BATH AND NORTH EAST SOMERSET COUNCIL DEVELOPMENT CONTROL 'B' COMMITTEE DEVELOPMENT CONTROL COMMITTEE 13th February 2013 DECISIONS

Item No:	01
Application No:	05/00723/VAR
Site Location:	Hinton Organics Ltd, Charlton Field Lane, Queen Charlton, BS31 2TN
Ward: Farmboroug	h Parish: Compton Dando LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of condition 13 and 16 of Planning Permission: 97/02626/MINW dated 02/12/1998 to allow permanent recycling of cardboard waste and increase in truck movements.
Constraints:	Greenbelt,
Applicant:	Hinton Organics (Wessex) Limited
Expiry Date:	3rd September 2009
Case Officer:	Anthea Hoey

DECISION Defer consideration for three months to enable the applicant to submit further information in connection with the Environmental Statement and to allow members to visit the site

Item No:	02
Application No:	05/01993/FUL
Site Location:	Hinton Organics Ltd, Charlton Field Lane, Queen Charlton, BS31 2TN
Ward: Farmboroug	h Parish: Compton Dando LB Grade: N/A
Application Type:	Full Application
Proposal:	Increase size of concrete storage area and variation of condition 13 of planning permission 97/02626/MINW to accept wood waste.
Constraints:	Greenbelt,
Applicant:	Hinton Organics (Wessex) Ltd
Expiry Date:	3rd September 2009
Case Officer:	Anthea Hoey

DECISION Defer consideration for three months to enable the applicant to submit further information in connection with the Environmental Statement and to allow members to visit the site

Item No:	03
Application No:	11/00022/VAR
Site Location:	Parcel 5319, Charlton Field Lane, Queen Charlton, Bristol
Ward: Farmboroug	h Parish: Compton Dando LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of conditions 13,16 and 19 of permission no. 97/02626/MINW to extend composting operations, increase vehicle movements and permit cardboard and wood recycling (Temporary use of land for 10 years for manufacture of organic green compost as amended by revised drawings received 14th April 1998 at land formerly Queen Charlton Quarry)
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt,
Applicant:	Hinton Organics Ltd
Expiry Date:	2nd March 2011
Case Officer:	Anthea Hoey

DECISION Defer consideration for three months to enable the applicant to submit further information in connection with the Environmental Statement and to allow members to visit the site

Item No:	04
Application No:	12/04932/FUL
Site Location: Somerset	Fir Tree Inn, 140 Frome Road, Radstock, Bath And North East
Ward: Radstock	Parish: Radstock LB Grade: II
Application Type:	Full Application
Proposal:	Erection of 2 no. residential dwellings with associated amenity space and parking.
Constraints:	Agric Land Class 3b,4,5, Coal fields, Forest of Avon,
Applicant:	Mr J Hill
Expiry Date:	15th January 2013
Case Officer:	Heather Faulkner

DECISION Delegate authority to the Development Manager to Permit subject to no new objections being received by 21st February and subject to the following conditions.

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 The area allocated for parking and turning on the submitted plan shall be properly bound and compacted (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning, and thereafter kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

3 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 including the means of outfall shall be submitted to and approved in writing prior to construction.

Reason: In the interests of flood risk management.

4 No dwelling shall be occupied until its associated screen walls/fences or other means of enclosure have been erected in accordance with the approved plans and thereafter retained.

Reason: In the interests of privacy and/or visual amenity.

5 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.

6 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.

7 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 character and appearance of the surrounding area.

8 The development shall not be occupied until the proposed first floor window in the north east side elevation has been glazed with obscure glass and thereafter permanently retained as such.

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

9 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 windows, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the north east side elevation at first floor level or above at any time unless a further planning permission has been granted.

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

10 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:

The development shall be carried out strictly in accordance with the details shown on the following drawings/documents:

Received 8th November 2012 Planning, Design and Access Statement 679/300A Existing Topographical Survey/Site Plan 679/302 Proposed Floor Plans

Received 29th November 2012 Housing Land Supply Assessment

Received 24th December 2012 679/301C Proposed Site Plan 679/303B Existing and proposed street scene 679/304B Proposed front (SE) and Side (NE) Elevations 679/305B Proposed rear (NW) and Side (SW) Elevations 679/306A Site Location Plan and Existing and Proposed Block Plans

REASONS FOR GRANTING APPROVAL

1 The proposed development is contrary to Policy HG.4 of the Local Plan, being located outside any Housing Development Boundary. However the proposals also need to be considered in the light of the NPPF which promotes sustainable development, the importance of boosting significantly the supply of housing and encouraging the effective use of land by re-using previously developed/brownfield land not of high environmental value.

Given the characteristics of this site and its setting and the lack of a five year supply of housing land it is considered that on balance and subject to conditions the proposed development is acceptable. The development is considered not to harm the setting of the adjacent Listed Building or the character of the surrounding area. The development is not considered to have an adverse impact upon highway safety, drainage or residential amenity.

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.

Bath and North East Somerset Local Plan (including minerals and waste policies) adopted October 2007

IMP1 Planning Obligations D2 General design and public realm considerations D4 Townscape considerations CF1 Protection of land and buildings used for commercial purposes CF7 Loss of public houses HG1 Meeting the District housing requirement HG7 Minimum residential density HG10 Housing outside settlements BH2 Listed buildings and their settings BH4 Change of use of a listed building NE14 Flood Risk T1 Overarching Access Policy T24 General development control and access policy T26 On-site parking and servicing provision

The National Planning Policy Framework

Bath and North East Somerset Local Plan (including minerals and waste policies) adopted October 2007

The proposed development is not fully in accordance with the Policies set out below at B, but the planning merits of the proposed development outweigh the conflict with these Policies.

B: HG4 Residential development in the urban areas and R1 settlements of the Bath & North East Somerset Local Plan (including minerals and waste policies) 2007.

Bath and North East Somerset Submission Core Strategy (May 2011)

Decision Taking Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Negotiations have taken place during the application process resulting in revised plans being submitted. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken.

ADVICE NOTE:

Where a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to a planning permission or where a request to discharge conditions is submitted a fee shall be paid to that authority. Details of the fee can be found on the "what happens after permission" pages of the Council's Website. Please send your requests to the Registration Team, Planning Services, PO Box 5006, Bath, BA1 1JG. Requests can be made using the 1APP standard form which is available from the Planning Portal at www.planningportal.gov.uk.

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of the Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Condition Information: The applicant has indicated that surface water will be disposed of via soakaways. Infiltration testing to BRE Digest 365 should be carried out and the soakaway appropriately designed. The results of the testing and the sizing of the soakaways should be submitted as part of an application to discharge the above condition...