

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 14th December, 2016, 2.00 pm

Councillors: Sally Davis (Chair), Rob Appleyard, Jasper Becker, Neil Butters (Reserve) (in place of Paul Crossley), Matthew Davies, Eleanor Jackson, Les Kew, Bryan Organ, Caroline Roberts and David Veale

80 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

81 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

82 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Paul Crossley who was substituted by Councillor Neil Butters.

83 DECLARATIONS OF INTEREST

Councillor Eleanor Jackson stated that she thought she may know the applicant for application number 16/04549/FUL. If this were the case (when she saw the applicant who would be speaking at this meeting) then she would leave the meeting for the consideration of this item.

84 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

85 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.

86 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were no items from Councillors or Co-Opted Members.

87 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16 November 2016 were confirmed and signed as a correct record.

88 **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 items 1, 2, 6 and 8 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 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. 16/00850/OUT

Site Location: Land Parcel 7200, Bath Road, Keynsham – Residential and related development comprising approximately 250 dwellings, new Primary School with associated outdoor playing facilities, means of access thereto, associated open space, landscaping, access roads, footways/cycleways and infrastructure works (Revised Plans)

The Case Officer reported on the application and her recommendation to delegate to permit the application. She updated the Committee regarding an additional condition stating that no more than 250 dwellings shall be approved under the reserved matters application. The proposed conditions would also be amended where relevant to include additional wording to allow for phasing of the development. Additional wording would also be added to condition 9 to ensure that this was implemented in accordance with approved details under this condition.

The registered speakers spoke for and against the application.

Councillor Emma Dixon, local member for the adjoining ward, spoke against the application.

Councillor Organ, local ward member, spoke against the application. He stated that the drainage on the site was unsatisfactory; the traffic congestion in this area was already appalling; air quality was poor; the proposal to cut the access to Teviot Road and the school site would isolate the community; although a new primary school would be built there were no additional places available in the local secondary schools. He felt that a great deal more detailed information was required about the development, particularly regarding the highways issues.

The Group Manager (Development Management) explained that this was an outline application and that it was entirely appropriate for detail to be supplied at a later stage. Lack of full details on an outline application would not be a valid reason for refusal. He also clarified that the junction of the development would be a priority

junction and not a signalised one.

Councillor Jackson asked what provision would be made for pedestrians and cyclists. The Highways Officer explained that there would be a signalised pelican crossing on the East side of the junction. Cycle links would run through the site to Teviot Road and links on the Chandag Estate would be improved in the future. He also stated that it was likely that a large number of vehicles would choose to turn left out of the site as it would be quicker than making a right turn onto the A4.

The Case Officer explained that the site was outside of the air quality management area. The Council's air quality officer did not object to the application provided that the appropriate measures were in place and that these would be secured by condition.

Councillor Kew asked why the entrance to the site was not located at the Broadmead roundabout. The Group Manager (Development Management) explained that the Committee had to consider the proposal in front of it as the current layout had passed a safety assessment. He also pointed out that the location has already been allocated as a housing site in the Core Strategy and that direct access onto the roundabout would also cross an area vulnerable to flooding which was required for the SUDs related to the development.

Councillor Jackson stated that she would like to refuse the application due to the junction, pedestrian crossing and air pollution. However, she did not feel that the Council could win an appeal on this basis and therefore she moved that the application be delegated to officers to permit.

Councillor Becker asked how the traffic modelling had been carried out. The Highways Officer confirmed that the standard modelling tools approved by the Department of Transport had been used. He then gave details of the traffic flows as measured at peak hours.

Councillor Roberts then seconded the motion. She also suggested that other modes of transport be considered for this area such as the existing local bus service which was excellent in the vicinity of the site.

Councillor Kew stated that on balance he felt that the Committee had no option but to approve the application. He was disappointed that the access was not on the roundabout. He stressed that the detailed proposals must come back to the Committee for consideration and that it would be important at that stage to obtain the best development possible for the site.

The motion was then put to the vote and it was **RESOLVED** by 8 votes in favour and 2 votes against to **DELEGATE TO PERMIT** subject to conditions.

Item No. 2

Application No. 16/03306/OUT

Site Location: Milland House, Rock Road, Keynsham – Erection of a building comprising a convenience store, 15 flats and 1 maisonette following demolition of the existing office building and detached dwelling house (REVISED PLANS)

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

The registered speakers spoke for and against the application.

Councillor Charles Gerrish, local ward member, spoke against the application and also read out a statement on behalf of Councillor Alan Hale, local ward member, against the application.

Councillor Jackson asked how many car parking spaces were required for the development. The Highways officer stated that the standards required a maximum of one space per flat. Councillor Jackson then moved that planning permission be refused due to inadequate parking and access leading to concerns regarding loading and unloading. The motion was seconded by Councillor Organ.

The Group Manager (Development Management) explained that the Committee had previously refused planning permission on highway grounds which had been overturned by the Planning Inspector. Therefore the Council would be very unlikely to win any subsequent appeal against refusal on that basis. He explained that the design was a material consideration along with the history of the site to which members needed to have regard.

Councillor Kew stated that in some ways he was unhappy with the application but noted that decisions must be made in accordance with planning legislation. There was a demand for housing within the area and the design was an improvement on the previous application. On balance he felt that there was no option other than to permit the application.

The motion was then put to the vote and there were 2 votes in favour and 8 votes against. The motion was therefore **LOST**.

Councillor Kew then moved that planning permission be granted subject to conditions plus an additional condition that hours of operation for the convenience store to be from 8am to 8pm.

Councillor Appleyard queried the reality of a convenience store closing at 8pm and proposed that it should close at 10pm. Councillor Kew accepted this amendment to his motion and Councillor Appleyard then seconded the motion.

The motion was put to the vote and it was **RESOLVED** by 8 votes in favour, 1 against and 1 abstention to **APPROVE** the application subject to the conditions outlined in the report and an additional condition to require hours of operation of the convenience store to be from 8am to 10pm.

Item No. 3

Application No. 16/04512/FUL

Site Location: Church Farm, Church Lane, Stanton Drew – Change of use to convert farm building to provide a farm dwelling

The Case Officer reported on the application and her recommendation to permit the application. In response to a question she confirmed that there was a condition to tie the property to be for the use only of people employed or last employed within the

agricultural unit at Church Farm or their dependents.

The registered speaker spoke in favour of the application.

Councillor Kew supported the application as it was adjacent to the housing development boundary, was a good use of the building and complied with the National Planning Policy Framework. He moved that planning permission be granted. This was seconded by Councillor Butters.

The motion was put to the vote and it was **RESOLVED** by 9 votes for and 1 abstention to **PERMIT** the application subject to the conditions set out in the report as amended.

Item No. 4

Application No. 15/03650/OUT

Site Location: New Kingdom Hall, Charlton Road, Keynsham – Erection of a three storey block comprising 8 residential apartments following demolition of the existing buildings (access and layout to be determined with all other matters reserved)

The Case Officer reported on the application and her recommendation to approve. She explained that there had been a change to the National Planning Practice Guidance relating to the requirement to provide affordable housing in developments of fewer than 10 dwellings. When members originally resolved to permit, the development would have included a contribution towards affordable housing. However, in light of the change in national policy, it was now being recommended for approval with no affordable housing. The application was therefore being referred back to the Committee to be considered again.

Councillor Charles Gerrish, local ward member, spoke against the application.

Councillor Organ queried whether rights of way have been preserved. The Case Officer confirmed that the public right of way which runs to the rear of the site would be retained along with vehicular access to the rear of the funeral parlour and the Conservative Club.

Councillor Appleyard then moved that the application be approved subject to conditions. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** unanimously to **APPROVE** the application subject to conditions.

Item No. 5

Application No. 16/04885/FUL

Site Location: The Grove, Langridge Lane, Swainswick, Bath – Demolition of existing garage and erection of a replacement building for use as an annex providing ancillary residential accommodation

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

The registered speakers spoke for the application.

Councillor Geoff Ward, local ward member, spoke in favour of the application.

Councillor Jackson noted that the increase in volume of the cumulative development on site would rise to 52.7% over the 1948 volume as a result of this application. She recognised the reasons for the development as being to provide accommodation for the applicant's parents. She queried how much weight should be given to these reasons balanced against the weight given to development in the greenbelt.

The Group Manager (Development Management) explained that the application must be considered in accordance with the relevant policies and plans. He advised the members that they needed to consider whether this was an annexe or not because the officer view was that this was a new dwelling in the green belt. If members decided it was an annexe then they needed to consider whether it was an extension to the property. If they concluded that it was they then needed to consider whether the extension was disproportionate and whether it would impact on openness. If they concluded that it was inappropriate development or harmful to openness then they would need to decide whether very special circumstances existed which clearly outweighed the harm to the green belt and any other harm. He went on to advise that personal circumstances will rarely constitute very special circumstances. He informed the Committee that planning permission to extend the existing dwelling had been granted in 2006 and had not been implemented. This application comprised a separate dwelling which was located on the opposite side of the road.

Councillor Kew stated that the principle of greenbelt development was clear but noted the amount of local support for the application. He found some parts of the report complicated and therefore moved that consideration of the application be deferred pending a site visit to view the impact of the proposed development on the greenbelt. This was seconded by Councillor Jackson.

The motion was put to the vote and it was **RESOLVED** unanimously to **DEFER** consideration of the application pending a site visit.

Item No. 6

Application No. 16/04250/FUL

Site Location: Land East of Alma Cottage, Charlcombe Lane, Charlcombe, Bath – Erection of one dwelling following the demolition of existing stables

The Case Officer reported on the application and her recommendation to grant planning permission. She updated the committee on an additional representation which raised concerns about the safety of the access and the previous use of the site.

The registered speakers spoke for and against the application.

Councillor Geoff Ward, local ward member, spoke against the application and also read out a statement from Councillor Martin Veal, local ward member, against the application.

Councillor Jackson queried whether there was planning permission for the existing stables. Officers confirmed that the stables would be considered as a lawful

development because they had clearly been in existence for over four years.

Councillor Organ moved that consideration of the application be deferred pending a site visit to view the access and scale of the site. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** unanimously to **DEFER** consideration of the application pending a site visit.

Item No. 7

Application No. 16/04549/FUL

Site Location: 186 The Hollow, Southdown, Bath – Installation of a dormer window (resubmission)

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

The registered speakers spoke in favour of the application.

Councillors Crossley and Romero, local ward councillors, spoke in favour of the application.

Councillor Kew noted the history of the application and that similar applications had been approved in the area, including the neighbouring property. He had no concerns about this development and noted that the window was on a side elevation. He moved that planning permission be granted. This was seconded by Councillor Appleyard. The Group Manager explained that members needed to be satisfied that the previous reason for refusal upheld on appeal had been overcome if they were to overturn the officer recommendation.

Councillor Jackson felt that the development added interest to the street and stated that the houses in this road were all different. She felt that the dormer window was unobtrusive. She noted that the scheme had now been reduced in height which had made a difference.

The Case Officer explained that the application originally submitted for 188 The Hollow included a side dormer window. However the plans were subsequently revised and the application that was permitted was for a two storey rear extension with no dormer.

Councillor Butters supported the application as he felt it was unobtrusive, not detrimental to the street scene and was not in a conservation area.

The motion was put to the vote and it was **RESOLVED** unanimously to **PERMIT** the application as it is unobtrusive and not detrimental to the street scene.

Item No. 8

Application No. 16/03885/LBA

Site Visit: Great Dell, Drive Through Royal Victoria Park, Lower Weston, Bath – External alterations for the cleaning and re-lettering of the Shakespeare Monument

This application was withdrawn by the applicant.

Item No. 9
Application No. 16/04668/FUL
Site Location: 13 Horsecombe Brow, Combe Down, Bath

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

The registered speaker spoke in favour of the application.

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.

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

The Committee considered the appeals report.

The Group Manager (Development Management) informed the Committee that the Rough Ground and Buildings, Queen Charlton Lane appeal had been successful. This meant that the land could now be used for residential purposes and there was no breach of planning control. Therefore the injunction proceedings agreed at the last meeting on 16 November 2016 would now be withdrawn as officers advised they would be in the event of an allowed appeal in the November Committee report.

RESOLVED to **NOTE** the report.

The meeting ended at 5.00 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 14th December 2016

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

ITEMS FOR PLANNING PERMISSION

ITEM

| Item No. | Application No. | Address |
|-----------------|------------------------|---|
| 1 | 16/00850/OUT | Land Parcel 7200 Bath Road, Keynsham |

Relevant planning history

A screening opinion was submitted prior to the application and it was confirmed that it was not considered that the development would constitute EIA development.

14/05417/SCREEN - Request for screening opinion in relation to proposed residential and associated development for circa 250 dwellings, including provision of a new primary school, on approximately 12.7 hectares on land at East Keynsham. 15/12/204 – Not EIA development

Ecological issues

The committee report confirms that the scheme is ecologically acceptable subject to S106 requirements and planning conditions. For clarity, it is confirmed that the likelihood of a significant effect on the SAC has been excluded pursuant to the Habitats Regulations.

Representations

One further representation has been received from the planning consultant acting on behalf of the owner of the parcel of land noted as 'retained vegetation'. This requests that a condition is included on any outline planning permission to ensure that the reserved matters application comes forward with an access as illustrated on the concept plan to allow for the future development of this site.

This is not however considered necessary and an additional condition has not been included. Any reserved matters application will be considered alongside the placemaking principles of the Core Strategy and the Master Plan which

are considered as robust mechanisms to ensure that the any development relates appropriate to the surrounding land and development.

| Item No. | Application No. | Address |
|-----------------|------------------------|--------------------------------------|
| 2 | 16/03306/OUT | Milland House, Rock Road Keynsham |

Conditions 8 and 9 relate to hard and soft landscaping details. As this will be covered by any reserved matters application, these are considered unnecessary. It is therefore recommended that they are not attached to any outline planning permission.

Plans

Addition of plan to plans list as this was erroneously omitted from the committee report;

- Proposed First and Second Floor Plans - 502 K

| Item No. | Application No. | Address |
|-----------------|------------------------|--|
| 6 | 16/04250/FUL | Land East of Alma Cottage, Charlcombe Lane, Charlcombe, Bath |

A further objection has been received via email (no postal address given), the content of which is summarised below:

- Reiterates highway safety concerns in regards to the access.
- The equestrian use of the site has not been proven. The field was used for keeping ponies over 10 years ago. Subsequent to the pony use the buildings were used for storage.
- Road safety considerations should not be subordinated because of a dubious belief regarding the status of the access.
- The access is merely an access into a field which has only ever been rarely and irregularly used.
- There has been virtually no usage of the access for over ten years.
- The Highways Officer's comments suggest he has concerns in regards to highway safety but does not voice them because of the believed status of the access.
- Officers should provide members with a full analysis of the road safety consequences should this development be permitted.
- Members should visit the site to view the access before making a final decision.

The Highways Officer has provided the following additional comments; these do not supersede the formal highway consultation response that was previously provided:

Charlcombe Lane is a single track lane, with passing spaces. The speed limit at this section of the lane is 20mph, and speeds are reduced due to the constrained width and geometry. Traffic flows have been observed to be light, although the route is busier in the typical peak travel periods. Forward visibility approaching the access location is considered to be adequate; however, the visibility when emerging from the access is limited due to the presence of walls either side. A motorist would have to slowly emerge from the access to ensure that there is no potential for a collision to occur. There are several other access points within the immediate vicinity of the site that have visibility constrained to a similar level, and a review of the local road traffic accident history has shown that there is no significant evidence of this type of access resulting in personal injury accidents.

It is acknowledged that the existing access is not ideal. However, there is no evidence to suggest that there is a high risk of an accident occurring and it is considered that, much as at similarly constrained access points in the vicinity, a careful motorist would be able to use the access safely.

It is clear that this is an established access into the field which would also have been used to access the application site when it was last in use. This is a material consideration. Neither the Local Planning Authority nor the Local Highway Authority can preclude the access from being used in association with the use of the application site and the adjoining field. There is also evidence to suggest that there is an extant equestrian use which could resume at any time. Taking these factors into account it is considered that, on balance, the access is acceptable.

The applicant has provided photographic evidence to demonstrate that the site was used for keeping horses. Whilst these photos are undated, they do not appear recent and may well have been taken some time ago. No evidence has come forward demonstrating that the site was not in equestrian use nor that a change of use has occurred since the applicant ceased keeping horses in the stables. It would therefore appear from the available evidence that the previous use was equestrian and this is a material consideration.

| Item No. | Application No. | Address |
|-----------------|------------------------|---|
| 8 | 16/03885/LBA | Shakespeare Monument, Great Dell, Royal Victoria Park, Bath |

Following advice received from Historic England and observations about best conservation practice, the applicant has chosen to withdraw the above listed building application.

BATH AND NORTH EAST SOMERSET COUNCIL

MEMBERS OF THE PUBLIC AND REPRESENTATIVES WISHING TO MAKE A STATEMENT AT THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE ON WEDNESDAY 14 DECEMBER 2016

| A. MAIN PLANS LIST | | | |
|---------------------------|--|--|--------------------|
| ITEM NO. | SITE NAME | SPEAKER | FOR/AGAINST |
| 1 | Land Parcel 7200, Bath Road, Keynsham | Kathleen Hovland | Against |
| | | Tom Rocke (Agent) | For |
| | | Cllr Emma Dixon | Against |
| 2 | Milland House, Rock Road, Keynsham | Jim Tarzy (Agent) | For |
| | | Cllr Charles Gerrish | Against |
| 3 | Church Farm, Church Lane, Stanton Drew | James Young (Applicant) | For |
| 4 | New Kingdom Hall, Charlton Road, Keynsham | Cllr Charles Gerrish | Against |
| 5 | The Grove, Langridge Lane, Swainswick, Bath | Alastair MacKichan (Charlcombe Parish Council) | For |
| | | John Rippin (Applicant) | For |
| | | Councillor Geoff Ward | For |
| 6 | Land East of Alma Cottage, Charlcombe Lane, Bath | Alastair MacKichan (Charlcombe Parish Council) | Against |
| | | Richard Frewer | Against |
| | | Huw Thomas | For |
| | | Councillor Geoff Ward | Against |

| | | | |
|---|---|--------------------------|-----|
| 7 | 186 The Hollow, Southdown, Bath | Wayne Sykes (Applicant) | For |
| | | Councillor Dine Romero | For |
| | | Councillor Paul Crossley | For |
| 9 | 13 Horsecombe Brow, Combe Down, Bath | George Klepp (Agent) | For |

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

14th December 2016

DECISIONS

| | | |
|----------------------------|---|----------------------|
| Item No: | 01 | |
| Application No: | 16/00850/OUT | |
| Site Location: | Land Parcel 7200, Bath Road, Keynsham, | |
| Ward: Keynsham East | Parish: Keynsham Town Council | LB Grade: N/A |
| Application Type: | Outline Application | |
| Proposal: | Residential and related development comprising approximately 250 dwellings, new Primary School with associated outdoor playing facilities, means of access thereto, associated open space, landscaping, access roads, footways/cycleways and infrastructure works (Revised Plans) | |
| Constraints: | Affordable Housing, Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, Housing Development Boundary, Strategic Site Allocations, SSSI - Impact Risk Zones, | |
| Applicant: | Macktaggart And Mickel Homes Ltd | |
| Expiry Date: | 17th December 2016 | |
| Case Officer: | Tessa Hampden | |

Delegate to PERMIT – subject to the signing of a S106 Agreement

| | | |
|-----------------------------|--|----------------------|
| Item No: | 02 | |
| Application No: | 16/03306/OUT | |
| Site Location: | Milland House, Rock Road, Keynsham, Bristol | |
| Ward: Keynsham North | Parish: Keynsham Town Council | LB Grade: N/A |
| Application Type: | Outline Application | |
| Proposal: | Erection of a building comprising a convenience store, 15 no. flats and 1 no. maisonette following demolition of the existing office building and detached dwelling house. (REVISED PLANS) | |
| Constraints: | Affordable Housing, Agric Land Class 3b,4,5, Centres and Retailing, Contaminated Land, Forest of Avon, Housing Development Boundary, LLFA - Flood Risk Management, SSSI - Impact Risk Zones, | |
| Applicant: | Milands Properties LLP | |
| Expiry Date: | 15th December 2016 | |
| Case Officer: | Tessa Hampden | |

DECISION APPROVE

1 Outline Time Limit (Compliance)

The development hereby approved shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

2 Reserved Matters Time Limit (Compliance)

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

3 Flood Risk and Drainage - Infiltration Testing (Pre-commencement)

No development shall commence, except ground investigations and remediation, until infiltration testing and soakaway design in accordance with Building regulations Part H, section 3 (3.30) have been undertaken to verify that soakaways will be suitable for the development. If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority and 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.

4 Highways - 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.

5 Highways - Residents Welcome Pack (Pre-occupation)

No occupation of the approved development shall commence until a new resident's welcome pack has been issued to the first occupier/purchaser of each residential unit of accommodation. The new resident's welcome pack shall have previously been submitted

to and approved in writing by the Local Planning Authority and shall include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., to encourage residents to try public transport.

Reason: To encourage the use of public transport in the interests of sustainable development in accordance with Policy T.1 of the Bath and North East Somerset Local Plan

6 Site management plan - (Pre-occupation)

Prior to the occupation of the retail development, a Site Management Plan for the retail unit shall be submitted to and approved in writing by the Local Planning Authority and shall include details of waste disposal, and deliveries (including times). The development shall be carried out in accordance with these approved details.

Reason: To ensure the safe operation of the highway and protect residential amenity

7 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the 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.

8 District Heating (Pre-commencement)

No development shall commence until a scheme to show the provision of a district heating compliant system and infrastructure within the approved development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved details.

Reason: In the interests of sustainable development and in order to show compliance with Policy CP4 of the Bath and North East Somerset Core Strategy. This is a condition precedent to ensure that the necessary infrastructure is incorporated into the development at its earliest stages.

9 Bicycle Storage (Pre-occupation)

The area allocated for residential cycle parking on the submitted plan shall be secure and sheltered and be kept clear of obstruction and shall not be used other than for the parking of cycles in connection with the development hereby permitted.

Reason: In the interests of sustainable development.

10 Refuse Storage (Pre-occupation)

Prior to the occupation of the development, the refuse store(s) indicated on the approved plans shall be provided and thereafter shall be permanently retained solely for this purpose. No refuse shall be stored outside the building(s) other than in the refuse store(s) hereby approved.

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

11 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.

12 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:

| | | |
|-------------|-----------|-----------------------------------|
| 01 Jul 2016 | 3236-203 | EXISTING GROUND FLOOR PLAN |
| 01 Jul 2016 | 3236-204 | EXISTING FIRST FLOOR PLAN |
| 01 Jul 2016 | 3236-205 | EXISTING ELEVATIONS |
| 01 Jul 2016 | 3236-206A | EXISTING SECTIONS |
| 01 Nov 2016 | 501 N | GROUND FLOOR PLAN |
| 01 Nov 2016 | 503 Q | ROOF PLAN |
| 01 Nov 2016 | 511 K | ROCK ROAD AND CAR PARK ELEVATIONS |
| 01 Nov 2016 | 512 M | FRONT AND REAR ELEVATIONS |
| 01 Nov 2016 | 502 K | FIRST AND SECOND FLOOR PLAN |

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.

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.

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

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|--------------------------|--|----------------------|
| Item No: | 03 | |
| Application No: | 16/04512/FUL | |
| Site Location: | Church Farm, Church Lane, Stanton Drew, Bristol | |
| Ward: Clutton | Parish: Stanton Drew | LB Grade: N/A |
| Application Type: | Full Application | |
| Proposal: | Change of use to convert farm building to provide a farm dwelling. | |
| Constraints: | Affordable Housing, Airport Safeguarding Zones, Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Referral Area, Conservation Area, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones, | |
| Applicant: | Mr & Mrs R And Mr James Young | |
| Expiry Date: | 16th December 2016 | |
| Case Officer: | Alice Barnes | |

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 Parking (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 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.

4 Ecology (Compliance)

The development hereby permitted shall be carried out only in accordance with the recommendations of the approved Protected Species Assessment report by Country Contracts dated August 2016.

Reason: To avoid harm to wildlife including protected species

5 Archaeology (pre-commencement)

No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, 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 in accordance with policy Bh.12 of the local plan.

6 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the 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.

7 Agricultural Occupancy (Compliance)

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, within the existing agricultural enterprise of Church Farm, Stanton Drew, or a widow or widower of such a person, and to any resident dependants.

Reason: To accord with the Policies in the Development Plan and to ensure an adequate availability of dwellings to meet agricultural needs in the locality.

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:

Existing plans and elevations 01
Proposed plans and elevations 02 rev C

Advice Note;

The applicant should ensure that PROW CL18/8 remains clear of obstruction at all times during and after construction works. Any damage to this road shall be repaired at the applicant's expense.

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.

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|-----------------------------|---|----------------------|
| Item No: | 04 | |
| Application No: | 15/03650/OUT | |
| Site Location: | New Kingdom Hall, Charlton Road, Keynsham, Bristol | |
| Ward: Keynsham North | Parish: Keynsham Town Council | LB Grade: N/A |
| Application Type: | Outline Application | |
| Proposal: | Erection of a three storey block comprising 8no residential apartments following demolition of the existing buildings (access and layout to be determined with all other matters reserved) | |
| Constraints: | Agric Land Class 3b,4,5, Centres and Retailing, Conservation Area, Forest of Avon, Sites with Planning Permission, Housing Development Boundary, Public Right of Way, SSSI - Impact Risk Zones, | |
| Applicant: | Hill Development | |
| Expiry Date: | 4th March 2016 | |
| Case Officer: | Alice Barnes | |

Deferred for further information

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|-----------------------------|--|
| Item No: | 05 |
| Application No: | 16/04885/FUL |
| Site Location: | The Grove, Langridge Lane, Swainswick, Bath |
| Ward: Bathavon North | Parish: Charlcombe LB Grade: N/A |
| Application Type: | Full Application |
| Proposal: | Demolition of existing garage and erection of a replacement building for use as an annex providing ancillary residential accommodation |
| Constraints: | Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Flood Zone 2, Flood Zone 3, Greenbelt, LLFA - Flood Risk Management, MOD Safeguarded Areas, Sites of Nature Conservation Interest, Sites of Nature Conservation Interest, SSSI - Impact Risk Zones, |
| Applicant: | Mr John Rippin |
| Expiry Date: | 16th December 2016 |
| Case Officer: | Alice Barnes |

Defer for site visit – to allow Members to view the site

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|-----------------------------|---|
| Item No: | 06 |
| Application No: | 16/04250/FUL |
| Site Location: | Land East Of Alma Cottage, Charlcombe Lane, Charlcombe, Bath |
| Ward: Bathavon North | Parish: Charlcombe LB Grade: N/A |
| Application Type: | Full Application |
| Proposal: | Erection of one dwelling following the demolition of existing stables |
| Constraints: | Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, MOD Safeguarded Areas, SSSI - Impact Risk Zones, |
| Applicant: | Julia Morgan |
| Expiry Date: | 16th December 2016 |
| Case Officer: | Emma Hardy |

Defer for site visit – to allow Members to view the site

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|--------------------------|---|
| Item No: | 07 |
| Application No: | 16/04549/FUL |
| Site Location: | 186 The Hollow, Southdown, Bath, Bath And North East Somerset |
| Ward: Southdown | Parish: N/A LB Grade: N/A |
| Application Type: | Full Application |

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| Proposal: | Installation of a dormer (resubmission) |
| Constraints: | Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site, |
| Applicant: | Mrs Karina Sykes |
| Expiry Date: | 16th December 2016 |
| Case Officer: | Emma Hardy |

DECISION PERMIT

PLANS LIST:

This decision relates to the following plans: drawing No. 03 (proposed floor plans) and drawing No. 04 (proposed elevations) received 15/11/2016.

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. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

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| Item No: | 08 |
| Application No: | 16/03885/LBA |
| Site Location: | Great Dell, Drive Through Royal Victoria Park, Lower Weston, Bath |
| Ward: Kingsmead | Parish: N/A LB Grade: N/A |
| Application Type: | Listed Building Consent (Alts/exts) |
| Proposal: | External alterations for the cleaning and re-lettering of the Shakespeare Monument |
| Constraints: | Affordable Housing, Agric Land Class 3b,4,5, Article 4, Article 4, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, Park and Gardens of Historic Importance, SSSI - Impact Risk Zones, World Heritage Site, |
| Applicant: | Bath Shakespeare Society |
| Expiry Date: | 26th October 2016 |
| Case Officer: | Laura Batham |

Withdrawn from Committee Agenda

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|--------------------------|---|------------------|-----|
| Item No: | 09 | | |
| Application No: | 16/04668/FUL | | |
| Site Location: | 13 Horsecombe Brow, Combe Down, Bath, Bath And North East Somerset | | |
| Ward: | Combe Down | Parish: | N/A |
| | | LB Grade: | N/A |
| Application Type: | Full Application | | |
| Proposal: | Provision of loft conversion with hipped side and rear pitched dormer. | | |
| Constraints: | Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Water Source Areas, World Heritage Site, | | |
| Applicant: | Mr Matt Cochrane | | |
| Expiry Date: | 16th December 2016 | | |
| Case Officer: | Christine Moorfield | | |

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 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.

3 Materials (Compliance)

All external roofing materials to be used shall match those of the host dwelling in respect of size, material, colour, texture and profile.

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 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the dormers shall commence until samples of the materials to be used in the construction of the external surface of the dormers have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the 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.

5 Obscure Glazing and Non-opening Window(s) (Compliance)

The proposed dormer window on the eastern elevation shall be obscurely glazed. Thereafter the window shall be permanently retained as such.

Reason: To safeguard the residential amenities of adjoining occupiers from overlooking and loss of privacy in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

PLANS LIST:

063 02- 01, 06, 03 and 04

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.

Condition Categories

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