

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 11th January, 2017, 2.00 pm

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

90 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

91 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

92 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Bryan Organ and Councillor Brian Simmons attended as substitute member.

93 DECLARATIONS OF INTEREST

Councillor Brian Simmons declared an other interest in planning application number 16/05085/FUL – 44 St Clement's Road, Keynsham. Councillor Simmons stated that he had previously made a decision on this application in his role as a Keynsham Town Councillor and so would leave the meeting while it was discussed.

94 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business for consideration. The Chairman informed members that the webcasting trial for this Committee had been completed and the results would now be analysed.

95 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.

96 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

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

97 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 14 December 2016 were confirmed and signed as a correct record.

98 **SITE VISIT 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) 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. 16/04250/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.

The registered speakers spoke for and against the application.

The local ward members, Councillors Martin Veal and Geoff Ward spoke against the application.

In response to a question the Case Officer explained that conditions 10, 11 and 12, set out in the report, propose the removal of permitted development rights so the applicants would have to apply for planning permission if they wished in future to extend the dwelling.

Councillor Roberts then moved that planning permission be refused on the grounds that the development would be detrimental to the openness of the greenbelt as a result of external lighting, storage and domestic paraphernalia. A further reason for refusal was highway safety due to the difficult access and egress to and from the property as visibility along this road was already substandard. This was seconded by Councillor Kew.

The motion was then put to the vote and it was **RESOLVED** by 7 votes for and 3 votes against to **REFUSE** the application for the reasons set out above.

Item No. 2**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 in favour of the application.

The local ward members, Councillors Martin Veal and Geoff Ward also spoke in favour of the application.

Councillor Appleyard moved to delegate to permit planning permission subject to conditions. He pointed out that the family aspect of this application meant that there were exceptional circumstances in this case. The proposed annex would provide accommodation for the applicant's mother and would enable the family to remain together in their existing property. He had found the site visit very helpful and subsequently did not feel that the visual aspect of the site would be affected greatly by the development.

Councillor Jackson had concerns that the proposed development would consist of two storeys which was too intrusive. She also pointed out that the needs of the family could change in the future and felt that there would be other options available to them. She had concerns that the development was contrary to policy and felt that the human factors outlined could not be taken into account.

Councillor Roberts seconded the motion and stated that she did not feel the development would be too intrusive to the greenbelt.

Councillor Kew noted that the previous planning permission had not been acted on but accepted that circumstances can change. He had concerns that the application was contrary to policy and would create a new house in the greenbelt.

Councillor Crossley felt that the development did not constitute a new property but simply an annex which was secondary to the main house. He queried whether a condition could be added to ensure that the annex remained tied to the original property. He noted that the family had lived in this area for a number of years and that a tie-in would provide the required security. Any request to remove the tie-in would then have to be considered by planning officers or this committee.

The Team Manager (Development Management) explained that there could be a tie-in but that the harm associated with the development would be the same, irrespective of whether the building was tied or not. If an application were made to remove the tie there would be considered no grounds to resist its removal, given that the new development was physically separate and functionally capable of being separate from the main property. It was explained that, for these same reasons, the development was tantamount to a new dwelling in the green belt as opposed to an annexe and that it would be there beyond the current occupiers' residence causing permanent harm. A condition to tie the application to the existing property as an annexe would not meet the conditions test as it would not be reasonable.

Councillors advised officers that any tie-in should be specified as a condition rather than a legal agreement.

The motion was then put to the vote and it was **RESOLVED** by 5 votes for, 4 votes against and 1 abstention to **DELEGATE TO PERMIT** the application subject to conditions.

Item No. 3

Application No. 16/03652/FUL

**Site Location: Applegate Stables, Shockerwick Lane, Bathford, Bath, BA1 7LQ
– Erection of additional livery stables and a rural workers' accommodation unit**

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

The registered speakers spoke in favour of the application.

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

Councillor Jackson asked about the advantage of having a temporary permission rather than a permanent one. Officers explained that a temporary permission would enable the business expansion plans to be tested before allowing a permanent permission. However, the application before the Committee was for a permanent dwelling.

On balance Councillor Jackson felt that the economic benefits to the local area would outweigh any harm to the greenbelt in this area.

Councillor Appleyard noted that the business concerned was viable and that a need had been proven for 24 hour staff accommodation to allow breeding and round the clock care for the horses and foals on site.

The Team Manager (Development Management) informed the Committee that to date there had been no requirement for a 24 on-site presence and that this would possibly only be required if the breeding part of the business were to expand.

Councillor Jackson stated that the business was made up of three parts namely, livery, teaching and breeding. The rural economy should be encouraged and this development would not cause great harm to the greenbelt. Councillor Jackson then moved to delegate to permit the application subject to conditions. This was seconded by Councillor Matthew Davies who noted the need for this accommodation if the business were to expand.

Councillor Crossley also supported the application to encourage a sustainable rural economy and to provide employment.

The motion was then put to the vote and it was **RESOLVED** unanimously to **DELEGATE TO PERMIT** the application subject to conditions.

99 **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) 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 4* to these minutes.

Item No. 1

Application No. 16/04615/FUL

Site Location: Horseworld, Staunton Lane, Whitchurch – Residential development of 97 dwellings with land reserved for early years provision and alterations to the front boundary wall of Staunton Manor Farm, Staunton Lane, Whitchurch

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

The registered speakers spoke in favour of the application.

The local ward member, Councillor Paul May spoke in favour of the application.

Councillor Kew queried whether the application was premature bearing in mind that the Conservation Officer, Ecologist and Landscape Officer had stated that the application was not acceptable in its current form. The Case Officer explained that these officers had not yet provided comments on the amended plans and that the applicant had now considered and largely overcome the concerns they had raised.

Councillor Jackson requested a condition regarding the retention of the allotments. She also queried whether a condition was required to ensure that if the nursery school was not provided then this area be retained for community use. The Case Officer explained that there was provision in the S106 agreement regarding the allotments and further discussions would take place with the applicant. She also explained that the policy was clear regarding the provision of an early years facility but that any subsequent proposals would have to be considered on their own merits so it would be difficult to specify only community use for this area.

Councillor Crossley moved to delegate to permit the application subject to conditions. He noted that officers had done an excellent job and had listened to concerns raised by the local community and worked hard to resolve these. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** by 9 votes in favour and 1 abstention to **DELEGATE TO PERMIT** the application subject to conditions and the completion of a Section 106 Agreement.

Item No. 2

Application No. 16/04629/FUL

Site Location: Kielder, Church Lane, East Harptree – Demolition of existing dwelling and erection of 4 dwellings with associated car parking, gardens and amenity space

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

The registered speakers spoke for and against the application.

Councillor Geoff Ward read out a statement from Councillor Tim Warren, local ward member, against the application.

Councillor Jackson asked a question regarding the removal of trees. The Case Officer explained that some trees would be removed to provide access to the site but that the majority of the landscaping would be retained.

Councillor Kew asked whether the hedgerows would be protected and the Case Officer confirmed that they would be protected during the construction phase through the use of conditions. There would also be a standard landscape condition.

The Case Officer also confirmed that the proposed materials to be used were considered to be appropriate and in keeping with the rest of the village.

Councillor Kew queried whether this was overdevelopment of the site. The Team Manager explained that if the application were refused due to overdevelopment then the Committee would have to be clear regarding the specific harm this would cause.

The Case Officer confirmed that the site was not within a critical drainage area and was outside of any flood risk area. It was considered that an appropriate drainage system could be secured through conditions.

Councillor Crossley moved that planning permission be granted subject to conditions. He felt that this was a large plot which was sufficient for 4 buildings. This was seconded by Councillor Kew who stressed the importance of using the correct materials and the retention of the hedges.

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

Item No. 3

Application No. 16/02230/FUL

Site Location: 10 Lymore Gardens, Twerton, Bath, BA2 1AQ – Change of use from a 4 bed dwelling (use class C3) to a 4 bed house of multiple occupation (HMO) (Use class C4)

The Case Officer reported on the application and her recommendation to grant

planning permission. She explained that following the Stage 2 test, in accordance with the Supplementary Planning Document, the percentage of HMOs in the area was 20.48%. Councillor Matthew Davies asked a question regarding how the numbers of HMOs were calculated and whether or not the properties encroaching on the radius circle were counted. The Case Officer explained that these properties were not counted unless more than half of the building was included irrespective of the size of the garden. She stated that the 100m radius was calculated from a central point in the property and confirmed that this calculation had been double checked.

The ward member, Councillor June Player, spoke against the application.

Councillor Kew acknowledged that there were problems with HMOs in this area; however, the application was in line with the Council's HMO policy. He then moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Sally Davis.

Councillor Roberts noted that there was no proposed increase in the number of bedrooms in the property. She felt that the proposal could put further pressure on parking spaces in the area. The Case Officer explained that evidence from surveys undertaken by the Department for Communities and Local Government showed that for some tenures the level of car ownership is generally lower. The Team Manager (Development Management) pointed out that the Supplementary Planning Document (SPD) "Houses in Multiple Occupation in Bath" 2013 was a clear and material consideration that would be likely to be given great weight by an Inspector at appeal. It was further pointed out that the process for considering HMOs was clearly set out within the SPD including the process for assessing the number of HMOs in the 100m radius and that the proposal was in line with the Council's own SPD.

Councillor Jackson pointed out that the number of students in Bath had increased since 2013 and also that both universities were located on the fringes of the city and so students were more likely to use their own vehicles. She stated that the proposal would result in an unacceptable loss of amenity to neighbouring properties.

The motion was then put to the vote and there were 4 votes in favour, 5 votes against and one abstention. The motion was therefore **LOST**.

Councillor Roberts then moved that planning permission be refused due to insufficient car parking availability in the locality and over intensification of the dwelling taking into account the large amount of HMOs already in this area. This was seconded by Councillor Crossley.

Members also requested that the Council policy relating to HMOs be reviewed across the whole city as a matter of urgency and also that the Policy Development and Scrutiny Committee responsible for housing should consider this issue. The Chairman confirmed that the Cabinet Member for Housing was currently reviewing the policy.

The motion was then put to the vote and it was **RESOLVED** by 6 votes for, 1 vote against and 3 abstentions to **REFUSE** the application for the reasons set out above.

Item No. 4**Application No. 16/05085/FUL**

Site Location: 44 St Clement's Road, Keynsham, BS31 1AF – Demolition of existing garage and erection of 1 detached dwelling in its place

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

The registered speaker spoke in favour of the application.

Councillor Jackson stated that she felt the proposal would constitute overdevelopment of the site. She moved that planning permission be refused for the reasons set out in the report. This was seconded by Councillor Appleyard.

The motion was put to the vote and it was **RESOLVED** by 6 votes for, 2 votes against and 1 abstention to **REFUSE** planning permission for the reasons set out in the report.

Note: Councillor Simmons left the meeting while this item was considered and took no part in the discussion or vote.

Item No. 5**Application No. 14/05836/FUL**

Site Location: Land rear of Yearten House, Water Street, East Harptree – Erection of 8 dwellings and access

The Case Officer reported on the application and her recommendation to delegate to permit the application. 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 re-submitted to the Committee for consideration.

The registered speakers spoke for and against the application.

Following a question the Case Officer explained that the application was for 8 houses – 1 with 2 bedrooms, 6 with 3 bedrooms and 1 with 4 bedrooms.

Councillor Crossley was disappointed at the loss of the affordable unit and felt that it should be provided. Officers confirmed that one affordable housing unit had been agreed by the Committee when it considered the application in July as that was the requirement of policy at that time but that due to the changes there was now no policy justification on which to insist on affordable housing for this application. The Development Management Team Manager explained that there was no basis to require an affordable housing unit so the only option members would have, if following their 2015 resolution, would be to refuse the application on the basis that the change in circumstances was relevant to their previous consideration which was not advised.

Councillor Kew moved to delegate to permit the application subject to conditions.

This was seconded by Councillor Simmons.

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

Item No. 6

Application No. 16/05256/FUL

Site Location: Avalon House, Fosseway, Dunkerton, Bath – Erection of wall and feather edged panelling fence between pillars following removal of old fence (Retrospective) (Resubmission)

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

A statement by the applicant (who was unable to attend the meeting) was read out by the Democratic Services Officer.

Councillor Kew queried whether this could simply be resolved by cladding the wall that contained fence panels. Officers explained that to comply with the existing planning permission the applicant was also required to lower the height of the adjacent fence.

Councillor Jackson felt that the fence should be the same height along the whole boundary. She moved that planning permission be refused for the reasons set out in the report. This was seconded by Councillor Roberts.

The motion was put to the vote and it was **RESOLVED** by 5 votes in favour, 4 votes against and 1 abstention to **REFUSE** planning permission for the reasons set out in the report.

Item No. 7

Application No. 16/04535/FUL

Site Location: 33 Parklands, High Littleton, BS39 6LB

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

Councillor Kew noted that the Parish Council had objected to this application for reasons of overdevelopment of the site. However, he felt that the plot was quite large. He also noted that objections had been received regarding loss of light and height of the proposed development.

Councillor Roberts queried parking arrangements due to the loss of one garage. It was confirmed that there would be two parking spaces for the new property, one in the garage and one on the driveway. A new garage would be constructed.

Councillor Jackson felt that the development could overlook adjacent properties and queried whether a site visit would be helpful.

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

The motion was then put to the vote and it was **RESOLVED** by 9 votes in favour and 1 against to **DEFER** consideration of the application pending a site visit.

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

The Committee considered the appeals report. Members noted the decision to allow the appeal at Rough Ground and Buildings, Queen Charlton Lane. The Committee noted that the inspector had given weight to the personal circumstances of the applicant.

The Committee asked the Group Manager (Development Management) to provide some feedback on the implications of this decision. Members also requested an update on the current position regarding gypsy and traveller sites in the B&NES area including total numbers and details of whether there was a shortfall of a particular type of provision in light of the Queen Charlton appeal.

RESOLVED to **NOTE** the report.

The meeting ended at 6.00 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 11 January 2017

OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN AGENDA

ITEMS FOR PLANNING PERMISSION

ITEM

Item No.	Application No.	Address
001	16/04250/FUL	Land East of Alma Cottage, Charlcombe Lane, Charlcombe, Bath

Following the Examination hearings the Inspector has now issued her Interim Statement and has advised the Council of her recommended Main Modifications required to make the plan sound. The Main Modifications and Minor Proposed Changes are now subject to public consultation prior to the Inspector issuing her Final Report. The following policies can now be given substantial weight:

D.2 – Local character and distinctiveness
D.4 – Streets and spaces
D.5 – Building design
D.6 – Amenity
GB.1 – Visual amenities of the Green Belt
NE.2 – Conserving and enhancing the landscape and landscape character

The following policies are given significant weight:

HE.1 – Historic environment
ST.7 – Transport requirements for managing development

The above policies are considered relevant to the case and do not alter the case officers recommendation.

Further representations have been received from the owner/occupier of Alma Cottage and another neighbour (no address provided) the content of which is summarised below:

- There has been no equestrian use of the existing building for at least 10 years. The applicant has used it as a storage shed;
- The submitted photographs were probably taken around 20 years ago;
- The case officer is mistaken if she believes the equestrian use has been maintained;
- Highway safety concerns in regards to the proposed access arrangements;
- Traffic levels are currently approximately 150 vehicles per hour during twice daily peak periods, mostly exceeding the speed limit. Traffic volume will increase when the Ensleigh development reaches full occupation;
- The case officer should provide evidence of when permission was obtained for change of use to equestrian. If the equestrian use was unauthorised it is not relevant for consideration;
- The recent site visit undertaken by Councillors was at a time when local schools were still closed for holiday and most people were still on Christmas leave. It was therefore unrepresentative of the typical traffic levels experienced twice daily.
- Before a full planning application can be considered the following permissions need to be sought:
 1. The building requires change of use to residential
 2. That part of the field being taken into the residential boundary requires change of use from agricultural.
 3. Planning permission must be obtained to demolish a structure in the AONB.
- Policy ET9 should be taken into account. The proposal fails to comply with ET9 points 3a and 3b.
- Neighbours did not receive notification by post of the original planning application, nor notification that the application was to go to committee.

The update report for the Committee Meeting held on 14 December 2016 provided a further analysis of highway safety issues to supplement the report contained in the Agenda (copied below). The additional representations raise no new material considerations and do not alter the previous assessment.

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.

In planning law, a vacant or unoccupied site's lawful use remains its last lawful use, whether or not that use has been maintained. In this case, whilst the site is currently unoccupied and appears to have been so for some time, no evidence has come forward to demonstrate that a material change of use has occurred since the site was last used for stabling horses. It would therefore appear from the available evidence that the previous use was equestrian and this is a material consideration.

In regards to the permissions needed for the proposed development, there is no requirement for separate permissions for demolition and change of use to be obtained. Should the current application be approved, this would include demolition of the existing building and change of use of the building's curtilage to residential.

The corner of the field that would be grasscreted to provide access to the proposed parking space would not be included within the residential curtilage of the proposed dwelling. This area has been included within the red site boundary because the site location plan is required to include any land required for access within the red line.

The following ADDITIONAL CONDITION is recommended should planning permission be granted for the proposed development:

Condition: The residential curtilage of the dwelling hereby approved shall be limited to the line of fencing shown on drawing No. AO2 (Survey) received 24/08/2016.

Reason: In order to prevent encroachment into the Green Belt to comply with saved Local Plan Policy HG.11 and Core Strategy Policy CP8.

As discussed in the report contained in the agenda, Local Plan Policy ET.9 is not relevant to the current proposal since the proposal is not for the

conversion of an existing building; rather, it is for the demolition of the existing building and redevelopment of a previously developed site.

Section 15, paragraph 5 of The Town and Country Planning (Development Management Procedure) Order 2015 (as amended) requires the LPA to publicise a planning application of this type by site display on or near the land to which the application relates or by serving notice on the owner or occupier of any adjoining land. A site notice was displayed outside the site on 09/09/2016. The Planning Department's records show that a notification letter was sent to the adjoining property, Alma Cottage, on 30/08/2016. The Council has therefore met its statutory duty in regards to notifying neighbours.

In addition, the Planning Department's records show that the following addresses were notified on 02/12/2016 and 22/12/2016 that the application was on the agendas for the December and January committee meetings respectively:

- Alma Cottage, Charlcombe Lane;
- Dale Cottage, Charlcombe Lane – owner/occupier notified because representation submitted;
- Walnut Cottage, Charlcombe Lane – owner/occupier notified because representation submitted.

No planning records have been found relating to the existing building or its use.

There is no change to the officer recommendation.

Item No.	Address	Application No.
002	The Grove Langridge Lane Swainswick BA1 8AJ	16/04885/FUL

Following the Examination hearings the Inspector has now issued her Interim Statement and has advised the Council of her recommended Main Modifications required to make the plan sound. The Main Modifications and Minor Proposed Changes are now subject to public consultation prior to the Inspector issuing her Final Report. The following policies can now be given substantial weight:

D.2: Local character and distinctiveness

D.3: Urban Fabric

D.5: Building design

D.6: Amenity

RE.4: Essential dwellings for rural workers

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

The following policy is given significant weight

ST.7: Transport requirements for managing development

The above policies are considered relevant to the case and do not alter the case officers recommendation.

The applicant has submitted revised plans altering the proposed materials. The building was originally proposed to be constructed in a mix of render and timber. The revised drawings show the building will be constructed from a mix of stone and timber.

Item No.	Application No.	Address
003	16/03652/FUL	Applegate Stables Shockerwick Lane Bathford Bath BA1 7LQ

Members are advised that since the publication of the November committee report, the applicant has submitted additional letters of support making the total number of support letters received in respect of this application 7. The applicant also submitted a petition of 27 signatures, 21 of which serve to underpin prior letters of support submitted in respect of 2014 application 14/02558/FUL.

In addition, the agent has submitted a 'Proposed Parking Plan' and comments from a third party in response to the objection comments provided by Highways.

In summary, the third party comments state that the proposal will have a de minimis impact and would not, in the context of NPPF, be severe. The third party is of the opinion that, by residing on site, the owner will be able to reduce some trips associated with travelling to and from work and that this will be of benefit. The opinion is also given that adequate provision for parking can be provided and maintained.

In response to these comments, the allocated planning officer wishes to state the following:

- Whilst the ability for the owner to reduce travel to and from work may be a benefit, it would not counterbalance the increase in traffic caused by the expansion of the site if planning permission were to be granted.
- Additional stables will result in additional movements to and from the site by clients, which is likely to include both car vehicles and horse boxes. Furthermore, a greater amount of traffic would be expected to be generated from deliveries to the dwelling and visits by friends and family

The Senior Highway Development Control Engineer has confirmed their original objection comments, submitted 19th September 2016, and has stated the following additional comments in response to submitted 'Proposed Parking Plan':

“Given the uncertainties over so many aspects of the application I would be unable to accept the proposed parking and turning areas, as it does not demonstrate sufficient room for horseboxes etc., and the required level of parking has not been justified or agreed.”

In light of the above, the Council considers that it has taken a balanced view of this matter and has reached the decision that, notwithstanding the observations of the third party, the quantum of development if approved will result in more movements to the site and not less – as suggested. Whilst it was felt that a refusal on highway grounds could not be substantiated, it should be noted that provision for parking on the site, alongside a consideration of highways safety with regards to the increased amount of traffic entering/existing the site, has not been agreed and therefore these concerns remain an outstanding detail of this application.

Item No.	Address	Application No.
01	Horseworld, Staunton Lane, Whitchurch	16/04615/FUL

CONSULTATIONS AND REPRESENTATIONS:

Highways Development Officer: Revised plans have been submitted informally to address the outstanding highways issues.

Internal Highway Layout: The outstanding concerns in relation to the internal highway layout have now, in the main been overcome and is now acceptable.

Staunton Lane Works: The scheme proposes the provision of a zebra crossing and ‘gateway’ feature just north of the existing Horseworld access junction.

An independent speed survey on the west bound Staunton Lane approach has now been carried out which shows that vehicle speeds approaching the zebra crossing are acceptable and driver-pedestrian inter-visibility on the approach to the zebra crossing is also considered to be satisfactory.

However, there are concerns that the detailing of the carriageway treatment in the narrowing as proposed (coloured surface treatment) will introduce a maintenance liability given the volume of traffic using Staunton Lane. Therefore it is considered that a Traffic Management contribution of £20K as an obligation in the s106 would be appropriate to deal with this issue.

Staunton Lane ‘Pinch Point’: If the existing telegraph and electricity poles are to be left in front of the wall then the minimum 450mm clearance will need to be between the carriageway edge and the outer face of these poles with the wall being moved slightly further back than shown.

The risk of right turning vehicles from Sleep Lane having to cross into the opposing carriageway on the eastern Staunton Lane arm when negotiating the revised kerb-line has also been considered. However I am satisfied that a car/van could execute this right turn movement without any need to encroach into the opposing westbound carriageway on exit. A plan showing the swept path plot of a right turning car to confirm that the extent of carriageway widening to the south should nevertheless be submitted.

LOCAL REPRESENTATIONS:

A further two letters of objection have been received which raise concerns regarding the impact of the development on highway safety and flooding in Sleep Lane.

These issues have already been dealt within the main report.

POLICY CONTEXT:

Following the Examination hearings the Inspector has now issued her Interim Statement and has advised the Council of her recommended Main Modifications required to make the plan sound. The Main Modifications and Minor Proposed Changes are now subject to public consultation prior to the Inspector issuing her Final Report. The following policies can now be given substantial weight:

- Policy SD1 – Presumption in favour of sustainable development
 - Policy RA5 – Land at Whitchurch Strategic Site Allocation
 - Policy CP2 – Sustainable Construction
 - Policy CP3 – Renewable Energy
 - Policy CP7 – Green Infrastructure
 - Policy CP9 – Affordable Housing
 - Policy CP10 – Housing Mix
 - Policy PCS5 – Contamination
 - Policy PCS7A – Foul sewage infrastructure
-
- Policy SRC1 – On site renewable energy requirement
 - Policy SCR5 - Water Efficiency
 - Policy SU1 – Sustainable drainage
 - Policy D1, D2, D3, D4, D5, D6 - General design policies
 - Policy D7 – Infill and backland development
 - Policy H7 – Housing Accessibility
 - Policy NE1 – Green Infrastructure
 - Policy NE2 – Landscape character
 - Policy NE5 – Ecological networks
 - Policy NE6 – Trees and woodlands
 - Policy PCS1 – Pollution and nuisance
 - Policy PCS3 – Air Quality
 - Policy LCR2 – New or replacement community facilities

- Policy LCR3A – Primary School Capacity
- Policy LCR7B – Broadband
- LCR9 – Provision of local food growing
- Policy ST1 – Sustainable Travel

The following policies are relevant and have significant weight:

- Policy D8 - Lighting
- Policy HE1 – Historic environment
- Policy NE2A – Landscape Setting of Settlements
- Policy NE3 – Protected Species
- Policy PCS2 – Noise and vibration
- Policy ST7 – Transport requirements for development

Planning Issues:

The progression of the Placemaking Plan through the examination process has meant that many of the policies within the Plan have gained weight since the original Committee report was written.

In light of this the policies have been reconsidered and it is only Policy H7 which deals with housing accessibility that has gained substantial weight and which also has an impact on the acceptability of the proposed development.

At this time there is insufficient information to judge the application against Policy H7 but it is likely that the development as proposed would fail to comply. Whilst this is of concern it is considered that compliance would require significant amendments to the design and layout of each dwelling and which would also require a complete redesign of the layout of the scheme as a whole potentially reducing the number of dwellings that this site could achieve.

The Horseworld site is a strategic housing site where Policy RA5 seeks the provision of around 200 dwellings and any amendment to the layout that would result in the loss of housing units on this site would put the achievement of the principles of this policy in question. In light of this it is considered that the provision of housing on this site, in line with adopted Core Strategy Policy RA5, has greater weight than Policy H7 of the Placemaking Plan. Therefore, in this case, it is considered that, whilst the development may not comply with Policy H7 of the Placemaking Plan, for the reasons give above, this is not sufficient to find the proposal unacceptable or justify refusal on this point.

Impact on Highway Safety:

The additional information submitted, albeit informally at this stage, along with the results of the speed survey has confirmed that speeds along Staunton Lane are acceptable for the safe provision of a Zebra crossing in conjunction with a 'gateway' feature. The request of £20,000 for traffic management on

Staunton Lane is considered appropriate and has been agreed with the Applicant.

Internally the information submitted shows that the layout concerns have now been addressed.

At the Staunton Lane pinch point there is still a relatively minor outstanding issue with regard to the location of the existing telegraph poles. However Officers are confident that this can be resolved through negotiation.

Subject to the submission of further information to address the relatively minor outstanding issues and the provision of an obligation for £20,000 in the S106 legal agreement, it is considered that the proposed development is now acceptable and would not have a harmful impact on highway safety.

Recommendation:

DELEGATE TO PERMIT:-

Subject to:

A) The expiry of the application consultation period and the receipt of local representations raising no new valid planning issues that have not already been considered above.

B) The submission of further acceptable information including:

1. No adverse comments being received from the Waste Management Team in relation to the revised Waste Management Strategy.
2. Amended plans to resolve the detailed design issues surrounding landscape and allotment layout.
3. The submission of a lighting scheme that is considered to have an acceptable impact on bats.
4. The submission of final details as outlined above regarding to speed survey results on Staunton Lane, any additional speed reducing measures considered necessary, internal swept path plan and Staunton Lane, Staunton Lane/Sleep Lane junction revisions.

C) Authorise the Group Manager – Development Management, in consultation with the Planning and Environmental Law Manager, to enter into a section 106 agreement to provide the following:

1. Landscape and Open space:
Provision of open space, LEAP and long term management
Provision and long term management of allotments
2. Highways:
Off site highway improvements to Staunton Lane and Sleep Lane to include a mini roundabout, zebra crossing, widening of pavements and

amendments to the Staunton Lane/Sleep Lane junction including (TRO's) to reduce the speed limit on Sleep Lane.
£20,000 for Traffic Management measures on Staunton Lane

3. Affordable Housing:
40% affordable housing provision on site
4. Fire Hydrants: Cost of installation and five years maintenance of a total of 5no fire hydrants
5. Education:
Primary School Provision:
The capital contribution for the expansion of the school buildings at Whitchurch Primary school (off site) is calculated on the basis of £12,754.80 per pupil x 27.60 pupils = £352,032.48 contribution required.
A contribution towards associated costs is also required.
The capital contribution for the purchase of sufficient additional adjacent land to the existing school site to allow the expansion of the school site. The independent valuation for the land at the rear of Whitchurch Primary school values this at £21,500.00. Divided by the overall dwellings allocated within the Whitchurch Strategic Housing site = £105.91 per dwelling x 97 dwellings = £10,273.27
Early Years Provision:
Early Years land contribution - 0.1094ha on site and/or contributions
Capital contribution to EY building –48.92%
Final figures to be confirmed
6. Targeted Recruitment and Training:
14 x work placements
2 x apprenticeships
2 x new jobs advertised through DWP
£7,040 contribution

D) And grant planning permission with conditions as listed in the main report, provided they have not been addressed prior to a decision, along with further conditions arising from the additional information submitted above and/or as considered appropriate by Officers.

Item No.	Application No.	Address
02	16/04629/FUL	Kielder Church Lane East Harptree Bristol Bath And North East Somerset BS40 6BE

RELEVANT PMP POLICIES

Following the Examination hearings the Inspector has now issued her Interim Statement and has advised the Council of her recommended Main Modifications required to make the plan sound. The Main Modifications and Minor Proposed Changes are now subject to public consultation prior to the Inspector issuing her Final Report. The following policies can now be given substantial weight:

- D1 General Urban Design Principles
- D2 Local Character & Distinctiveness
- D3 Urban Fabric
- D4 Streets and spaces
- D5 Building Design
- D6 Amenity
- D7 Infill and Backland Development
- NE2 Conserving and enhancing the landscape and landscape character
- NE6 Trees and woodland conservation
- SU1 Sustainable Drainage
- ST1 Promoting sustainable travel
- SCR5 - Water Efficiency
- PCS5 Contamination
- PCS7A - Foul sewage infrastructure

The following policies can now be given significant weight

- H1 Historic Environment
- ST7 Transport requirements for managing development
- NE2A Landscapes setting of settlements
- NE3 Sites, species and habitat

The above policies are considered relevant to the case and do not alter the case officers recommendation.

Item No.	Application No.	Address
03	16/02230/FUL	10 Lymore Gardens, Twerton

RELEVANT PMP POLICIES

Following the Examination hearings the Inspector has now issued her Interim Statement and has advised the Council of her recommended Main Modifications required to make the plan sound. The Main Modifications and Minor Proposed Changes are now subject to public consultation prior to the Inspector issuing her Final Report. The following policies can now be given substantial weight:

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

The following policies can be given significant weight:

H.1: Historic Environment

ST7: Transport requirements for managing development and parking standards

The above policies are considered relevant to the case and do not alter the case officers recommendation.

Item No.	Application No.	Address
04	16/05085/FUL	44 St Clement's Rd, Keynsham

RELEVANT PMP POLICIES

Following the Examination hearings the Inspector has now issued her Interim Statement and has advised the Council of her recommended Main Modifications required to make the plan sound. The Main Modifications and Minor Proposed Changes are now subject to public consultation prior to the Inspector issuing her Final Report. The following policies can now be given substantial weight:

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.7: Infill and Backland Development

The following policies can be given significant weight:

ST7: Transport requirements for managing development and parking standards

There is no change to the officer recommendation.

Item No.	Application No.	Address
Item 05	14/05836/FUL	Land Rear of Yearten House, Water Street, East Harptree.

The scheme comprises one 2 bed, five 3 bed and two 4 bed roomed dwellings.

Place making Plan

In the Policy section of the updated report the text is amended to read:

Following the Examination hearings the Inspector has now issued her Interim Statement and has advised the Council of her recommended Main Modifications required to make the plan sound. The Main Modifications and Minor Proposed Changes (discussed at the Hearings) will be subject to public consultation from early January 2017 prior to the Inspector issuing her Final Report. At the point at which Main Modifications or the Inspector's position on modifications is published, the following policies can now be given substantial weight:

D2 Local Character and Distinctiveness
D4 Street and spaces
D5 Building Design
D6 Amenity
SCR 5 Drainage

The proposals is seen to comply with policies D2, D4, D5 and D6 in terms of design, layout, mass, bulk and impact on amenity.

Policy SCR5 – Water Efficiency states that all dwellings will be expected to meet the national optional Building Regulations requirement for water efficiency of 110 litres per person per day. It also requires rainwater harvesting by residents and this can be obtained by the use of water butts and in order that the proposal complies with this requirement a condition requiring such items is necessary and must be attached to any permission granted.

ADDITIONAL CONDITION

Prior to the first occupation of each dwelling hereby approved details of rainwater harvesting methods to be provided within each plot shall be submitted to and approved in writing by the Local Planning Authority, these shall thereafter be available for use prior to the first occupation of each unit and shall be retained for use in perpetuity.

Reason: To ensure adequate means of rainwater harvesting are provided and retained for use in association with each unit in accordance with Policy SCR5 of the Placemaking Plan.

CONDITION 16 the following REASON is added.

REASON:

To mitigate and compensate for any impacts on badgers and on the badger sett at the site, and to prevent harm to badgers during development period.

One letter has been received raising concerns in respect of the requirement for this proposal to now comply with the parking standards as stipulated within the made Chew Valley Neighbourhood Plan.

The Chew Valley Neighbourhood Plan has passed examination and therefore, the policies within the neighbourhood plan are a material consideration and now carry significant weight. The Plan has been modified in accordance with the examiners comments and a referendum date has been set for 16th February 2017.

The Chew Valley Neighbourhood Plan has amended car parking standards that are higher than those proposed in the Placemaking Plan and the parking standard policy ST7 in the Placemaking Plan carries limited weight.

Policy HDE8b of the Chew Valley Neighbourhood Plan stipulates parking standards as follows

Parking – Domestic Dwellings

To be supported proposals for all new residential developments must provide a minimum of:

- Two spaces per dwelling up to three bed dwelling
- Three spaces per four bed dwelling and above
- Half a space per dwelling for visitor parking.

Garages are excluded from the prescribed minimum standards.

If no garage or secure area is provided there must also be provision for cycle parking as per 1 secure covered stand per dwelling in a communal area for residents, plus 1 stand per 8 dwellings for visitors.

In relation to this proposal the layout plan indicates 2 spaces per unit. The two 4 bed units are required to provide 3 spaces per unit in line with the neighbourhood plan and the scheme should accommodate 4 visitor spaces within the site boundary.

The proposed development on this site is of a relatively low density and therefore accommodating an extra car parking space within the curtilage of plots 6 and 8 can be achieved to comply with the car parking standards as stipulated in the neighbourhood plan. An additional condition is considered necessary to ensure 3 spaces for plot 6 and 8 are provided and retained.

This application was considered by committee in the summer 2015 when the committee resolved to approve the application subject to the signing of a 106 agreement. It is recognised that in line with the neighbourhood plan 4 visitor spaces (0.5 spaces per unit) should be provided and the requirements of the neighbourhood plan should carry significant weight. However, the road to be constructed is indicated to be of adequate scale and proportion to allow for a refuse vehicle to access the site and serve the dwellings. Therefore, the estate road will be of a sufficient size not only to accommodate refuse vehicles but also on street parking for visitors. It should also be noted that there will not be restrictions on parking on this road and this is considered acceptable and appropriate. The level of parking as indicated is in compliance with the saved policy in the local plan. T.26- On-site parking and servicing provision.

The acceptability of this scheme as a whole includes a balance of the provision of open space, a public route through the site and the interests of wildlife and in particular badgers. The open areas as provided form an integral part of a scheme that includes the provision of public open space and ecological corridors with a management company being set up to ensure the maintenance and protection of the landscaped areas in perpetuity. In respect of these requirements it is considered that the open spaces/ecological corridors as proposed should be retained and on balance these areas should not be encroached upon to provide additional parking areas.

ADDITIONAL CONDITION

Notwithstanding the plans hereby approved details in respect of 3 car parking spaces to be provided within each curtilage of plots 6 and 8 shall be submitted to and approved by the Local Planning Authority the spaces shall thereafter be available for use prior to the occupation of the dwellings and retained for such use in perpetuity.

Reason: To ensure adequate off street parking is available for use in association with these 4 bedroomed properties in accordance with Policy HDE8b of the Chew Valley neighbourhood plan.

COMMENTS FROM BRISTOL WATER

We would confirm that we have no objection to the development. We enclose a copy of our ordnance survey sheet for your information.

We would ask that you please advise the applicant to contact us direct or use the following

<http://onlineforms.bristolwater.co.uk/customer/form/op/add/formid/5> on our web site.

Item No.	Application No.	Address
07	16/04535/FUL	33 Parklands, High Littleton, Bristol

Within the policy section the wording in respect of the policies weighting is amended as follows.

Place making Plan:

Following the Examination hearings the Inspector has now issued her Interim Statement and has advised the Council of her recommended Main Modifications required to make the plan sound. The Main Modifications and Minor Proposed Changes are now subject to public consultation prior to the Inspector issuing her Final Report. The following policies can now be given substantial weight:

D1: General Urban Design Principles
D2: Local Character and Distinctiveness
D3: Urban Fabric
D5: Building design
D6: Amenity
D.7 Infill and Backland Development
ST.1: Promoting Sustainable Travel

The following informative is to be added to any permission granted.

3- 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.

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 11 JANUARY 2017

A. SITE VISIT LIST			
ITEM NO.	SITE NAME	SPEAKER	FOR/AGAINST
1	Land East of Alma Cottage, Charlcombe Lane, Bath	Alastair MacKichan (Charlcombe Parish Council)	Against
		Richard Frewer	Against
		Christopher Dance (Agent)	For
		Councillors Martin Veal and Geoff Ward	Against
2	The Grove, Langridge Lane, Swainswick, Bath	Alastair MacKichan (Charlcombe Parish Council)	For
		Christopher Dance (Agent)	For (To share 3 mins)
		John Rippin (Applicant)	For (To share 3 mins)
		Councillors Martin Veal and Geoff Ward	For
3	Applegate Stables, Shockerwick Lane, Bath	John White (Agent)	For (To share 3 mins)
		Mrs Dymond-Hall (Applicant)	For (To share 3 mins)
		Councillor Geoff Ward	For

B. MAIN PLANS LIST			
1	Horseworld, Staunton Lane, Whitchurch	Geraint Jones (Agent)	For
		Councillor Paul May	For
2	Kielder, Church Lane, East Harptree	Councillor Andrew Jones (East Harptree Parish Council)	N/A
		Christopher Bull	Against

		Andrew Brown (Agent)	For
		Councillor Geoff Ward (on behalf of Councillor Tim Warren)	Against
3	10 Lymore Gardens, Twerton, Bath	Councillor June Player	Against
4	44 St Clements Road, Keynsham	Martin Lawford (Agent)	For
5	Land Rear of Yearten House, Water Street, East Harptree, Bristol	Councillor Andrew Jones (East Harptree Parish Council)	N/A
		Andrew Beard (Agent)	For

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

11th January 2017

SITE VISIT DECISIONS

Item No:	001	
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:	13th January 2017	
Case Officer:	Emma Hardy	

DECISION REFUSE

1 By reason of the domestic paraphernalia, external storage and external lighting associated with the proposed new dwelling, the development would be detrimental to the openness of the Green Belt and in the absence of any very special circumstances the development is contrary to Core Strategy Policy CP8 and the aims of the National Planning Policy Framework.

2 The proposed intensification of the use of the access where there is substandard visibility would be prejudicial to highway safety contrary to saved Local Plan Policy T.24. Furthermore, the proposed development would be sited in an unsustainable location contrary to Core Strategy Policy DW1 and the aims of the National Planning Policy Framework.

PLANS LIST:

This decision relates to the following plans and information:

Drawing Nos. A01 (1:1250 Site Location Plan) and A02 (Existing Stables) received 24/8/2016

Bat Survey dated 12 July 2016 prepared by Crossman Associates received 24/8/2016

Planning, Design and Access Statement received 24/8/2016

Drawing no. A03 Revision 04 (Proposed Dwelling) received 14/11/2016

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. The Local Planning Authority engaged in pre-application discussions with the applicant. Despite the

officer recommendation to approve, Councillors considered the application to be unacceptable for the reasons given.

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule comes into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	002		
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:	13th January 2017		
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 Ancillary Use (Compliance)

The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Grove and shall not be occupied as an independent dwelling unit.

Reason: The accommodation hereby approved is not capable of independent occupation without adverse impact on the amenities of existing or future residential occupiers.

3 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.

4 Removal of Permitted Development Rights - No extensions or alterations (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the permitted annexe hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority due to its potential to impact on the openness of the surrounding green belt, in accordance with policy GB.1 and GB.2 of the Bath and North East Somerset Local Plan policy CP8 of the Core Strategy and paragraph 89 of the National Planning Policy Framework

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:

Location plan P01 A
Existing site plan P02 A
Existing plans P03 A
Existing elevations P05 A
Proposed elevations P15 F
Proposed plans P13 E

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.

Item No:	003		
Application No:	16/03652/FUL		
Site Location:	Applegate Stables , Shockerwick Lane, Bathford, Bath		
Ward: Bathavon North	Parish: Bathford	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Erection of additional livery stables and a rural workers accommodation unit		
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, MOD Safeguarded Areas, SSSI - Impact Risk Zones,		
Applicant:	Mrs R Dymond-Hall		
Expiry Date:	26th October 2016		
Case Officer:	Nicola Little		

DECISION Delegate to officers to permit subject to appropriate conditions.

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

11th January 2017

DECISIONS

Item No:	01		
Application No:	16/04615/FUL		
Site Location:	Horseworld, Staunton Lane, Whitchurch, Bristol		
Ward: Publow And Whitchurch	Parish: Whitchurch	LB Grade: II	
Application Type:	Full Application		
Proposal:	Residential development of 97no dwellings with land reserved for early years provision and alterations to the front boundary wall of Staunton Manor Farm, Staunton Lane, Whitchurch.		
Constraints:	Affordable Housing, Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Contaminated Land, Forest of Avon, Sites with Planning Permission, Greenbelt, Housing Development Boundary, LLFA - Flood Risk Management, Public Right of Way, SSSI - Impact Risk Zones,		
Applicant:	Bellway Homes Ltd		
Expiry Date:	27th January 2017		
Case Officer:	Rachel Tadman		

DECISION Delegate to permit subject to no new issues being raised during the conclusion of the consultation period

Item No:	02	
Application No:	16/04629/FUL	
Site Location:	Kielder, Church Lane, East Harptree, Bristol	
Ward: Mendip	Parish: East Harptree	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Demolition of existing dwelling and erection of 4no dwelling with associated car parking, gardens and amenity space	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Housing Development Boundary, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Simon James Homes	
Expiry Date:	12th January 2017	
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 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.

6 Arboricultural Method Statement and Tree Protection Plan (Pre-commencement)

No development shall commence until a Detailed Arboricultural Method Statement with Tree Protection Plan following the recommendations contained within BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion to the local planning authority. The statement should include the control of potentially harmful operations such as site preparation (including demolition, clearance and level changes); the storage, handling and mixing of

materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery. No development or other operations shall thereafter take place except in complete accordance with the approved details.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals in accordance with Policy NE.4 of the Bath and North East Somerset Local Plan. This is a condition precedent because the works comprising the development have the potential to harm retained trees. Therefore these details need to be agreed before work commences.

7 Ecology Wildlife Protect & Enhance (Pre-commencement)

Development shall not commence until details of a Wildlife Protection and Enhancement Scheme designed to avoid harm to wildlife, in particular reptiles, nesting birds and badger, has been submitted to and approved in writing by the local planning authority. The scheme shall be in accordance with the recommendations of the approved "Biodiversity and Geological Conservation Assessment" by Acorn Ecology dated February 2016 and shall include:

- o Findings of completed reptile survey together with proposed details for all necessary reptile mitigation and habitat compensation measures, as applicable
- o findings of a nesting bird survey if site clearance is required during the nesting season, together with details of proposed measures to avoid disturbance to nesting birds
- o specifications for measures such as protective fencing, to protect retained habitats, if applicable
- o proposed measures to avoid harm to badger, including, if applicable, findings of precommencement checks for badger activity
- o proposals for biodiversity enhancements, with measures and specifications to be shown on all relevant plans and drawings

The development shall be carried out only in accordance with the approved Scheme or any amendment to the Scheme as approved in writing by the Local Planning Authority.

Reason: to avoid harm to wildlife including reptiles, badger and nesting birds, and to provide biodiversity enhancements in line with the requirements of NPPF

8 Obscure Glazing (Compliance)

The proposed windows on the north east elevation of plot 3 (on the proposed site plan) shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. 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.

9 Removal of Permitted Development Rights - Car ports (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or

without modification) no doors or other means of enclosure shall be inserted into the car port areas and these shall remain open in perpetuity.

Reason: Any alterations to enclose this areas require detailed consideration by the Local Planning Authority to ensure sufficient onsite parking is retained in accordance with the Chew Valley Neighbourhood Plan

10 Hard and Soft Landscaping (Pre-occupation)

No occupation shall commence until a hard and soft landscape scheme has been submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; a planting specification to include numbers, size, species and positions of all new trees and shrubs, details of existing and proposed walls, fences, other boundary treatment and surface treatment of the open parts of the site, and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

11 Hard and Soft Landscaping (Compliance)

All hard and/or soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

12 Highways - 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.

13 Highways - Bound/Compacted Vehicle Access (Pre-occupation)

No occupation of the development shall commence until the vehicular access has been constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

14 Vehicle Visibility Splay (Pre occupation)

No occupation of the development shall commence until the visibility splay shown on drawing number 15151_120 Rev B has been provided. There shall be no on-site obstruction exceeding 900mm above ground level within the visibility splay. The visibility splay shall be retained permanently thereafter.

Reason: To ensure sufficient visibility is provided in the interests of highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

15 Bound and compacted footpath and carriageway (Pre occupation)

Each dwelling shall not be occupied until it is served by a properly bound and compacted footpath and carriageway to at least base course level between the dwelling and the existing adopted highway.

Reason: To ensure that the development is served by an adequate means of access in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

16 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.

17 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.

18 Rainwater harvesting - (Pre occupation)

The development hereby approved shall not be occupied until a scheme for rainwater harvesting or other methods of capturing rainwater for use by the residents (e.g. water butts) has been submitted to and approved in writing. The development shall thereafter be carried out in accordance with these approved details.

Reason; In the interests of sustainable development in line with policy SCR5 of the Place Making Plan

19 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:

22 Sep 2016	15151_100	SITE LOCATION PLAN
22 Sep 2016	15151_101	EXISTING SITE PLAN
22 Sep 2016	15151_102	TOPOGRAPHICAL SURVEY
22 Sep 2016	15151_103	EXISTING SECTIONS A-A & B-B
05 Dec 2016	15151_104	REVISION H PROPOSED SITE PLAN
05 Dec 2016	15151_105	REVISION F DWELLING TYPE 1 - PLANS
05 Dec 2016	15151_106	REVISION D DWELLING TYPE 1 - ROOF PLAN AND SECTIONS
05 Dec 2016	15151_107	REVISION F DWELLING TYPE 1 - ELEVATIONS
05 Dec 2016	15151_108	REVISION F DWELLING TYPE 2 - PLANS
05 Dec 2016	15151_109	REVISION E DWELLING TYPE 2 - ROOF PLAN AND SECTIONS
05 Dec 2016	15151_110	REVISION F DWELLING TYPE 2 - ELEVATIONS
05 Dec 2016	15151_111	REVISION E DWELLING TYPE 3 - GROUND FLOOR PLAN
05 Dec 2016	15151_112	REVISION D DWELLING TYPE 3 - ROOF PLAN
05 Dec 2016	15151_113	REVISION D DWELLING TYPE 3 - ELEVATIONS
05 Dec 2016	15151_114	REVISION F PROPOSED SECTIONS
05 Dec 2016	15151_116	REVISION D PROPOSED LANDSCAPE PLAN
05 Dec 2016	15151_120	REVISION C PROPOSED VISIBILITY SPLAY
05 Dec 2016	15151_121	REVISION C LONG ELEVATION
05 Dec 2016	15151_122	REVISION D DWELLING TYPE 3 - SECTIONS

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

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 widening of a vehicular crossing. The access shall not be brought into use until the

details of the access have been approved and constructed in accordance with the current Specification.

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.

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.

Item No:	03	
Application No:	16/02230/FUL	
Site Location:	10 Lymore Gardens, Twerton, Bath, Bath And North East Somerset	
Ward: Westmoreland	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from a 4 bed dwelling (use class C3) to a 4 bed house of multiple occupation (HMO) (Use class C4)	
Constraints:	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, HMO Stage 2 test required, Hotspring Protection, SSSI - Impact Risk Zones, World Heritage Site,	
Applicant:	Mr Andrew Spear	
Expiry Date:	15th July 2016	
Case Officer:	Nikki Honan	

DECISION REFUSE

1 The proposed development where there are no parking facilities on site would be likely to give rise to the on-street parking of additional cars attracted to the premises and thereby interrupt the free flow of traffic to the danger of road users in an area where on-street parking is in high demand. The development is therefore contrary to policies T.24 and T.26 of the Bath and North East Local Plan, including minerals and waste policies, adopted 2007

2 The proposed development would lead to over intensification of Houses in Multiple Occupation which is harmful to the character of the area and contrary to policy HG.12 of the Bath and North East Somerset Local Plan, adopted 2007, and 'Houses in Multiple Occupation in Bath' Supplementary Planning Document, adopted 2013.

PLANS LIST:

This decision relates to the Site Location Plan dated 20th May 2016, and the Proposed Floor Plans dated 12th December 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. Despite the officer recommendation to approve, Councillors considered the application to be unacceptable for the reasons given.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule comes into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	04		
Application No:	16/05085/FUL		
Site Location:	44 St Clement's Road, Keynsham, Bristol, Bath And North East Somerset		
Ward:	Keynsham South	Parish:	Keynsham Town Council
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Demolition of existing garage and erection of 1no detached dwelling in its place.		
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,		
Applicant:	Mr John Ridgeway		
Expiry Date:	12th January 2017		
Case Officer:	Nikki Honan		

DECISION REFUSE

1 The proposed development by reason of its siting scale and design will fail to respect the context of the surrounding streetscene and spatial characteristics of the area. The development is therefore contrary to policy CP6 of the Core Strategy, adopted 2014, and policies D.2 and D.4 of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007

PLANS LIST:

This decision relates to:

01, 02, 03, 04 - all received 17 Oct 2016

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

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule comes into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	05	
Application No:	14/05836/FUL	
Site Location:	Land Rear Of Yearten House, Water Street, East Harptree, Bristol	
Ward: Mendip	Parish: East Harptree	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 8 dwellings and access.	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Housing Development Boundary, SSSI - Impact Risk Zones, Water Source Areas,	
Applicant:	John Sainesbury & Co.	
Expiry Date:	28th February 2017	
Case Officer:	Christine Moorfield	

DECISION Delegate to Permit subject to Section 106

Item No:	06
Application No:	16/05256/FUL
Site Location:	Avalon House, Fosseway, Dunkerton, Bath
Ward: Bathavon West	Parish: Dunkerton & Tunley Parish Council
LB Grade: N/A	
Application Type:	Full Application
Proposal:	Erection of wall and feather edged panelling fence between pillars following removal of old fence (Retrospective) (Resubmission)
Constraints:	Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Contaminated Land, Forest of Avon, Greenbelt, SSSI - Impact Risk Zones,
Applicant:	Mr Nathan McKenna
Expiry Date:	18th January 2017
Case Officer:	Robert Warren

DECISION REFUSE

1 The height and scale of the fence has an overbearing impact on the street scene and the materials are out of context with the character and appearance of the surrounding area. The proposed development is therefore considered to be contrary to saved policies D.2 and D4 of the Bath and North East Local Plan, 2007 and contrary to policies D.1, D.2 and D.6 of the Draft Placemaking Plan, 2015.

2 The fence and wall by reason of its siting, scale and appearance does not respect or complement the existing dwelling to the detriment of visual amenity. The development is therefore contrary to saved policies D.2, D.4 of the Bath and North East Local Plan, 2007 and contrary to Policies D.1 and D.2 of the Draft Placemaking Plan, 2015.

PLANS LIST:

This decision relates to drawings, Fence Elevations, Footpath/Road Level Elevations and Site Location Plan received on the 25th October 2016.

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

Item No:	07	
Application No:	16/04535/FUL	
Site Location:	33 Parklands, High Littleton, Bristol, Bath And North East Somerset	
Ward: High Littleton	Parish: High Littleton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a dwelling following demolition of the outbuilding	
Constraints:	Affordable Housing, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Housing Development Boundary, SSSI - Impact Risk Zones,	
Applicant:	Mr Tiley	
Expiry Date:	20th January 2017	
Case Officer:	Samantha Mason	

Defer for site visit - to allow Members to understand the context of the site