

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

4th July 2012

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

ITEMS FOR PLANNING PERMISSION

Item No.	Application No:	Address:
02	12/00879/FUL	Paulton Engine Hanham Lane Paulton

Representations

Local resident Objects on the grounds that the proposals are contrary to the Core Strategy, Community Plan and Village Design Statement and it would not enhance this landscape Character Area.

Local resident Objects on the grounds of increased traffic using the lane that leads to the site.

Local resident Very concerned about construction traffic access; proposals are too big and overpowering and unnecessary; queries why parking is required for 12 cars; there is no need for holiday cottages.

Local resident Objects on the grounds that the access is inadequate; decline in wildlife that has already happened following clearance of vegetation on the site; precedent set by holiday cottages; overlooking from holiday cottages; oppressive feel and design of garage/studio/workshop; but does not object to renovation of existing house.

Consultation Responses

Environment Agency In response to further information supplied by the applicant, continues to recommend conditions to address the potential contamination at the site and drainage

Council's Contaminated Land Officer Has received further information from the applicant, but continues to recommend that any permission be the subject of conditions to address land contamination. Also expresses concern about how the proposed waste mound could be protected from disturbance by future residents.

Council's Archaeologist Following pre-application discussions, it was anticipated that a suitably qualified and experienced industrial archaeologist to prepare an archaeological assessment and strategy for the site. The submitted statement does not give sufficient confidence that the impact of the proposed development has been adequately assessed or mitigated.

A pre-determination desk-based archaeological assessment is carried out to assess all the known historic assets on the site, the likely impact of the proposed development, and a proposed mitigation. In the absence of such a study, recommend refusal.

Council's Ecologist Objects on the basis that the submitted ecology reports:

- do not address the habitat regulations;
- the proposals do not consider how bat roosts could be provided within the existing buildings occupied by bats; and
- it is unclear whether the proposed bat mitigation measures meet good practice guidelines.

Appropriate mitigation and details of mitigation are needed prior to a planning consent, to demonstrate that favourable conservation status can be maintained and the mitigation proposals can be achieved within the scheme.

Also notes that there is a high population of grass snakes and a reptile method protection statement will be required.

The proposals should demonstrate that the water course and adjoining habitat used by otters will not be disturbed and will be protected.

Planning Officer

The key additional matters arising from the above are those of the site's archaeology and ecology.

The Committee Report suggests that the impact of the development on the site's archaeology could be addressed by planning conditions or a s106 agreement. However, in the context of the Council's Archaeologist's comments, an additional reason for refusal is recommended on the basis that the proposals do not adequately address the requirements of Policy BH.12:

5. The submitted archaeological evaluation fails to adequately assess the significance of the site's archaeology and the impact of the proposals on that archaeology. In the absence of this information, the proposals do not adequately demonstrate whether they would avoid harm to important archaeological remains or their setting or whether any adverse impacts can be mitigated. The proposals are therefore contrary to saved policy BH.12 of the Bath and North East Somerset Local Plan.

On the issue of ecology, Local Plan policy NE.10 states that development that would adversely affect, directly or indirectly, species which are internationally or nationally protected or the habitat of such species will not be permitted. In the context of the Council's Ecologist's comments, the proposals fail to adequately address the Habitat Regulations and whether the proposals would adversely affect, directly or indirectly, the bats that use the site. It is therefore recommended that the following additional reason for refusal be included:

6. The submitted ecology surveys and other information fail to demonstrate that the proposals are for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest and that there is no satisfactory alternative to the mitigation measures proposed. They do not therefore meet the requirements of the Habitat Regulations.

Item No.
03

Application No:
12/01653/FUL

Address:
The Beacon,
Mount Beacon,
Beacon Hill
Bath

Updates:

1. A revised ecology report has been submitted to the Council since the application was referred to the Development Control Committee. The Council's Ecologist has confirmed that the details of this report are acceptable and consequently the second reason for refusal can now be omitted.
2. An objection to the application has been received from the Bath Preservation Trust raising concern in relation to the impact of the development on the Bath World Heritage Site and the Bath Conservation Area. Please see below.

Bath Preservation Trust Comments:

We note that the following application is being decided by the DCC on the 4th July - please can Members be made aware of the following objection from Bath Preservation Trust.

12/01653/FUL - The Beacon, Mount Beacon, Beacon Hill, Bath

Erection of new dwelling within existing domestic curtilage with refurbishment of existing garage building

OBJECT Whilst we do not object to the development of a contemporary building the Trust objects to this planning application. The inappropriate rectangular form, design, scale massing, and excessive amount of glass proposed would be incongruous and visually intrusive and harmful to the coherence and integrity of Bath's townscape, which in this location follows the contours of the hillsides. The excessive amount of glass and elevated siting would emit light and reflection from the building. This would impact on views across the city and have a harmful impact on the low lit eighteenth century townscape and the special qualities of the World Heritage Site

The proposed building would fail to preserve or enhance the character and appearance of the Bath Conservation Area or make a positive contribution to Bath's townscape and local distinctiveness, and would have a harmful impact on the special qualities of the Bath World Heritage site. The proposal therefore fails to comply with Policy D2, D4, BH1 and BH6 of the B&NES Local Plan, the NPPF and the Planning (Listed Buildings & Conservation Areas) Act

1990 and should be refused.

Item No. 04	Application No: 12/00787/FUL	Address: Farleigh House 17 Bath Road Peasedown St. John Bath
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Applicant

Wishes to improve the footpath for the benefit of the community using it, for their own security and to allow some additional garden space for the “new build”.

The path is used late at night and is subject to littering, noise, disturbance and other anti social behaviour from the users of the path.

The existing and previous boundary fences have been the subject of vandalism and graffiti.

Much rubbish has already been removed from this area of land by the applicant.

Planning Officer

In respect to the “new build” referenced by the applicant, outline planning permission and reserved matters approval have been granted to develop a new detached house on the land in the applicant’s ownership to the south of Farleigh House under the references 08/01167/OUT and /10/02781/RES. A new 1.8m close boarded timber fence is to be erected along the east boundary of the site of the new dwelling adjacent to this application site, with a new beech and hawthorn hedge planted on the inside of that fence.

Item No. 05	Application No: 12/01597/FUL	Address: Breach Farm Lower Bristol Road Clutton
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Applicant’s Agent

Disputes the volume figures that are set out in the Committee Report and states that the increase in volume is only approximately 40%.

Planning Officer

The current house has previously been extended by the addition of an annex in 1991. The volume calculations have been reviewed in the context of the figures provided by the applicant’s agent and:

- the volume of the “original” dwelling (including the lean- to at the rear) is approximately 448 cubic metres;
- the annex extension was developed following the demolition of a previously existing outbuilding that the applicant states had a volume of 138 cubic metres

(although there are no plans of the previously existing outbuilding available, it is clear that an outbuilding was previously demolished to accommodate the annex that now exists);

- the volume of the original dwelling and outbuilding would therefore have been approximately 586 cubic metres;
 - the annex extension has a volume of approximately 242 cubic metres;
 - the lobby extension that was developed with the annex has a volume of approximately 54 cubic metres (the applicant's agent suggests that this lobby formed part of the original dwelling, but the previously approved plans appear to show that the lobby was developed as part of the annex extension);
 - the overall net increase in volume created by the annex and lobby extension (allowing for the demolition of the outbuilding) was therefore 158 cubic metres;
 - the net increase in volume of the proposed extension that is the subject of this application (taking account of the lean-to that will be demolished) is approximately 170 cubic metres;
 - the increase in the volume of the original dwelling is therefore approximately 328 cubic metres;
 - as a proportion of the original dwelling, this represents an increase in volume of about 55%, rather than the 67% stated in the Committee Report.
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