

**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**21st November 2012**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	12/00293/FUL	
<b>Site Location:</b>	The Wharf, Greensbrook, Clutton, Bristol	
<b>Ward:</b> Clutton	<b>Parish:</b> Clutton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 15no dwellings following demolition of existing workshop and stone shed	
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Forest of Avon, Tree Preservation Order,	
<b>Applicant:</b>	Mr Jeffrey Bromilow	
<b>Expiry Date:</b>	17th May 2012	
<b>Case Officer:</b>	Gwilym Jones	

**DECISION**

1 (A) Authorise the Planning and Environmental Law Manager to secure an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure:

i). The provision of 5 dwellings as affordable homes comprising:

Social Rent

2 x 1 bed flats

1 x 2 bed house

1 x 3 bed house

Shared Ownership

1 x 3 bed house

ii). A financial contribution of £6037.51 towards improvements to pedestrian facilities and/or traffic management in the village of Clutton.

iii). A financial contribution of £16,313.51 towards Primary School Places and Youth Services.

(B) Upon completion of the Agreement authorise the Development Manager to PERMIT the application subject to the following conditions:

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

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

3 No 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 details so approved.

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

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

Reason: To ensure the safe operation of the highway.

5 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., together with complimentary bus tickets for each household member to encourage residents to try public transport. The content of such packs shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

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

Reason: In the interests of amenity and highway safety.

7 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include (but not limited to) the pre and post construction hard standing areas calculations; the pre and post construction discharge rates from the site; details of surface water discharge points; a site layout drawing with details of suds features and the overall drainage strategy; how potential pollution from the site will be removed and controlled. Any drainage calculations carried electronically should be submitted in an electronic format.

Reason: In the interests of highway safety.

8 All houses in the development shall be designed to achieve level 3, or better, of the Code for Sustainable Homes.

Reason: To ensure that the development is constructed as specified in the application and to secure the sustainable development of the site.

9 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
  - (c) human health,
  - (d) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - (e) adjoining land,
  - (f) groundwaters and surface waters,
  - (g) ecological systems,
  - (h) archaeological sites and ancient monuments;
- (i) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10 Where required 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14 Prior to commencement of development an intrusive site investigation survey of the site shall be undertaken in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority.

In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these works shall be undertaken prior to commencement of development.

Reason: Coal mining legacy potentially poses a risk to the proposed development and intrusive site investigation works are required to establish the impact on the safety and stability of the proposed development and the need, if required, for remedial works.

15 No development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and details within that implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaway and surface water drainage locations and movement of people and machinery.

Reason: To ensure that no excavation, tipping, burning, storing of materials or any other activity takes place which would adversely affect the trees to be retained.

16 No development activity shall commence until the protective measures as stated in the approved Detailed Arboricultural Method Statement are implemented. The local planning authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place and available for inspection.

Reason: To ensure that the trees are protected from potentially damaging activities.

17 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority. A signed certificate of compliance shall be provided to the local planning authority on completion.

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

18 No development shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

- (i) Finalised details of badger mitigation including findings of pre-commencement checks for new badger activity; mapped location and specifications for fencing; confirmation that fencing is in place; details of licence application
- (ii) Details of proposed street lighting and external lighting demonstrating retention and provision of dark corridors to enable continued passage across the site and use of the site and adjacent woodland edge by bats for commuting and foraging
- (iii) Specifications and location for bat roost provision to be shown on soft landscape scheme

(iv) Specifications and location for reptile mitigation to be shown on soft landscape scheme

(v) Details to be incorporated into soft landscape scheme of wildlife-friendly and native species planting, including boundary planting, to maximise wildlife benefit and minimise impacts of the development on ecological value on adjacent land

(vi) Details of ecological enhancements as appropriate

All works within the scheme shall be carried out in accordance with the approved details, unless otherwise approved in writing by the local planning authority. The works shall be carried out prior to the occupation of any part of the development.

19 No development shall commence until details of the proposed: estate road(s); footways; footpaths; verges; junctions; street lighting; sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays; accesses; carriageway gradients; drive gradients; car parking; street furniture and programme of implementation shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out other than in accordance with the approved details and programme of implementation without the prior written approval of the Local Planning Authority.

Reason: In the interests of highway safety.

20 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.

21 No development shall be commenced until a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

22 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 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.

## **PLANS LIST:**

L100, L101, L102, L103 Rev.B, L105, L106 Rev. G, L107 Rev. B, L109, L110, L111, L112, L115, sk 32 Rev. B, sk 35 Rev.A, HT 5-1 Rev. A, HT 5-2 Rev. A, HT 7-1 Rev. A, HT 7-2 Rev. A, HT 8 Rev. A, HT 8-2, HT 15 Rev. A, HT 19, HT 25-1, HT 25-2, HT 26, HT 26b, HT 28, A201.

## **REASONS FOR APPROVAL**

The decision to recommend approval has taken account of relevant policies set out in the Development Plan and adopted Supplementary Planning Documents and the National Planning Policy Framework. The decision has also been taken into account other material considerations including emerging policy set out in the Draft Core Strategy and the responses from statutory consultees and other interested parties.

The proposed development is located outside the Housing Development Boundary as defined in the adopted Bath and North East Somerset Local Plan (including minerals and waste policies) 2007 and therefore contrary to policy HG.4 (Residential development in the urban areas and R.1 settlements) of the Local Plan and to policy RA1 of the Draft Core Strategy (Development in the villages meeting the listed criteria). However this is outweighed by guidance set out in the National Planning Policy Framework in respect of promoting sustainable development and ensuring an adequate supply of land for housing.

Subject to conditions and a s.106 agreement secured in accordance with policies IMP.1 (Planning obligations), by virtue of site area and number and tenure mix of the proposed dwellings the development is in accordance with policy HG.8 (Affordable housing on allocated and large windfall sites) and CF.3 (Contributions from new development to community facilities) of the Local Plan. It is considered that the scale, layout and design of the proposed buildings is acceptable and would not materially affect the amenities of the neighbours in accordance with Policy D.2 (General design and public realm considerations) and D.4 (Townscape considerations). Subject to implementation of measures to safeguard trees and protected species the development is in accordance with policies NE.4 (Trees & woodland conservation), NE.10 (Nationally important species and habitats) and NE.11 (Locally important species and habitats). The site adjoins the Green Belt however by virtue of the siting, design and materials of the development it will not be visually detrimental to the Green Belt nor impact negatively on its openness in accordance with policy GB2 (Visual amenities of the Green Belt). The proposed site access and layout is considered acceptable and subject to a planning obligation in respect of improvements to pedestrian facilities and/or traffic management the development is in accordance with Policy T.24 (General development control and access policy) of the Local Plan. Subject to site investigations (and, if required, mitigation and remediation) the development is in accordance with policies ES.14 (Unstable land) and ES.15 (Contaminated Land) of the Local Plan.

### **Advice Note:-**

The applicant is advised that the existing railway weighbridge and associated building currently on the site should be dismantled in a manner suitable for its relocation and reassembly on another site. Prior to dismantling the weighbridge and building should be

made available for inspection by a railway heritage organisation (such as the North Somerset Heritage Trust) and, if they so request, it is made available to them for removal to another site.

<b>Item No:</b>	02	
<b>Application No:</b>	12/00722/OUT	
<b>Site Location:</b>	Land Rear Of Holly Farm, Brookside Drive, Farmborough, Bath	
<b>Ward:</b> Farmborough	<b>Parish:</b> Farmborough	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application	
<b>Proposal:</b>	Residential development comprising 35 dwellings with associated access, car parking and landscaping (Resubmission)	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenfield site, Housing Development Boundary, Public Right of Way, Safeguarded Land,	
<b>Applicant:</b>	Blue Cedar Homes	
<b>Expiry Date:</b>	13th June 2012	
<b>Case Officer:</b>	Tessa Hampden	

**DECISION:** Authorise the Development Manager to permit subject to a S106 agreement and appropriate conditions.

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

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

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

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

3 No development shall take place until a Detailed Arboricultural Method Statement with Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority and details within that implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an Arboricultural Consultant and provision of site visit records and certificates of completion. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, location of site office, service run locations including soakaways, locations and movement of people and machinery.

Reason: To ensure that trees to be retained are not adversely affected by the development proposals

4 No development activity shall commence until the protective measures as stated in the approved Arboricultural Method Statement are implemented. The local planning authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place and available for inspection.

Reason: To ensure that the trees are protected from potentially damaging activities.

5 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the local planning authority.

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

6 The development hereby permitted shall be carried out only in accordance with the recommendations and ecological mitigation measures described in the approved Ecological Appraisal Malford Environmental Consulting dated 8th February 2012 or any amendment to the Appraisal, as approved in writing by the Local Planning Authority.

7 Before the access hereby permitted is first brought into use the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge along the centre line of the access onto Brookside Drive and points on the carriageway edge 17m to the south and 43m to the north of the centre line of the access shall be cleared of obstruction to visibility at and above a height of 150mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highway safety.

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

Reason: To ensure the safe operation of the highway.

9 No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

10 Finished floor levels should be set no lower than 300 mm above surrounding ground level.

Reason: To protect the development from flooding.

11 The hedgerows as marked on the 'concept plan' or as otherwise agreed in writing by the Local Planning Authority shall be retained in perpetuity. In the event that they die or become seriously damaged or diseased they shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority.

Reason: To safeguard the rural character of the area

12 No 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 details so approved.

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

13 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must 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). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works

and site management procedures. The scheme must 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.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in any approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 15.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17 No materials arising from the demolition of any existing structure(s), the construction of the new dwelling, nor any material from incidental works shall be burnt on the site.

Reason: In the interests of neighbouring amenity

18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

19 No development shall be commenced until a hard and soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority, such a scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences and other boundary treatment and finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; details of the surface treatment of the open parts of the site; and a programme of implementation.

Reason: To ensure the provision of an appropriate landscape setting to the development.

20 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 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.

#### 21 PLANNING PERMISSION FOR SHOP

22 The development hereby permitted shall be carried out only in accordance with the recommendations and ecological mitigation measures described in the approved Ecological Appraisal Malford Environmental Consulting dated 8th February 2012 or any amendment to the Appraisal, as approved in writing by the Local Planning Authority

23 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:**

#### REASONS FOR GRANTING APPROVAL:

1 The proposed development is considered to be acceptable in principle. Although the development is not within the Green Belt, policy GB1 applies. There are considered to be very special circumstances which allow for a departure from the normal policies of constraint. As in this case, the Council cannot show a five-year supply of deliverable housing sites the relevant housing supply policies should not be considered up-to-date. Planning permission should therefore be granted for this sustainable development as there are not considered to be any adverse impacts which would significantly and demonstrably outweigh the benefits An acceptable access is to be provided for the development and the scheme is not considered to result in significant harm to highway safety. Although there are concerns with the indicative layout, the concerns can be addressed at reserved matters stage. The development is not considered to result in an increase in flooding, or significantly harm residential amenity. Subject to a satisfactory

design, siting and scale, it is considered that the development will integrate successfully with the surrounding area.

2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the

Policies set out below at A.

A.

IMP1, D2, D4, ET7, GB1, GB2, CF1, CF2, SR1A, SR3, S9, ES14, HG1, HG7, HG8, HG10, NW1,

NE4, NE10, NE11, NE12, BH12, T1, T25, T26, of the Bath & North East Somerset Local Plan

including minerals and waste policies - adopted October 2007.

The developer is advised to contact the development engineer Peter Weston (01225 522157) at Wessex Water to discuss the options above to ensure that the layout of the on site sewers meet existing and imminent legislation

<b>Item No:</b>	03	
<b>Application No:</b>	12/01882/OUT	
<b>Site Location:</b>	Parcel 0006, Maynard Terrace, Clutton, Bristol	
<b>Ward:</b> Clutton	<b>Parish:</b> Clutton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Outline Application	
<b>Proposal:</b>	Erection of 36no. dwellings and associated works (revised resubmission)	
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Housing Development Boundary, Public Right of Way,	
<b>Applicant:</b>	Somer Community Housing Trust	
<b>Expiry Date:</b>	30th July 2012	
<b>Case Officer:</b>	Richard Stott	

**DECISION** Committee resolved to refuse planning permission but due to paragraph 6 of Member and Officer Conduct/Roles protocol being invoked the application will be reconsidered at the next meeting of committee.

The reasons for refusal as moved by members are as follows:-

The proposed development of this site, located in the countryside outside of any housing development boundary, remote from services and employment opportunities, and poorly served by public transport, is contrary to the principles of sustainable development and would be likely to result in unsustainable transport movements in the private car. Due to the size of the site and the inclusion of market housing, it cannot be classified as a rural

exception site. The proposed development is considered to be contrary to Policies T.1, HG.4 and HG.9 of the Bath and North East Somerset Local Plan (including minerals and waste policies) adopted October 2007, Policy 1 of the Bath and North East Somerset, Bristol, North Somerset and South Gloucestershire Joint Replacement Structure Plan, and contrary to the National Planning Policy Framework, which seek to facilitate the use of sustainable modes of transport.

2 Inadequate details have been submitted to enable the Local Planning Authority to fully assess the potential impact on nationally and internationally protected species, locally important species and flora and proposed mitigation, therefore the development is contrary to Policies NE.9 and NE.12 of the Bath and North East Somerset Local Plan (including minerals and waste policies) adopted October 2007.

## PLANS LIST:

This Decision Relates To The Following Documents:

Arboricultural Method Statement, Design & Access Statement, Drainage Strategy, Ecology And Protected Species Survey, Flood Risk Assessment, Housing Statement, Landscape & Visual Report, Phase 1 Geo environmental Assessment, Planning Statement, Preliminary Utility Study, Statement Of Community Involvement And The Transport Assessment Date Stamped 30th April 2012, The Transport Assessment Addendum Date Stamped 30th May 2012, The Preliminary Ecological Appraisal Date Stamped 27th June 2012, The Highway Safety Audit Date Stamped 9th July 2012 And The Mining Survey Report Date Stamped 2nd August 2012

This Decision Relates To The Following Drawings:

Site Location Plan, Tree Protection Plan, Proposed Layout Sections And Indicative Street Scenes Date Stamped 30th April 2012 And Drawings 00756 Rev. A - Mining Record Survey And 00758 Rev. A - Mining Record Survey Section A - A Date Stamped 2nd August 2012

<b>Item No:</b>	04	
<b>Application No:</b>	12/00879/FUL	
<b>Site Location:</b>	Paulton Engine, Hanham Lane, Paulton, Bristol	
<b>Ward:</b> Paulton	<b>Parish:</b> Paulton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Extension and alteration of existing 3 bed house to provide 2 further bedrooms and dining room and demolition of 1960s single storey bathroom extension; reconstruction of roofless outbuilding to provide garage, workshop & studio over; erection of pair of semi-detached 2-bed holiday cottages; repair of derelict pigsties to provide potting sheds with bat loft; rebuilding of derelict stable; roofing & repair of 2	

	walls as open woodshed; lean-to greenhouse to replace kennels; rubbish clearance within site and landscape improvements.
<b>Constraints:</b>	Agric Land Class 1,2,3a, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Public Right of Way, Sites of Nature Conservation Imp (SN),
<b>Applicant:</b>	Jonathan & Shelagh Hetreed
<b>Expiry Date:</b>	22nd June 2012
<b>Case Officer:</b>	Andrew Strange

**DECISION** Authorise the Development Manager to permit subject to S106 agreement and appropriate conditions

<b>Item No:</b>	05
<b>Application No:</b>	12/02315/FUL
<b>Site Location:</b>	Saltford Golf Club, Golf Club Lane, Saltford, Bristol
<b>Ward:</b> Saltford	<b>Parish:</b> Saltford <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Change of use of land and extension of existing golf course to create new golf academy, including contouring and landscaping, erection of a driving range building, provision of a car park and installation of ground level flood lighting to driving range.
<b>Constraints:</b>	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt,
<b>Applicant:</b>	Saltford Golf Club
<b>Expiry Date:</b>	1st October 2012
<b>Case Officer:</b>	Daniel Stone

**DECISION** Delegate to permit subject to conditions

**PLANS LIST:** This decision relates to drawings:

- Proposed Site Local Plan
- Proposed Landform Levels - Drawing SGC-DRAC-D1-Rev H
- Proposed Access - Drawing SGC - PA-Rev H
- Lighting proposals - Golf Range Lighting - design ref UKS7628/6
- Proposed Driving Range Building - Drawing 001
- Proposed Sections - in front of residential house
- Proposed Section B-B
- Proposed Sections C-C
- Proposed Sections D-D

- Archaeological Desk Based Assessment - Eaton Archaeological Services
  - Abacus Technical Report Ref: UKS7628/4 - Proposed Golf Club Lighting
  - Protected Species Survey - Country Contracts
  - Reptile / Amphibian survey - Country Contracts
  - Flood Risk Assessment - DJP Consulting Engineers
  - Photograph of example driving range building
  - Arboricultural Assessment - Tim Pursey
  - Schedule of photographs
  - Design and Access Statement
  - Construction Management Plan
- Survey of Existing site - drawing SGC-DRAC-OGL

<b>Item No:</b>	06
<b>Application No:</b>	12/02906/FUL
<b>Site Location:</b>	11 Mount Beacon, Beacon Hill, Bath, Bath And North East Somerset
<b>Ward:</b> Lansdown	<b>Parish:</b> N/A <b>LB Grade:</b> II
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Erection of a single dwelling and associated works.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, World Heritage Site,
<b>Applicant:</b>	Mr Max Woodward
<b>Expiry Date:</b>	26th September 2012
<b>Case Officer:</b>	Jonathan Fletcher

## DECISION PERMIT

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

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

2 No development shall commence until a sample panel of all external walling and roofing materials has been erected for inspection on site and approved in writing by the Local Planning Authority. Thereafter the sample panel shall be kept on site until the development is completed and the development shall be carried out in accordance with the approved details.

Reason: To safeguard the setting of the adjacent listed buildings and the character and appearance of the conservation area.

3 No development shall commence until joinery details at a scale of 1:2 have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To safeguard the setting of the adjacent listed buildings and the character and appearance of the conservation area

4 No development shall be commenced on site until a soft landscape scheme has been first submitted to and approved in writing by the Local Planning Authority showing details of all trees, hedgerows and other planting to be retained; finished ground levels; a planting specification to include numbers, density, size, species and positions of all new trees and shrubs; and a programme of implementation. This landscape scheme shall include details of a boundary treatment to the south side of the application site and a new boundary treatment to the east to subdivide the residential curtilage.

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

5 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 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.

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

Reason: In the interests of amenity and highway safety.

7 The gates to the vehicular access shall be of a remotely operated type, the details of which shall have been submitted to and approved in writing by the Local Planning Authority, and the gates shall be in operation prior to the dwelling being occupied.

Reason: In the interests of highway safety.

8 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:**

J024448\_1, existing site plan and 103 received 02 July 2012.

101e received 05 October 2012.

102f, 104f and 105g received 05 November 2012.

#### REASONS FOR GRANTING APPROVAL

1. New residential development is acceptable in principle in this location. The proposal would preserve the setting of the adjacent listed buildings and the character and appearance of the conservation area. The proposal would not have an adverse impact on highway safety. The proposal would maintain the residential amenity of adjacent occupiers.
2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A

BH.1, BH.2, BH.6, HG.4, T.24, T.26, D.2 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

<b>Item No:</b>	07	
<b>Application No:</b>	12/03325/FUL	
<b>Site Location:</b>	489B Bath Road, Saltford, Bristol, Bath And North East Somerset	
<b>Ward:</b> Saltford	<b>Parish:</b> Saltford	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Change of use to restaurant and takeaway (Use Class A3/A5) to include extension in rear courtyard and new shopfront (resubmission).	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary, Local Shops,	
<b>Applicant:</b>	Mrs Rachael Ashbee	
<b>Expiry Date:</b>	24th September 2012	
<b>Case Officer:</b>	Jonathan Fletcher	

#### DECISION PERMIT

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

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

2 No development shall commence until details of the odour controls to be implemented have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and amenity.

3 The development hereby permitted shall not be occupied until the sound attenuation measures set out in section 6.6 of the Ventilation and Extraction Assessment received 30 July 2012 have been implemented. Thereafter these sound attenuation measures shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenity of adjacent occupiers.

4 The use hereby approved shall not be carried on and no customer shall be served or remain on the premises outside the hours of 09:00 to 22:00

Reason: To safeguard the amenities of nearby occupiers.

5 No development shall commence until an operational statement has been submitted to and approved in writing by the Local Planning Authority including details of refuse storage and litter prevention. Thereafter the development shall be operated in accordance with the approved details.

Reason: To safeguard the residential amenity of adjacent occupiers.

6 The parking and turning area shown on drawing no.01 shall be used only by the staff and customers of No's 489, 489A and 489B Bath Road, Saltford

Reason: To ensure that sufficient off-street parking is provided.

7 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:**Site location plan and 01 received 30 July 2012.

#### REASONS FOR GRANTING APPROVAL

1. The proposed change of use would preserve the economic vitality of the Saltford shopping centre. The external alterations and extension would preserve the character and appearance of the host building and the street scene. The proposal would not have an adverse impact on highway safety. The proposal would maintain the residential amenity of adjacent occupiers.

2. The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A

S.8, T.24, T.26, D.2 and D.4 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

<b>Item No:</b>	08	
<b>Application No:</b>	12/03741/FUL	
<b>Site Location:</b>	Hope House, Shaftesbury Road, Oldfield Park, Bath	
<b>Ward:</b> Oldfield	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a two storey side extension and single storey rear extension following demolition of existing car port	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,	
<b>Applicant:</b>	Mr Samuel Ashburner	
<b>Expiry Date:</b>	1st November 2012	
<b>Case Officer:</b>	Tessa Hampden	

## **DECISION PERMIT**

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

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

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

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

3 The proposed first floor window in the east elevation shall be glazed with obscure glass and permanently retained as such.

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

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

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

**PLANS LIST:** Plans: HH001 - 006 date stamped 28th August 2012 and HH012 EDITION 01 date stamped 6th Septmeber 2012

## REASONS FOR GRANTING APPROVAL

1 The development is considered to be of an acceptable scale, design and siting , which would preserve the character and appearance of this building, terrace and the setting of the wider World Heritage Site. There will be no harm to highway safety or residential amenity as a result of this development.

2 The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A.

D.2: General design and public realm considerations

D.4: Townscape considerations

BH.1: Impact of development on World Heritage Site of Bath or its setting.

T.24: General development control and access policy

Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

Bath and North East Somerset Submission Core Strategy (May 2011) is out at inspection stage and therefore will only be given limited weight for development management purposes.

The National Planning Policy Framework was published in March 2012, but is not considered to conflict directly with the above policies.

<b>Item No:</b>	09	
<b>Application No:</b>	12/04102/FUL	
<b>Site Location:</b>	Maylou, 118A Rush Hill Southdown Bath	
<b>Ward:</b> Odd Down	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a two storey extension and a single storey garage extension (revised resubmission)	
<b>Constraints:</b>	Agric Land Class 1, 2, 3a Forest of Avon, Hotspring Protection, World Heritage Site,	
<b>Applicant:</b>	Mrs Rae	
<b>Expiry Date:</b>	22nd November 2012	
<b>Case Officer:</b>	Sasha Coombs	

**DECISION:** Defer consideration to allow Members to visit the site to view the application site within the context of its surroundings