns that HMOs disturb the quiet of residential areas and can result in a less well kept property, this cannot be said to be exclusively limited to Houses in Multiple Occupation.

Overall, it is considered that the proposal would be compatible with the character and appearance of the host building, adjacent uses, the street scene and the general locality in accordance with the relevant provisions of Local Plan Policies HG.12, D.2 and D4.

IMPACT ON RESIDENTIAL AMENITIES

The proposed ground floor side window would face onto a solid wall along the party boundary with 66 Canons Close. This would not result in an adverse impact on overlooking and privacy for the occupiers of that neighbouring property.

Given the scale and nature of the external changes, the proposals would not cause demonstrable harm to the amenities of neighbouring occupiers through loss of light, overshadowing, loss of privacy or visual impact.

Compared to 4 occupants, it is not considered that an increase to 7 occupants would cause demonstrable harm to neighbours' amenities through increased noise levels. Environmental protection legislation would protect neighbours should a statutory nuisance be identified.

In regards to the amenities of future occupants, the level of residential accommodation and services is considered acceptable for the number of future residents. In addition, the dwelling benefits from private amenity space within the rear garden.

Overall, the proposal would provide an acceptable standard of amenity for neighbouring occupiers and future occupiers of the development. The proposal would therefore comply with the relevant provisions of Policy D.2 of the Local Plan and the aims of the National Planning Policy Framework.

IMPACT ON CAR PARKING PROVISION AND HIGHWAY SAFETY

Three car parking spaces would be retained on the existing hardstanding on the site's frontage. No changes are proposed to the existing access.

Policy T.26 would normally require three car parking spaces for a dwellinghouse in use class C 3 with four or more bedrooms. Whilst car ownership at the property may increase as a result of the increase in bedrooms numbers, there is evidence from surveys carried out by the Department for Communities and Local Government which indicates that rented accommodation can generate fewer cars than owner occupied households.

It should also be noted that the site is located very close to bus stops on Rush Hill which run bus services to Sainsbury's supermarket, Royal United Hospital, University of Bath and the city centre Monday through to Saturday. The site is also close to a Bath Spa University annexe campus. The site is therefore considered to be in a sustainable location. A condition is recommended requiring secure bicycle storage to be provided within the site to promote use of this sustainable mode of transport.

All properties along this part of Canons Close benefit from private driveways with most accommodating two vehicles. Notwithstanding neighbour comments regarding on street parking from non-residents, the level of off street parking at Canons Close properties should have a positive impact on the level of demand for on street car parking.

Taking into account all the above factors, it is considered that the level of retained car parking at the site would sufficient for the needs of the proposed larger HMO. The proposal is therefore considered to comply with saved Policies T.24 and T.26 of the Local Plan and the aims of the National Planning Policy Framework.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

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 permission

2 Materials (Compliance)

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

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

3 Parking (Compliance)

The parking area shown on the proposed block plan shall be kept clear of obstruction and shall not be used at any time other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking spaces are retained at all times in the interests of amenity and highway safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

4 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least four bicycles has been provided in accordance with the details shown on drawing No. 006. The bicycle storage shall be retained permanently thereafter.

Reason: To secure adequate off street parking provision for bicycles and to promote sustainable transport use in accordance with Policy T.26 of the Bath and North East Somerset Local Plan.

5 Plans List (Compliance)

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:

1 This decision relates to the following drawings: 001, 002, 003, 004 received 03/06/2016 and 006 received 09/08/2016.

2 Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

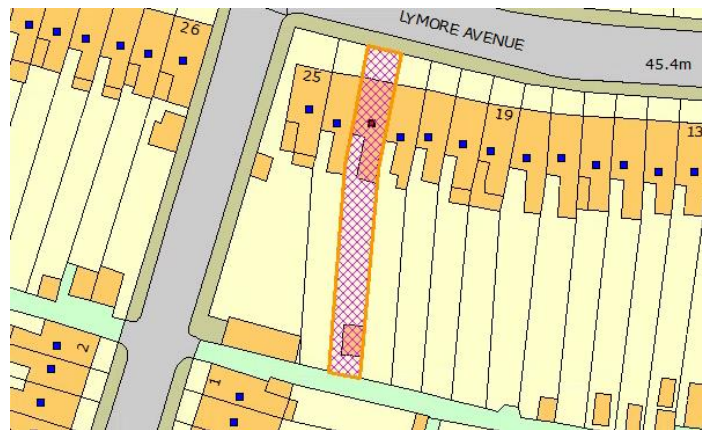
Where approval of further information is required you will need to submit a conditions application and pay the relevant fee, details of the fee can be found on the "what happens after permission" pages of the Council's Website. You can submit your conditions application via the Planning Portal at www.planningportal.co.uk or send it direct to

planning_registration@bathnes.gov.uk. Alternatively this can be sent by post to The Planning Registration Team, Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

3 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/revised proposals was taken and consent was granted.

Item No: 04
Application No: 16/02530/FUL
Site Location: 23 Lymore Avenue Twerton Bath Bath And North East Somerset BA2 1BA



Ward: Westmoreland **Parish:** N/A **LB Grade:** N/A
Ward Members: Councillor Colin Blackburn Councillor June Player
Application Type: Full Application
Proposal: Demolition of existing single storey rear extension and erection of side and rear, single storey extension
Constraints: Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, HMO Stage 2 test required, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
Applicant: Mr & Mrs Chris and Josephine Vercoe
Expiry Date: 16th July 2016
Case Officer: Jessica Robinson

REPORT

Reason for reporting application to Committee

Cllr June Player has requested that this application is considered by Committee if it is recommended that the application be granted permission. The Chair of Committee has

agreed to this request as she considers the issue relating to the impact on neighbour's residential amenity is controversial.

The application relates to the erection of a single storey extension to the side and rear of the existing dwellinghouse following the demolition of the existing single storey rear extension.

The property is a mid-terrace dwelling and located within an established residential street fronting a highway.

The application site also falls within the World Heritage Site.

Relevant History

None located.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Highway Development Officer: I refer to the above consultation received 29th June 2016 and confirm that Highway Development Control wishes to make no comment on the above planning application.

Cllr June Player has requested this application be called to committee should the officer be minded to approve this application as it will be detrimental to the neighbouring properties and area in general and will be contrary to saved Policies D.2 and T.24 of the Bath and North East Somerset Local Plan including minerals and waste policies, Adopted October 2007.

Although already a House of Multiple Occupancy, to introduce an extra bedroom in this property, which already is a student let for FIVE, will obviously put added pressure as regards parking as there is no proposed on-site parking provision. Therefore it will NOT avoid an increase in on-street parking in the vicinity and so WILL detract from Highway Safety and Residential Amenity - Policy T.24 (vii).

As regards Residential Amenity for the next neighbours it will definitely have a negative impact on them. It will cause extra noise, smell and overlooking and so impact on their quality of life especially when using their garden. It will therefore be contrary to Policy D. 2 (f).

I am also concerned that this will be overdevelopment of this site.

4 letter of objection have been received detailing concerns regarding:

- The already poor car parking situation will be worsened
- Noise issues from the proposed development
- The lack of need for a 6 bedroom HMO in this location
- Dust and inconvenience as a result of the development
- Only for financial gain and will result in a destruction of family community

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

Core Strategy
Saved Policies in the B&NES Local Plan (2007)
Joint Waste Core Strategy

The following policies of the Core Strategy are relevant to the determination of this application:

CP6 Environmental Quality
B4 The World Heritage Site and its Setting

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application.

D.2: General design and public realm considerations
D.4: Townscape considerations
NE.5 Forest of Avon

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of planning applications.

D.1 General Urban Design Principals
D.2 Local character and distinctiveness
D.3 Urban Fabric
D.5 Building design
D.6 Amenity
ST.1 Promoting Sustainable Travel
ST.7 Transport access and development management

National Policy
The National Planning Policy Framework adopted March 2012
National Planning Practice Guidance 2014

Houses in Multiple Occupation in Bath (HMO) SPD 2013 - this document is not applicable to this application as the property is already an established HMO and there is no change of use involved.

OFFICER ASSESSMENT

The key issues relate to the impact on the character and appearance of the dwelling and locality, and the amenities of the neighbouring properties.

The alterations will be located to the side and rear of the existing dwellinghouse and comprise a single story structure with a flat roof.

The proposed extension will extend out from the existing side wall of the property to in fill a courtyard area between the existing kitchen/bathroom and the boundary wall. The existing bathroom structure will be demolished and a single story, flat roof structure will replace this and extend out a further approx. 2.5 metres. The proposed development will comprise Bath stone ashlar walls, white UPVC windows/doors and a single membrane roof.

It is considered that the proposed extension is subservient to the main dwelling, and it is considered to respect the character of the property. The propose materials/finishes are considered to be in keeping with the original dwellinghouse. Furthermore, it is considered that the proposed extension will not be detrimental to the streetscene or character of the locality.

The proposed extension will include no windows to either side elevation. There will be 1 no. window and 1 no. door to the rear elevation. Due to the distance and location of surrounding dwellings it is considered there would not be an unacceptable loss of privacy or overlooking.

Due to the single storey nature and flat roof construction of the proposed extension the proposed development is not considered to appear overbearing or cause a detrimental loss of light to neighbouring dwellings.

It is considered that the increase on 1 no. bedroom to the rear of the property will not materially increase the noise generated from the property. As such this is considered to not impede the residential amenities of neighbouring dwellings.

Furthermore it is considered that the increase of this HMO form 5 no. bedrooms to 6 no. bedrooms is not a material change of use requiring express planning permission as the property is already classed as a HMO. Also, under the Use Class Order (GDPO 2015) a property such as this can be inhabited by up to 6 no. non related inhabitants without planning permission from the Council.

In regards to the highways objections made by local residents; it is taken into consideration that the Highways Officer has made no objection or comment in regards to this application. It is therefore considered that there would not be a material increase in the potential use or safety of the highway.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

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 permission

2 Plans List (Compliance)

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:

1 PLANS LIST:

01 EXISTING GROUND FLOOR PLAN, ELEVATIONS

02A COMBINED PLANS

2 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/revised proposals was taken and consent was granted.

Item No: 05
Application No: 16/00847/FUL
Site Location: 27 Albert Road Keynsham Bristol Bath And North East Somerset BS31 1AA



Ward: Keynsham South

Parish: Keynsham Town Council

LB Grade: N/A

Ward Members: Councillor Alan Hale

Councillor Lisa O'Brien

Application Type: Full Application

Proposal: Erection of single storey side extension to existing garage.

Constraints: Affordable Housing, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, SSSI - Impact Risk Zones,

Applicant: Mrs Gemma Cozzubbo

Expiry Date: 10th June 2016

REPORT

Reason for reporting the application to the committee

A request for the application to be considered by Development Management Committee has been received from the Local Ward Councillor Alan Hale. His objections to the scheme are summarised below:

1. The existing garage appears to be in use as a beauty therapy studio with the applicant working there together with employees or workers who 'rent a chair' as well as at times a receptionist which amounts to a change of use from a domestic garage to business use.
2. Increase in traffic with inadequate parking provided for customers and staff
3. Harmful impact on on-street parking availability and congestion within the area
4. The proposal represents overdevelopment of the site.
5. Harmful impact on the street scene due to the introduction of a commercial use into a predominantly residential street.

The application was therefore referred to the Chair who decided that the application should be considered by Development Management Committee.

Description of development:

The application relates to an existing outbuilding/garage located to the rear of 27 Albert Road, but which faces onto and is accessed from the adjoining St Clements Road.

The proposal is to erect an extension to the existing garage/outbuilding. The application is retrospective with the works having already been carried out.

Previously the outbuilding was laid out as three separate rooms each with an external door to the outside. The application is to regularise a side extension to the outbuilding to create a lobby area with an external door fronting onto St Clements Road to access the front two rooms with a separate entrance at the side to the rear room. The extension measures 9.7m long x 1.6m wide constructed with fibre cement cladding to match the existing.

Relevant History:

03/01877/FUL - PERMIT - 15 September 2003 - Single storey rear extension.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Highways Development Officer: The current use of this garage/outbuilding is unclear as the proposed plans only show a lobby and a number of room spaces. The applicant shall be required to clarify the current and proposed use of the building. Without clarification of this information, Highways DC are unable to make a formal recommendation for approval.

Keynsham Town Council: Comments only - The current use of this garage/outbuilding is unclear as the proposed plans only show a lobby and a number of room spaces. The application needs to detail the current and proposed use of the building.

Without clarification of this information, Keynsham Town Council is unable to make undertake full consideration of this application.

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

Core Strategy
Saved Policies in the B&NES Local Plan (2007)
Joint Waste Core Strategy

The following policies of the Core Strategy are relevant to the determination of this application:

CP6 - Environmental Quality

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application.

D.2: General design and public realm considerations
D.4: Townscape considerations
T.24 - General development control and access policy

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of planning applications. The following policies are relevant:

D.1 - General urban design principles
D.2 - Local character and distinctiveness
D.3 - Urban fabric
D.4 - Streets and spaces
D.5 - Building design
D.6 - Amenity
D.10 - Public realm

National guidance in the National Planning Policy Framework (NPPF) is also a material consideration.

OFFICER ASSESSMENT

Principle of the Use:

The front area of the building (comprising two rooms) is currently used for beauty treatments is accessed off St Clements Road, and the rear portion (comprising one room) is used for domestic storage and accessed from the private garden on 27 Albert Road.

The scheme does not include an application for a change of use so the proposed single storey side extension should therefore be considered on its merits.

However, notwithstanding this, concerns have been raised regarding the use of the site as a beauty salon and this warrants an explanation at this stage.

Officers have considered at length whether the use of the building constitutes a change of use, or whether the use is considered incidental to the use of the dwellinghouse.

An extract from the applicants' diary shows that there is between 15 to 34 hours of appointments a week, averaging at around 25 hours. In this case, the home and garden are used as a private residence. There are no staff employed by the applicant, and there is only ever one customer on the property at any one time, on occasion an additional beauty therapist does offer treatments at the site.

The site has two parking spaces adjacent to the outbuilding, and although the proposal results in a slight rise in traffic above that associated with a residential dwelling, this is not a significant amount to impact upon the surrounding area. The site is also within a sustainable location where customers can walk or use public transport to gain access.

The potential for noise disturbance to be created by beauty treatments or customers arriving or leaving is also considered to be very low.

In light of this Officers are of the view that the use of the building has not introduced any activities unusual within a residential area, and have concluded that the use of the building is incidental to the dwellinghouse and comprises a 'small business at home'. It is therefore considered that a material change of use has not occurred.

Design of the development and impact on the street scene and surrounding area:

The proposed extension to the garage building is small-scale, and does not significantly alter the character of the building. The proposal retains the existing flat roof, and is considered to be an acceptable alteration within the street scene.

Impact on residential amenity:

The proposal is sited adjacent to The Willows, however the small addition is not considered to create an overbearing impact upon the property, and there are no windows facing the property that would cause harm by overlooking.

Impact on highways safety:

It has been established above that Officers are of the view that the scheme represents a simple single storey extension to the side elevation of the existing outbuilding the impact on highway safety is also a simple consideration.

Whilst it is appreciated that the Highways Development Officer has been unable to comment on the proposed scheme due to a lack of information regarding the use of the garage/outbuilding, the proposed development would not result in the loss of any existing parking spaces and therefore there is no material change in highway safety terms.

Conclusion:

Whilst the development is retrospective and is in a use as a beauty therapist this is not considered to represent a material change of use at this stage.

Therefore the proposed single storey extension should be considered on its merits and in this regard the extension is acceptable and would not have a harmful impact on the character and appearance of the street scene, residential amenity of any neighbouring occupiers or highway safety.

RECOMMENDATION

PERMIT

CONDITIONS

1 Plans List (Compliance)

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:

1 Plans List:

This decision relates to drawing nos 16.209/01, 16.209/02, Site Location Plan

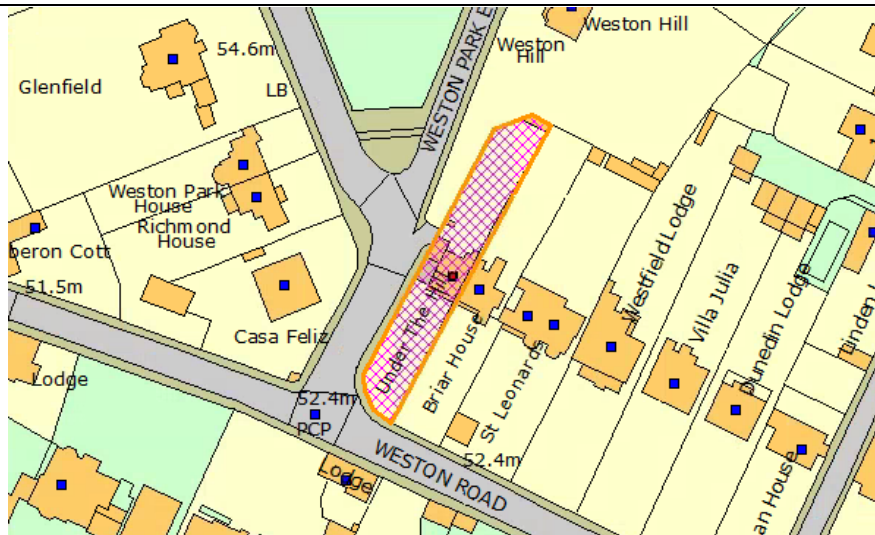
2 INFORMATIVE:

The current commercial use of part of the outbuilding has not been considered to represent a material change of use and is ancillary to the main residential use of the site. However the Applicant should be aware that if the commercial expands, employs staff on a regular basis or extends its hours it is likely that a material change of use will have occurred for which planning permission will be required.

3 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 submitted proposals was taken and consent was granted.

Item No:	06
Application No:	16/02107/LBA
Site Location:	Under The Hill Weston Road Lower Weston Bath Bath And North East Somerset



Ward: Weston **Parish:** N/A **LB Grade:** II
Ward Members: Councillor Colin Barrett Councillor Matthew Davies
Application Type: Listed Building Consent (Alts/exts)
Proposal: Internal alterations for a new opening between the living and family rooms (on ground floor level) to incorporate a set of double 'wedding' doors.
Constraints: Affordable Housing, Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Tree Preservation Order, World Heritage Site,
Applicant: Ms McWilliams
Expiry Date: 24th June 2016
Case Officer: Suzanne D'Arcy

REPORT

REASON FOR REPORTING THE APPLICATION TO COMMITTEE: The applicants agent is Cllr Bob Goodman

Under the Hill is a grade II listed building, sited within the Bath Conservation Area and wider World Heritage Site

This is a listed building application for the provision of a new opening at ground floor level to incorporate a set of double wedding doors.

Relevant History

- 01/00273/LBA - Construction of two storey extension after demolition of existing garage, new driveway and alterations to access - Withdrawn 3rd April 2001
- 01/00297/FUL - Construction of two storey extension after demolition of existing garage, new driveway and alterations to access - Withdrawn 3rd April 2001
- 01/01111/LBA - Formation of vehicle access and parking with the reinstatement of the original garden wall - Consent granted 11th July 2001

01/01121/FUL - Formation of vehicle access and parking facilities (Revised proposal) - Permitted 11th July 2001
02/00035/LBA - Erection of a single storey extension to north of building to form an orangery - Consent granted 15th May 2002
02/00078/FUL - Erection of a single storey extension to north of building to form an orangery - Permitted 16th May 2002
07/03298/FUL - Erection of two storey rear extension - Permitted 10th January 2008
07/03299/LBA - Erection of two storey rear extension - Consent granted 10th January 2008
14/00363/LBA - Internal works to form an opening with a pair of doors between dining and family rooms on hall floor level. - Withdrawn 20th March 2014

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Cllr Matthew Davies (Ward Member) - Supports the application, offering the following comments;

- Will enhance the practicality of the home
- Enhance the usability of the space and increase the follow of light to the ground floor
- Its a minor alteration and is not detrimental to the property
- This is an introduction of an original feature of many houses of this period and will add to the well being of family life in the home
- Government guidance acknowledges the need for sensitivity and improvement and enhancement
- Historic England embraces the need for controlled change/enhancement to ensure the successful future use of the building
- Proposal provides a solution to ensure the long term use of the building without negatively affecting its context and preserving its special interest
- DMC has recently approved identical schemes previously
- No objections from Historic England or Bath Preservation Trust (Officer note: Historic England are not a statutory consultee in this case)

Representations - None received

POLICIES/LEGISLATION

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works 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.

With respect to any buildings or other land in a conservation area the Council has a statutory requirement under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

The National Planning Policy Framework (NPPF) is national policy in the conservation and enhancement of the historic environment which must be taken into account by the Council together with the related guidance given in the Planning Practice Guidance (PPG).

The Council must have regard to its development plan where material in considering whether to grant listed building consent for any works. The Council's development plan comprises:

- Bath & North East Somerset Adopted Core Strategy
- Saved policies in the Bath and North East Somerset Local Plan (2007)
- West of England Joint Waste Core Strategy (2011)
- Adopted Neighbourhood Plans

The following policies of the Adopted Core Strategy are relevant to the determination of the application:

- CP6 - Environmental quality
- B4 - The World Heritage Site

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of the application.

- BH.2 - Listed buildings and their settings
- BH.6 - Development within or affecting conservation areas

Historic Environment Good Practice Advice in Planning Notes issued by Historic England - Advice Note 2 - Making Changes to Heritage Assets - Published February 2016

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of applications. The following policies are relevant:

- HE1 - Historic Environment

OFFICER ASSESSMENT

The proposals are for the creation of a substantial new opening to connect the front and rear rooms at ground floor level which are the principal reception rooms of the house/villa. It is also proposed to install a pair of wedding doors within the new opening. The application is similar to a previous application in 2014, which was withdrawn following Officer advice that the proposal was unacceptable.

The cellular plan form of this building typifies domestic historic buildings of this type and period and is regarded as a key characteristic of the building. As such it constitutes a critically important element of the special historic and architectural interest of the building. The proposed alterations would cause irrevocable harm to the plan form of the building, as well as the loss of historic fabric, and therefore significantly impact on the significance of the building.

Whilst there is a set of wedding doors on the first floor and the proposal seeks to replicate this on the ground floor, it is typical of the principal rooms on the first floor to be linked in this way and this distinction is important. It is noted that there has been alteration to the rear wall of the building when an extension was previously added but this cannot be seen as justification for compromising the surviving cellular plan form.

The importance of plan form is reflected in the Historic England Advice Note on Making Changes to Heritage Assets, paragraph 45 of which states that "The plan form of a building is frequently one of its most important characteristics Proposals to remove or modify internal arrangements, including the insertion of new openings.... will be

subject to the same considerations of impact on significance as for externally visible alterations". This advice was also published in previous Historic England documents.

In other circumstances, for example, 9 Henrietta Villas, consent was granted for similar alterations. However, the building was assessed as not possessing the same level of significance or surviving architectural interest. Furthermore, the proposals of the listed building application were wide ranging and were deemed to result in significant heritage benefits. Therefore, the harm was weighed against these benefits.

Similar alterations to protected buildings have been rejected by the Planning Inspectorate and there are recent examples of appeals that have been dismissed. For instance, an application at 10 Prior Park Cottages (14/05758/LBA) sought to regularise the alterations of the removal of the wall between the front and rear rooms at ground floor level. The building was substantially altered, particularly at ground floor level. However, notwithstanding this, the Inspector placed considerable importance on maintaining the original, cellular plan of the protected building and consequently upheld the decision of the Council. A similar view has again been taken by the Planning Inspectorate in relation to the creation of an opening between rooms at 15 Somerset Place (15/03097/LBA), where it was concluded that the removal of a section of the wall would disrupt the traditional cellular nature of the plan form.

The comments of the local member are noted. However, it is considered that the property is in a suitable condition for family living as there easy access through a corridor that links the front and back rooms. Furthermore, there are no public benefits to the proposal, which would outweigh the harm caused to the building.

To conclude, every effort should be made to preserve the building in its current state and condition as required by the primary legislation relating to heritage protection and preservation. The proposed open plan form is not regarded as consistent with the character of the building or the preservation of its architectural interest and constitutes unjustifiable harm.

There is a duty under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent for any works, 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. Here it is considered that the proposed alterations to the building are not consistent with the aims and requirements of the primary legislation or planning policy and planning policy guidance to preserve the architectural interest and character of the protected building and will cause unacceptable and unjustifiable harm.

RECOMMENDATION

REFUSE

REASON(S) FOR REFUSAL

1 The proposed alterations are regarded as harmful to the protected building and will result in an unacceptable loss of historic plan form and historic fabric and therefore contrary to the requirements and aims of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act and Section 12 'Conserving and enhancing the historic

environment' of the National Planning Policy Framework and the accompanying National Planning Practice Guidance.

PLANS LIST:

1 This decision relates to drawings numbered 5791-1, -2, -3 and -4, received by the Council on 29th April 2016.

2 In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

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Bath & North East Somerset Council	
MEETING:	Development Control Committee
MEETING DATE:	9 March 2016
RESPONSIBLE OFFICER:	Mark Reynolds, Group Manager, Development Management (Telephone: 01225 477079)
TITLE:	NEW PLANNING APPEALS, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES
WARD:	ALL
BACKGROUND PAPERS:	None
AN OPEN PUBLIC ITEM	

APPEALS LODGED

Case Ref: 14/00966/UNDEV
Location: Heath Cottage Tilley lane Farmborough BA2 0BE
Nature of Breach: Erection of two-storey side extension without planning permission.
Notice Date: 12 May 2016
Appeal Lodged: 14 July 2016

Case Ref: 15/00412/NONCOM
Location: 23 Royal Crescent City Centre Bath BA1 2LT
Nature of Breach: Without listed building consent or planning permission, the unauthorised replacement of an existing flat roof with lead proof slated pitched roof to summer house/orangery with alterations to parapet.
Notice Date: 03 May 2016
Appeal Lodged: 14 July 2016

App. Ref: 15/05518/FUL
Location: 23 Royal Crescent City Centre Bath BA1 2LT
Proposal: Replace existing flat roof with lead proof slated pitched roof to summer house with alterations to parapet (Revised partially retrospective proposal)
Decision: REFUSE

Decision Date: 10 March 2016
Decision Level: Planning Committee
Appeal Lodged: 14 July 2016

App. Ref: 15/05519/LBA
Location: 23 Royal Crescent City Centre Bath BA1 2LT
Proposal: Replace existing flat roof with lead proof slated pitched roof to summer house with alterations to parapet (Revised partially retrospective proposal).

Decision: REFUSE
Decision Date: 10 March 2016
Decision Level: Planning Committee
Appeal Lodged: 14 July 2016

App. Ref: 16/00946/FUL
Location: 1 Rose Cottages Kilkenny Lane Englishcombe Bath
Proposal: Change of use from detached garage to Holiday Let (resubmission)
Decision: REFUSE
Decision Date: 29 April 2016
Decision Level: Chair Referral - Delegated
Appeal Lodged: 18 July 2016

App. Ref: 15/02120/FUL
Location: Land To Rear Of 49-53 Church Road Peasedown St. John Bath
Proposal: Erection of a new single-storey eco-dwelling, garage and associated landscape works.
Decision: REFUSE
Decision Date: 26 February 2016
Decision Level: Delegated
Appeal Lodged: 19 July 2016

App. Ref: 16/01919/FUL
Location: 13 Rotcombe Vale High Littleton Bristol BS39 6JZ
Proposal: Erection of 1 no three bed dwelling. (Resubmission)
Decision: REFUSE
Decision Date: 27 June 2016
Decision Level: Delegated
Appeal Lodged: 19 July 2016

Case Ref: 15/00524/UNDEV
Location: Parcel 1212, Leigh Lane, St. Catherine, Bath.
Nature of Breach: Without planning permission, erection of timber hit and miss panel as screening.
Notice Date: 08 January 2016
Appeal Lodged: 29 July 2016

APPEALS DECIDED

App. Ref: 15/04894/FUL
Location: 14 Staple Grove Keynsham Bristol BS31 2HB
Proposal: Conversion of garage and outbuilding to form single storey dwelling.
Decision: REFUSE
Decision Date: 21 December 2015
Decision Level: Delegated
Appeal Lodged: 4 May 2016

Appeal Decision: Dismissed on 12.07.2016

Click [here](#) to view the Appeal Decision

App. Ref: 15/04112/ADCOU
Location: Stockwood Valley Riding Centre Bifield Road Bristol BS14 8TH
Proposal: Prior approval request for change of use from 2 no. Agricultural Barns to 2 no. Dwelling (C3) and associated operational development.
Decision: REFUSE
Decision Date: 26 October 2015
Decision Level: Non-Planning applications
Appeal Lodged: 16 February 2016

Appeal Decision: Allowed on 20.07.2016

Click [here](#) to view the Appeal Decision

App. Ref: 15/03137/FUL
Location: 20 Lansdown Crescent Lansdown Bath BA1 5EX
Proposal: Replacement of 3 sliding wooden garage doors with 1 new sectional overhead door.
Decision: REFUSE
Decision Date: 14 March 2016
Decision Level: Delegated
Appeal Lodged: 16 May 2016

Appeal Decision: Dismissed on 27.07.2016

Click [here](#) to view the Appeal Decision

App. Ref: 15/03138/LBA
Location: 20 Lansdown Crescent Lansdown Bath BA1 5EX
Proposal: External alterations to replace 3 sliding wooden garage doors with 1 new sectional overhead door.
Decision: REFUSE
Decision Date: 14 March 2016
Decision Level: Delegated
Appeal Lodged: 16 May 2016

Appeal Decision: Dismissed on 27.07.2016

Click [here](#) to view the Appeal Decision

App. Ref: 15/05814/FUL
Location: Residential Development Site Perry Close Westfield Radstock
Proposal: Erection of 2 no. dwellings with associated works
Decision: REFUSE
Decision Date: 10 March 2016
Decision Level: Delegated
Appeal Lodged: 17 May 2016

Appeal Decision: Dismissed on 28.07.2016

Click [here](#) to view the Appeal Decision

Case Ref: 14/00204/UNAUTH
Location: Widcombe House Church Street Widcombe Bath BA2 6BA
Nature of Breach: Erection of a climbing frame and wooden surround without planning permission.
Notice Date: 14 November 2015
Appeal Lodged: 16 December 2015

Appeal Decision: Dismissed on 08.08.2016

**A copy of the decision notice can be obtained by request from
planning_appeals@bathnes.gov.uk**

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Bath & North East Somerset Council		
MEETING:	Development Management Committee	
MEETING DATE:	24 August 2016	AGENDA ITEM NUMBER
TITLE:	Quarterly Performance Report April – June 2016	
WARD:	ALL	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Analysis of Chair referral cases		

1 THE ISSUE

At the request of Members and as part of our on-going commitment to making service improvements, this report provides Members with performance information across a range of activities within the Development Management function. This report covers the period from 1 April – 30 June 2016.

Keep up to date with the latest Planning news on our Latest News web page here:

<http://www.bathnes.gov.uk/services/planning-and-building-control/latest-news>

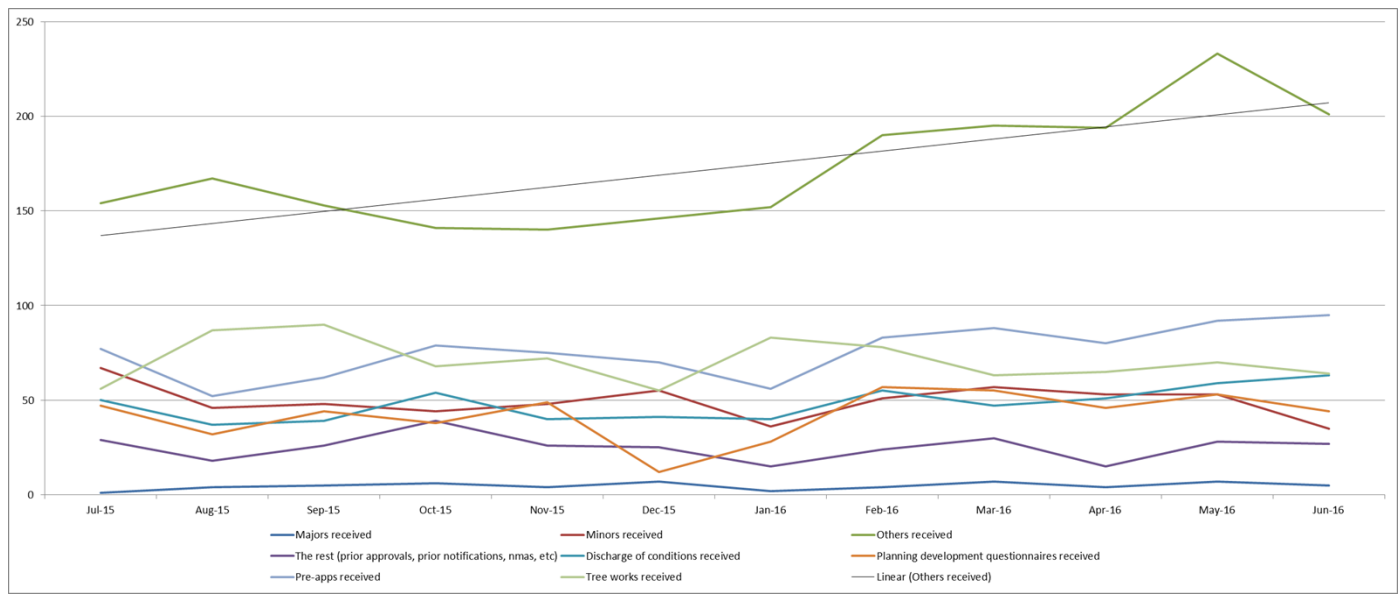
2 RECOMMENDATION

Members are asked to note the contents of the performance report.

3 THE REPORT

Tables, charts and commentary

Table 1 - Comparison of applications determined within target times



% of planning applications in time	2015/16				2016/17			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
% Majors in time	64%	78%	59%	85%	71%			
% Minors in time	67%	71%	76%	82%	81%			
% Others in time	77%	81%	85%	87%	80%			

Table 1 highlights:

- The chart above shows a big increase in planning applications received since April, but excellent performance during Apr to Jun has been maintained well above the national targets particularly in the Major and Minor categories.

Note: Major (10+ dwellings/0.5 hectares and over, 1000+ sqm/1 hectare and over); Minor (1-10 dwellings/less than 0.5 hectares, Up to 999 sqm/under 1 hectare); Other (changes of use, householder development, adverts, listed building consents, lawful development certificates, notifications, etc).

Table 2 - Recent planning application performance statistics

Application nos.	2015/16				2015/16			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Received	650	646	589	675	740			
Withdrawn	52	73	76	65	56			
Delegated no. and %	553 (97%)	570 (96%)	514 (96%)	488 (97%)	601 (95%)			
Refused no. and %	56 (10%)	35 (6%)	52 (10%)	35 (7%)	59 (9%)			

Table 2 highlights:

- B&NES have shown a 4% rise in planning application numbers when compared to the previous 12 month period which is above the national trend (less than 1%). A notable rise was in the “Others” category since February this year.
- The current delegation rate is slightly above the last published England average of 94% (Year to Mar 2016).

- Percentage of refusals on planning applications remains low when compared with the last published England average of 12% (Year ending Mar 2016).

Table 3 – Dwelling numbers

Dwelling numbers	2015/16				2016/17			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Major residential (10 or more dwellings) decisions	13	2	9	4	2			
Major residential decisions granted	9	2	8	3	1			
Number of dwellings applied for on Major schemes	1137	180	225	354	203			
Number of dwellings permitted on schemes	1636	114	719	228	116			
Number of dwellings refused on schemes	103	41	151	83	80			

Table 3 highlights:

- Numbers of major residential planning decisions (10 or more dwellings) has fallen over the last couple of quarters.

Table 4 - Planning Appeals summary

	Jul – Sep 2015	Oct – Dec 2015	Jan – Mar 2016	Apr – Jun 2016
Appeals lodged	27	20	19	18
Appeals decided	23	25	25	16
Appeals allowed	8 (42%)	8 (42%)	7 (28%)	6 (43%)
Appeals dismissed	11 (58%)	11 (58%)	18 (72%)	8 (57%)

Highlights:

- Appeal costs in association with applications overturned at committee amount to £75,000 (Temple Inn Lane, Temple Cloud Appeal) for this financial year so far.
- In the year to Jun 2016 there has been an 8% drop in appeal numbers.
- Over the last 12 months our performance on appeals allowed is slightly above the national average at 38% (national average approx. 35%).

Table 5 - Enforcement Investigations summary

	Jul – Sep 2015	Oct – Dec 2015	Jan – Mar 2016	Apr – Jun 2016
Investigations launched	220	133	194	165
Investigations on hand	450	369	322	341
Investigations closed	98	216	296	150
Enforcement Notices issued	2	3	3	13
Planning Contravention Notices served	3	9	6	8

Breach of Condition Notices served	0	0	1	1
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The figure shown in **Table 5** indicates a 15% decrease in the number of investigations received this quarter, when compared with the previous quarter. 22 notices have been served during this quarter.

Table 6 – Other areas of work (application handled but not included in national returns)

The service also has formal procedures in place to deal with pre-application advice, householder development planning questionnaires, discharging conditions on planning permissions, prior approvals, prior notifications and non-material amendments to list a few. **Table 6** below shows the total number of these types of procedures that require resource to action and determine.

During the last quarter the volume of these procedures received in the service has noticeably increased from the previous quarter figure following the trough in the winter months.

Table 6

	Jul – Sep 2015	Oct – Dec 2015	Jan – Mar 2016	Apr – Jun 2016
Other types of work	507	530	574	651

Table 7 – Works to Trees

Table 7 below shows the number and percentage of tree applications and notifications determined.

Table 7

	Jul – Sep 2015	Oct – Dec 2015	Jan – Mar 2016	Apr – Jun 2016
Number of applications for works to trees subject to a Tree Preservation Order (TPO)	20	16	22	9
Percentage of applications for works to trees subject to a TPO determined within 8 weeks	80%	100%	100%	100%
Number of notifications for works to trees within a Conservation Area (CA)	161	207	164	138
Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks	98%	100%	99%	99%

Table 7 highlights:

- There has been a drop in the numbers of TPOs and Notifications the first half of this year after the seasonal rise during last autumn.
- Performance on determining applications for works to trees subject to Tree Preservation Orders and on dealing with notifications for works to trees within a Conservation Area remains excellent.

Table 8 - Customer Feedback

We have received more compliments than complaints in Planning. One complaint was upheld in the last 12 months.

Table 8

Customer Feedback	Jul – Sep 2015	Oct – Dec 2015	Jan – Mar 2016	Apr – Jun 2016
Compliments received	11	18	6	12
Complaints received	9	4	5	11
Complaints upheld	0	0	0	1
Complaints Not upheld	8	2	4	4
Complaints Partly upheld	1	2	1	0

Table 9 - Ombudsman Complaints

When a customer remains dissatisfied with the outcome of the Corporate Complaints investigation they can take their complaint to the **Local Government Ombudsman** for an independent view.

Table 9

Ombudsman Complaints	Jul – Sep 15	Oct – Dec 15	Jan – Mar 16	Apr – Jun 16
Complaints received	3	3	3	4
Complaints upheld	0	0	2	0
Complaints Not upheld	4	2	2	3

Table 10 – Section 106 Agreements and Community Infrastructure Levy (CIL)

Members will be aware of the Planning Obligations SPD was first published July 2009. Planning Services have spent the last few years compiling a database of Section 106 Agreements. This is still in progress, but does enable the S106 Monitoring Officer to actively monitor the delivery of agreed obligations. The Council started to charge the Community Infrastructure Levy (CIL) from

April of last year. Early CIL collection figures have been added to the table below – these financial overview sums will be refreshed for every quarterly report.

Table 10 (Note: all figures are for guidance only because of the further work still being undertaken in monitoring)

Section 106 and CIL	Apr – Jun 2016	Jul – Sep 2016	Oct – Dec 2016	Jan – Mar 2017	Annual running total (fin year)
S106 Funds agreed	£384,663.86				£384,663.86
S106 Funds received	£169,477.00				£169,477.00
CIL sums overview Potential to date	£4,293,262.47				
CIL sums overview Collected to date	£258,297.42				

Table 11 – Accredited Agents

A list of current Accredited Agents is displayed on the [council website](#). These agents have shown they fully understand how to submit a properly prepared planning application which means they are quicker for us to process and so reduce delays for the customer.

Table 11

	Jul – Sep 2015	Oct – Dec 2015	Jan – Mar 2016	Apr – Jun 2016
Numbers of Accredited Agents	25	29	29	29
Numbers of householder applications submitted by Accredited Agents	28	43	44	55

Table 12 – Chair referrals

Table 12 below shows the numbers of planning applications where Chair decision has been sought to either decide the application under delegated authority or refer to Development Management Committee. **A further analysis of Chair referral cases is attached as an Appendix item to this report.**

	Jul – Sept 2015	Oct – Dec 2015	Jan – Mar 2016	Apr – Jun 2016
Chair referral delegated	15	20	13	14
Chair referral to DM Committee	14	10	8	19

Table 13 – 5 Year Housing Land Supply against Total Planned Provision 13,000 for 2016/17 – 2020/21

A	Total Planned Provision	2011-29	13,000 dwellings	722 per annum
B	Built over years 1-5	11/12 - 15/16	3,026	548 pa
C	Plan requirement for years 1-10 (5 years hence)	11/12 - 20/21	7,220	722 pa x 10 yrs
D	5 year Supply Requirement (100%)	16/17 - 20/21	4,194	C - B
E	5 year Supply Requirement (with 5% buffer)	16/17 - 20/21	4,404	D + 5%
F	5 year Supply Requirement (with 20% buffer)	16/17 - 20/21	5,033	D + 20%
G	Deliverable Supply (#)	16/17 - 20/21	5,438	
H	Deliverable Supply buffer (%)	16/17 - 20/21	30%	
I	Deliverable Supply (#) over 100% requirement	16/17 - 20/21	1,244	G - D
J	Deliverable Supply (#) over 105% requirement	16/17 - 20/21	1,034	G - E
K	Deliverable Supply (#) over 120% requirement	16/17 - 20/21	405	G - F

Between 2016 and 2021 BANES needs to deliver 4,194 dwellings (D) and be able to identify a deliverable supply of 5,033 dwellings (F). The 20% buffer is a national requirement needed to ensure delivery. Against these requirements the Council can currently identify a deliverable supply of 5,438 (G). Not all of this deliverable supply has a full, reserved matters, or outline planning permission. Further, the supply figure can change if planning and development timetables change. For example if a major planning application is refused, this would entail time to prepare revisions or appeal the decision, or, it may take longer than expected for a land trader to sell on a planning permission to a developer.

Contact person	John Theobald, Project/Technical and Management Support Officer, Development 01225 477519
Background papers	CLG General Development Management statistical returns PS1 and PS2 + Planning applications statistics on the DCLG website: https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics
Please contact the report author if you need to access this report in an alternative format	

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Application no	ADDRESS	PROPOSAL	Decision Level	Decision Date	Status	Notes
16/01108/FUL	Sunday Cottage Access Road To Paglinch Farm Shoscombe Bath Bath And North East Somerset BA2 8NQ	External alterations to existing conservatory, filling door opening (North elevation), insertion of roof lights and alterations to garden studio.	COMMDC	05-May-16	PERMIT	Applicant is a Bath and North East Somerset Consultant within the Planning and Transport Services Section.
16/01112/LBA	Sunday Cottage Access Road To Paglinch Farm Shoscombe Bath Bath And North East Somerset BA2 8NQ	External alterations to the existing conservatory, filling existing door opening with recessed rubble stone (north elevation), widening of kitchen door and insertion of roof lights at Sunday Cottage. Minor alterations to approved windows and doors at the Garden Studio.	COMMDC	05-May-16	CON	Applicant is a Bath and North East Somerset Consultant within the Planning and Transport Services Section.
15/05775/FUL	7 Henrietta Villas Bathwick Bath Bath And North East Somerset BA2 6LX	Change of use from 2no dwellings to one dwelling, demolition of rear extension, internal alterations and insertion of new roof lights.	COMMDC	07-Apr-16	PERMIT	Application has been referred to Committee as the applicant's agent is an elected member.
15/05776/LBA	7 Henrietta Villas Bathwick Bath Bath And North East Somerset BA2 6LX	Internal and external alterations to change the use to one dwelling, demolition of rear extension, internal alterations and insertion of new roof lights.	COMMDC	07-Apr-16	CON	Application has been referred to Committee as the applicant's agent is an elected member.
16/01310/FUL	Street Record Abbey Church Yard City Centre Bath	Temporary change of use of the site as a temporary Christmas Market for 25 days from 24th November 2016 to 18th December 2016 inclusive, including 173 retail chalets, 6 catering units and 4 mobile catering units.	COMMDC	02-Jun-16	RF	Application has been referred to committee by Cllr Anketell-Jones and Cllr Patterson - Consultations indicate the market has a negative effect on the viability and vitality of some sectors of Bath retail and the high impact on significant groups in Bath and the degree of sensitivity of the issue.
15/03367/FUL	Development Site Hazel Terrace Westfield Midsomer Norton	Erection of 1no 3 bedroom dwelling and 6no. 2 bedroom flats on land at Hazel Terrace	COMMDC	23-May-16	PERMIT	Application has been referred to committee by Cllr Jackson and also following the comments received from Westfield Parish Council.
15/04971/FUL	Parcel 3515 Charmydown Lane Swainswick Bath	Construction of new and replacement track to serve dwellings, farms and farmland along the upper section of Charmydown Lane, Upper Swainswick, Bath BA1 8AB	COMMDC	02-Jun-16	PERMIT	Application has been referred to committee by Cllr Veal, parish council have objected to the application.
16/02046/FUL	Richmond Lodge Weston Park Upper Weston Bath BA1 4AL	Erection of 1no cottage and 2no town houses following demolition of existing dwelling and 2no garages	COMMDC	30-Jun-16	PERMIT	Application has been submitted by Councillor Matthew Davies.
16/00504/FUL	Sawyers Mill Hunstrete Marksbury Bristol BS39 4NT	Erection of barn with stabling and creation of 20m x 40m outdoor riding arena.	COMMDC	07-Apr-16	PERMIT	Application has been submitted by Councillor Tim Warren
15/05026/EFUL	Pinesgate Lower Bristol Road Westmoreland Bath	Erection of an office building (Use Class B1) totalling 15,348sqm GIA, and a purpose-built educational campus, comprising academic accommodation (Use Class D1) and integral student accommodation (Use Class C2) of 16,491sqm, together with basement parking, associated infrastructure and landscaping.	COMMDC	19-May-16	PERMIT	Application is being considered by Committee at the request of the Group Manager Development Management.
15/04810/FUL	Herman Miller UK Locksbrook Road Newbridge Bath Bath And North East Somerset BA1 3EL	Change of use from furniture production (Use Class B2) to an academic space comprising technical workshops, studio space, teaching space and office accommodation (Use Class D1).	COMMDC	20-May-16	PERMIT	Application is being considered by Committee at the request of the Group Manager Development Management.
16/01147/LBA	Green Park Station Green Park Road City Centre Bath Bath And North East Somerset BA1 1JB	Internal alterations to attach metal plate to interior wall	COMMDC	20-Apr-16	CON	Application is called before committee as the applicant is Councillor Butters.
15/02603/FUL	19 Thicket Mead Midsomer Norton Radstock Bath And North East Somerset BA3 2SZ	Conversion of existing dwelling to 2 no. dwellings with associated works	CHAIR	01-Apr-16	PERMIT	Chair referral delegated decision
15/02361/VAR	Land Between North Side Of Vivien Avenue And Wellow Brook Hayes Park Road Midsomer Norton	Variation of condition 5 of application 13/04387/FUL in order to amend wording to cover for the removal of garage door and replacing by a window on the front elevation and removal of condition 11 because the internal garage is now going to be a room in the house. (Erection of one detached dwelling and integral garage.)	CHAIR	14-Apr-16	PERMIT	Chair referral delegated decision

15/03698/REG03	Car ParkStation Road Car ParkKeynshamBath And North East SomersetBS31 2BL	Reorganisation of existing service compound, including the siting of 1no. Portakabin, refuse and storage facilities and associated works to the Park Nurseries, Keynsham	CHAIR	14-Apr-16	PERMIT	Chair referral delegated decision
16/00338/FUL	Springbank Lodge 2 Manor DriveBathfordBathBA1 7TY	Replacement of existing windows and external doors	CHAIR	26-Apr-16	PERMIT	Chair referral delegated decision
16/01948/HPD	29 Avon ParkNewbridgeBathBath And North East SomersetBA1 3JP	Prior approval request for single storey rear extension that would 1) extend beyond the rear wall of the original house by 4 metres, 2) have a maximum height of 3.5 metres and 3) have eaves that are 2.4metres.	CHAIR	29-Apr-16	NPD	Chair referral delegated decision
16/00946/FUL	1 Rose CottagesKilkenny LaneEnglishcombeBathBath And North East SomersetBA2 2SL	Change of use from detached garage to Holiday Let (resubmission)	CHAIR	29-Apr-16	RF	Chair referral delegated decision
16/00509/FUL	LakelandsRidge CrescentWest HarptreeBristolBath And North East SomersetBS40 6EE	Erect a two storey side extension following demolition of existing garage and raising of roof ridge height to provide for loft conversion.	CHAIR	12-May-16	PERMIT	Chair referral delegated decision
16/01199/FUL	19 Culvers RoadKeynshamBristolBath And North East SomersetBS31 2DW	Erection of 2 storey side & 1 storey rear extension following partial demolition of existing utility room & adjacent bedroom	CHAIR	13-May-16	PERMIT	Chair referral delegated decision
15/05562/FUL	Little Horse Croft FarmFord RoadWellowBathBath And North East SomersetBA2 8QF	Erection of agricultural barn and associated hardstanding for the storage of timber, machinery, hay, straw and animal feed, and the use of Biomass Boilers in the larger rectangular barn (Regularisation).	CHAIR	26-May-16	PERMIT	Chair referral delegated decision
16/00348/FUL	Feltham LodgeThe CoombeCompton MartinBristolBath And North East SomersetBS40 6JD	Erection of a single storey side extension and loft conversion. (Resubmission)	CHAIR	26-May-16	PERMIT	Chair referral delegated decision
15/05803/FUL	Site Of Former NurseryBailbrook LaneLower SwainswickBathBath And North East Somerset	Erection of 1 No. detached dwelling and associated vehicular access and landscaping	CHAIR	27-May-16	PERMIT	Chair referral delegated decision
16/01824/AR	Bath Car Spa LimitedLondon Road EastBatheastonBathBA1 7RL	Display of 2no non-illuminated fascia signs, 5no non-illuminated hanging signs and 1no non-illuminated signpost. (Regularisation)	CHAIR	10-Jun-16	SPLIT	Chair referral delegated decision
16/00598/FUL	24 Gaston AvenueKeynshamBristolBath And North East SomersetBS31 1LR	Erection of 1no two bed dwelling and creation of parking spaces to include dropping of the curb.	CHAIR	10-Jun-16	PERMIT	Chair referral delegated decision
15/03276/FUL	Camden Cottage3 Bennett's LaneWalcotBathBath And North East SomersetBA1 5JX	Erection of two storey rear extension following demolition of existing conservatory.	CHAIR	17-Jun-16	PERMIT	Chair referral delegated decision
16/01221/FUL	15 Kenilworth CloseKeynshamBristolBath And North East SomersetBS31 2PB	Erection of 1no two bed dwelling.	COMMD	30-Jun-16	PERMIT	Chair referral to committee. I have studied the application carefully, read the KTC and third party objections, highways comments and note there are no comments from drainage and flooding. The report presented to me has looked at the points raised but I feel it remains controversial and therefore recommend this application to be determined by the DM Committee.

16/00898/FUL	Somersby OrchardThe GugHigh LittletonBristolBath And North East SomersetBS39 6YQ	Erection of a new dwelling following demolition of an existing dwelling within residential curtilage.	COMMDC	02-Jun-16	PERMIT	Chair referral to committee. I have looked at the comments from both the Parish Council & Ward Cllr who both feel the proposal would be a planning gain in relation to the area & effect on the Green Belt, there are no Third Party objections. The Officer has carefully considered the application in line with policy & I note recognises the benefits of the dwelling but the Green Belt issue remains. As this is the controversial part of the application I recommend the decision be taken by the DM Committee.
16/00686/FUL	103 Hawthorn GroveCombe DownBathBath And North East SomersetBA2 5QQ	Change of use from 3 bed dwelling (use class C3) to 4 bed house of multiple occupation (HMO) (use class C4)	COMMDC	05-May-16	PERMIT	Chair referral to committee. I have read the application and comments from the Agent, objectors and Highways observations. The Officer has addressed concerns raised but due to the controversial nature of this application I recommend it be taken to committee for decision.
15/05759/FUL	Court Farm The StreetCompton MartinBristolBath And North East SomersetBS40 6JF	Erection of 2no. semi-detached dwelling houses in existing carpark (resubmission).	COMMDC	30-Jun-16	PERMIT	Chair referral to committee. I have read the PC objections and note third party comments. The report shows the Officer has addressed point raised in relation to planning policy but as it remains controversial in my view I recommend the decision be taken by the DM Committee.
16/00991/FUL	Land Opposite Rowan HouseHigh StreetFreshfordBath	Creation of new access opening and construction of parking area for two cars.	COMMDC	30-Jun-16	RF	Chair referral to committee. I have read the report and related documents carefully as well as comments from the PC and highways and feel this is a decision which should be taken by the DM Committee as there are a number of conflicting views on how this part of the village should be treated.
16/00061/FUL	Little DeneGreyfield RoadHigh LittletonBristolBath And North East SomersetBS39 6XX	Erection of first floor extension to bungalow with attic accommodation and erection of a front porch (amended description)	COMMDC	05-May-16	PERMIT	Chair referral to committee. I have studied the application and note it has been modified but looking at third party comments and parish council comments I feel the impact and design the area is controversial and I recommend this application be taken to committee for decision.
16/01219/FUL	The CottagePipehouse LaneFreshfordBathBath And North East SomersetBA2 7UH	Erection of 1no. detached dwelling with access and associated works.	COMMDC	30-Jun-16	RF	Chair referral to committee. I have studied the application, PC comments, third party representations, highways comments and Planning Policy Team observations. The Officer has addressed the points raised in the report presented to me but I feel it is controversial and should be determined by the DM Committee.
16/01338/FUL	26 Primrose HillUpper WestonBathBath And North East SomersetBA1 2UT	Erection of two storey side extension.	COMMDC	30-Jun-16	PERMIT	Chair referral to committee. I have studied the application, talked to the relevant Officer and note third party comments. The Officer has addressed the application in line with relevant planning policy but I feel it remains controversial and recommend the decision be taken by DM Committee.

16/00246/FUL	4 Rivers Street PlaceCity CentreBath	Change of use from retail (Class use A1) to office (Class B1)	COMMDC	07-Apr-16	PERMIT	Chair referral to committee. I have studied the applications, noting the Ward Cllrs comments and third party observations. The Officer has addressed the points raised but I feel this application should be taken to committee for decision as it's controversial.
15/05841/FUL	97 - 101 Walcot StreetBathBA1 5BW	Refurbishment of the existing warehouse and construction of new building for non-food retail, light workshop, training and office use following demolition of single storey canopy.	COMMDC	07-Apr-16	PERMIT	Chair referral to committee. I have studied the report and am aware of the representations that have been made. The Officer has addressed the principle and design aspects of the application and note the Highways comments. As this building is Council owned and subject to a CAT to Genesis Trust I recommend the decision be determined by committee as it should be heard in public.
15/05816/FUL	6 Hill AvenueCombe DownBathBath And North East SomersetBA2 5DB	Erection of 1 no. detached dwelling, with proposed access from Quarry Close.	COMMDC	18-May-16	RF	Chair referral to committee. I have studied the report, Ward Cllr's comments & third party observations. I am aware of the planning history of the site & realise this application sits on a larger plot than in the past but feel it should be determined by committee as it remains controversial despite some amendments having been made regarding the materials with revised plans submitted during the process to date.
15/05068/FUL	Parcel 8545Upper Bristol RoadCluttonBristolBath And North East Somerset	Erection of single storey farmshop and cafe.	COMMDC	05-May-16	RF	Chair referral to committee. I have studied this application and can see it is controversial for looking at the Ward Cllr, parish council and third party comments, I recommend this application be determined by committee when all views and policies can be discussed before a decision is made.
15/05808/FUL	Land Between Spion Kop And Avon LeaMead LaneSaltford	Erection of 1 no. dwelling with associated works	COMMDC	07-Apr-16	RF	Chair referral to committee. I note the parish council comments, Ward Cllr views and third party representations and having studied the Officer's report feel it should be determined at committee as views are expressed clearly from various angles.
16/00078/FUL	285 Kelston RoadNewbridgeBathBath And North East SomersetBA1 9AB	Erection of single storey dwelling house on land formerly used as nursery (Resubmission)	COMMDC	05-May-16	RF	Chair referral to committee. The position of this application site makes the interpretation of of policy confusing in relation to B1 although the Officer has addressed this and paragraph 89 of the NPPF in her report I feel the decision should be taken at committee.
15/05792/FUL	Manor FarmChewton RoadChewton KeynshamKeynshamBristolBath And North East SomersetBS31 2SU	Erection of rural worker's dwelling ancillary to equestrian use and additional stabling	COMMDC	07-Apr-16	PERMIT	Chair referral to committee. This application is controversial as the comments from the Council's adjacent to this site show; third party comments reflect these views while the statutory consultees have no objections. The Officer has considered the comments made and explained planning policy linked to the points raised but in the light of the previous history of the site and the comments made by all parties I recommend this application be determined by the planning committee.

16/01046/FUL	RosewellFarrington RoadPaultonBristolBath And North East SomersetBS39 7LP	Erection of 2 storey rear extension and loft conversion (Resubmission of 15/05393/FUL)	COMMDC	30-Jun-16	PERMIT	Chair referral to committee. I have looked at this application and all related information, I note the PC objection and third party comments which the Officer has addressed in the report presented to me however I feel it remains controversial in relation to the objections raised and for this reason I recommend it be determined by the DM Committee.
16/01359/FUL	153 Newbridge HillNewbridgeBathBA1 3PX	Provision of additional 9 parking spaces at the rear of 153/155 Newbridge Hill (Resubmission of 15/01226/FUL)	COMMDC	02-Jun-16	RF	Chair referral to committee. I have studied the report, planning history of the site, Ward Cllr comments, residents input and Highway comments and feel this remains a controversial application and for this reason I recommend the decision be made by the DM Committee.
15/03742/FUL	151 - 152 High StreetTwertonBathBath And North East SomersetBA2 1BY	Erection of seven residential units following demolition of existing building (Revised proposal).	COMMDC	26-May-16	PERMIT	Chair referral to committee. I note the changes from the previous application but feel there are a number of concerns relating to this application which I believe would be best dealt with through the application going to committee where third parties and Ward Cllrs could share their concerns.
15/05116/FUL	Unit 33Fourth AvenueWestfieldRadstockBA3 4XE	Extension of garage yard for extra storage space (Retrospective)	COMMDC	07-Apr-16	PERMIT	Chair referral to committee. The application has been requested by Ward Cllr to go to committee, the parish council are against it and I note there are some resident objections. The Officer has addressed points made in relation to policy but as it is controversial I recommend this decision be made by committee.
15/03485/FUL	Kingswood Preparatory SchoolCollege RoadLansdownBathBath And North East SomersetBA1 5SD	Erection of new school building to accommodate prep school accommodation, new pre-prep and nursery, and multi use games area and associated infrastructure and landscaping.	COMMDC	30-Jun-16	PERMIT	The application has been called to Committee at the request of Cllr Patrick Anketell-Jones due to the inappropriate size of the buildings relative to the local residential character, the Conservation Area and proximity of the Greenbelt.

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