

**BATH AND NORTH EAST SOMERSET COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**Site Visits**

**31st July 2013**

**DECISIONS**

<b>Item No:</b>	001	
<b>Application No:</b>	13/01529/FUL	
<b>Site Location:</b>	169 Newbridge Hill, Newbridge, Bath, BA1 3PX	
<b>Ward:</b> Newbridge	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of a 11 bed care home to the rear of the existing care home and associated works	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Tree Preservation Order, World Heritage Site,	
<b>Applicant:</b>	Mr Mehmet Iltas	
<b>Expiry Date:</b>	12th June 2013	
<b>Case Officer:</b>	Sarah James	

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

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

3 No development shall commence until a sample panel of all external walling materials to be used shall be erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed. The panels shall be of a size to be agreed in writing with the local planning authority.

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

4 Plans showing a secure and sheltered parking area (providing for at least 8 cycles) shall be submitted to and approved in writing by the Local Planning

Authority before the development is commenced. This area shall be provided before the development is occupied and shall not be used other than for the parking of cycles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

5 Prior to the occupation of the development a Travel Statement shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the Travel Statement.

Reason: In the interests of sustainable development.

6 No development shall commence until sewage disposal and surface water drainage works have been carried out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure the adequate provision of drainage infrastructure.

7 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.

8 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.

9 No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled

watching brief during ground works on the site, with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

Reason: The site is within an area of significant archaeological interest and the Council will wish to examine and record items of interest discovered.

10 No ground preparation, demolition or construction activity 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 demolition of the existing garage, removal of existing concrete; storage, movement and mixing of materials on site, burning, location of site office, service run locations including soakaway locations and movement of people and machinery.

Reason: To ensure that the protected trees to be retained are not adversely affected by the development proposals and to ensure that the approved method statement is complied with for the duration of the development.

11 No ground preparation, demolition or construction 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.

12 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 lines, mains, pipes, cables or other apparatus shall be installed or laid on the site other than in accordance with drawings first submitted to and approved in writing by the Local Planning Authority.

Reason : To safeguard the existing and proposed trees, vegetation and open spaces on the site.

13 No works or deliveries required to implement this development shall take place outside the hours of 8.00 am and 6.00 pm Monday to Saturday and at no time on Sundays or bank holidays.

Reason : To safeguard the amenity of nearby occupiers.

14 The development hereby approved shall not be used other than for purposes ancillary to the existing nursing home located within the site ('Newbridge Towers') as shown on site location plan drawing P001.

Reason : In the interests of residential amenity of the existing and proposed occupiers and surrounding residents.

15 No development shall commence until details of refuse storage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the refuse storage has been provided in accordance with the details so approved, and thereafter shall be retained solely for this purpose. No refuse shall be stored outside the building(s) other than in the approved refuse store(s).

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

16 The use hereby approved shall not commence until details of proposed extract/ventilation systems have been submitted to and approved in writing by the local planning authority. The system shall thereafter be retained in accordance with the approved details.

Reason : To safeguard the amenities of local occupiers.

17 Prior to commencement of development a detailed external lighting scheme shall be submitted and approved in writing by the Local Planning authority. No external lighting shall be erected other than that approved by virtue of the details submitted by this condition.

Reason : In the interests of residential amenity.

18 No development shall take place until a plan showing existing and proposed ground levels across the site and details of slab levels for the new development has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason : To ensure a satisfactory appearance to the development

#### **PLANS LIST:**

PLANS LIST: 290101-B1-E-010, 011, 012, 013, P - 001, 002, 003, Site - D - 01, 02, 03, 04, Site - P - 001, 002, 010, 011, Site - S 001, 002.

#### **Statement of proactive working**

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. For the reasons given, a positive view of the submitted proposals was taken and permission was granted.

## REASONS FOR GRANTING APPROVAL:

1. 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) BH1, BH6, SC.1, D2, D4, T24, T25, T26, ES.2, ES3, ES.4, ES.5, ES.9, ES12, NE14, BH12, BH22, CF2, CF6

2. The proposed development is considered acceptable in this location. The scheme will provide for a use on site that is locally in demand and would be an acceptable addition to the mix of uses currently in the vicinity. It would provide some local employment. The development would not be visually harmful and would take account of trees within the site so as not to adversely impact upon them. There would be no harm created by traffic. The development would not unacceptably reduce neighbouring amenities.

<b>Item No:</b>	002	
<b>Application No:</b>	13/01163/FUL	
<b>Site Location:</b>	54 High Street, 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>	Erection of a detached two storey dwelling and a new double garage for use by no 54, modification works to retaining walls to create wider entrance and associated works following demolition of existing single garage and stone retaining walls	
<b>Constraints:</b>	Agric Land Class 1,2,3a, British Waterways Major and EIA, Conservation Area, Forest of Avon, Housing Development Boundary,	
<b>Applicant:</b>	Mr Luke Pargeter	
<b>Expiry Date:</b>	10th June 2013	
<b>Case Officer:</b>	Chris Griggs-Trevarthen	

## 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 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 Conservation Area.

3 Provision shall be made within the site for the disposal of surface water, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to construction.

Reason: In the interest of flood risk management.

4 Prior to the occupation of the dwellinghouse hereby approved the means of enclosure separating the garden of No. 54 High Street from the garden of the approved dwellinghouse shall be erected in accordance with details first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of privacy and the character and appearance of the conservation area.

5 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.

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

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 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 fences, gates, walls or other means of enclosure shall be erected or placed within the curtilage of the dwellinghouse hereby approved without a further planning permission being granted.

Reason: To maintain the spaciousness of the site and in the interests of the visual amenity and character and appearance of the conservation area.

8 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 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 to safeguard the amenities of the surrounding area.

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 garages or other free standing buildings shall be erected within the curtilage of the dwelling hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

Reason: The introduction of further curtilage buildings requires detailed consideration by the Local Planning Authority to safeguard the appearance of the development and the amenities of the surrounding area.

10 No development shall commence until a detailed Arboricultural Method Statement in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The statement shall include tree protection measures during site preparation (including clearance, demolition and level changes, taking into account disposal of soil resulting from excavations on site), during construction and landscaping operations. The statement should also include the control of potentially harmful operations such as storage, handling and mixing of materials on site, burning, movement of people, plant and machinery.'

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

11 No development activity shall commence until the protective measures as stated in the 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 protection.'

Reason: To ensure that the trees to be retained are protected from potentially damaging operations.

12 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. Interim Site Inspection Reports and a signed Certificate of Compliance shall be submitted to the Local Planning Authority on completion.

Reason: To ensure that the approved Arboricultural Method Statement is complied with for the duration of the development.

13 The garaging hereby approved shall be retained for the garaging of private motor vehicles associated with the dwelling and ancillary domestic storage and for no other purpose without the prior written permission of the Local Planning Authority.

Reason: To retain adequate off-street parking provision.

14 The area 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 and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety.

15 The development hereby permitted shall not be occupied until the access improvement works shown on the submitted plan have been provided. The visibility splays shall thereafter be maintained free of obstruction at all times.

Reason: In the interests of highway safety

16 No development shall take place until an Ecological Survey and Assessment report together with full details of a Wildlife Protection and Enhancement Scheme produced by a suitably experienced ecologist have been submitted to and approved in writing by the local planning authority. These details shall include:

- (i) Survey and mitigation proposals for the protection of reptiles
- (ii) Survey for habitats and all other wildlife including survey for use of the site by protected species as applicable
- (iii) Details of all necessary wildlife protection and mitigation measures
- (iv) Details of appropriate ecological enhancements

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.



Reason: In the interests of securing an appropriate survey and mitigation measures for protected species which may be on the site and in accordance with policy NE.11 of the Bath and North East Somerset Local Plan (2007).

17 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition, excavation and construction works

Reason: In order to preserve the living conditions of nearby residents and in the interests of highways safety.

18 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

SCA-1214-001

SCA1214-002

SCA1214-003

SCA1214-004

SCA1214-005

SCA1214-006

SCA1214-007

SCA1214-010

SCA1214-011

RF-P-022-100 Revision 01

#### **REASON FOR APPROVAL**

The proposed dwelling, due to its layout, siting, design, form and materials, preserves the character and appearance of the conservation area, does not significantly harm the amenities of adjoining occupiers and does not prejudice highways safety. The proposal is therefore in accordance with policies D.2, D.4, BH.2, BH.6, GB.2, T.24 and T.26 of the Bath and North East Somerset Local Plan (2007) and guidance in the National Planning Policy Framework.

## 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. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted proposals was taken and consent was granted.

## 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](http://www.planningportal.gov.uk).