

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

4th September 2013

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

ITEM 10

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
Site Visit 01	13/02112/FUL	4 Lime Grove Bathwick

REPRESENTATIONS:

COUNCILLOR MARTIN - comments and observations are the same as for the previous plans.

OTHER REPRESENTATIONS / THIRD PARTIES:

6 x objections received (3 from the same property) in relation to the revised drawings, and summarised as;

- There has been a continuing nuisance problem in terms of noise / litter due to the large numbers of occupants in the house
- Over intensive for the given size of the garden and building
- Amended drawings do not in reduce initial concerns: that the conversion is overdevelopment
- Would allow increased numbers of students to be housed
- This will be a house, designed for a single family and within a family-friendly area, which will become occupied by fourteen residents
- Results in a reduction in quality of life for locals
- The property can easily be converted to 3 flats without the need for an elevated extension
- Because of the load on amenities in the Lime Grove area due to the recent construction of 13 properties, no further residents parking should be permitted for No.4.
- Notice the proposal has an Article 4 constraint being an HMO with 12 student lets. As designated by the existing internal layout, these 12 student lets would be utilizing the 9 bedrooms and 3 lounges. It is reasonable for us to have some concerns that the proposed 11 bedrooms and 3 lounges could be used by 14 students.
- This large property has a limited garden size and with such a large number of occupants making use of it there is deterioration in enjoyment of outside space by neighbours.

- Object to this revised planning application because of the poor quality of the drawings and the unacceptable inaccuracies in depictions of the existing situation
- Will cause harmful overbearing impact and loss of light which is unacceptable
- There is no worthwhile reason to convert a top floor window into a door and then stick an iron railing over it to meet safety requirements

CONDITIONS:

- The proposed bathroom window in the north 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.

PLANS LIST:

This decision relates to drawing no's LG.1.A date stamped 20th May 2013 and LG.3C and LG.4C date stamped 9th August 2013.

Item No.	Application No.	Address
05	13/02302/FUL	Oldfield School Kelston Road Newbridge Bath

Additional representation from neighbour concerning highway issues (summarised):

- Previous applications refer to no increase in pupil numbers at the school and previous decisions have been made on this premise
- The school have granted an increase in numbers from 192 to 217 for this coming academic year 2013 as they now have the ability to accommodate the extra intake. The intake was 139 in 2012 so this is an increase of 80 pupils. There was no mention of this in the recent application for the drama block and two extra classrooms.
- The school is now an academy so is outside of BANES control as the admissions authority
- Amendments are always made to the applications after permission has been granted i.e. the sports hall that was passed without being open to the public. Then an amendment is made extending use of the facility to the public with out of hours use. This has had an adverse effect on parking and traffic in the area.

- Concerns over the use of a drama block by the public with audience participation. It will again have an effect on the traffic and the community as the majority of the pupils come from out of the borough.
- Concerns over the increase of pupils on a year on year basis and the knock-on effects on highway safety

Response from Highways Development Officer dated 16/08/13 to these neighbour comments:

“I understand your concerns regarding previous, and proposed, increases in pupil numbers at the school, which I have also raised in previous recommendations. However, in commenting on planning applications I must respond on the basis of the submitted application details, which in the case of the current application, I have been advised would simply replace two classrooms in the PE block to within the new drama block, and the relocated Training Classroom Block would retain the same use in its new position. I understand that the existing drama studio has been condemned, and would therefore not be brought back into use, and on this basis there would not be any additional classroom accommodation as a result, and therefore no additional capacity for more pupils.

I appreciate that these claims have been made previously, and then some increases in pupil numbers have taken place, but on the basis of the information I have received in respect of this current application, there are no grounds for me to raise a highway objection.

Clearly I am only a consultee within the planning process, and the Planning Case Officer will consider all consultation responses, and letters of support and objection, submitted in relation to this application in order to reach a decision, or make a recommendation to committee.

The school has now changed from a girls school to co-educational, but as yet there are no survey results to give any indication if this change has resulted in the changes in travel habits, and needs, that were expected within the Travel Plan, and although I am aware that there have been parking and road safety issues raised, and addressed, over the years, the Area Traffic Engineer has advised that there have been no adverse issues raised since the changes in the school last September.

With regard to your comment on any potential amendment to the use of the drama block by the public, this would clearly be subject to a separate application, and the implications of any proposed additional use would be considered at that time”.

Conclusion:

In light of the Highway Development Officer’s comments it is evident that there is no highways objection to this proposal. Therefore the officer

recommendation remains as the committee report but it is recommended that condition no.2 is amended, and an additional condition is added as referred to below:

Condition no.2:

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 a timetable for the reinstatement of the grassed area and removal of the contractors compound, deliveries to and from the site (including storage arrangements and timings), contractor parking and traffic management.

Reason: To ensure the safe operation of the highway and the appearance of the site.

Condition no 5:

The development hereby permitted shall be carried out only in accordance with the approved Ecological assessment (Arup letter dated 13th May 2013 and Ecological Walkover Assessment August 2011). If at any time when the buildings are dismantled and protected species are found or evidence of protected species are found, all work should cease and an ecologist be contacted to provide advice. The development thereafter shall be carried out in accordance with that advice.

Reason: To secure adequate ecological protection during the course of development.

Item No.	Application No.	Address
01	13/02781/FUL	Rough Ground and Buildings Queen Charlton Lane Queen Charlton

A further 3 letters of objection have been received bringing the total number of objections received to 15.

No new issues were raised.

Item No.	Application No.	Address
Enforcement Item 13	13/00257/UNAUTH	Parcel 2866 Woolley Lane Charlcombe Bath

Woolley Valley – Enforcement Update Report (13/00257/UNAUTH)

Poultry Sheds

An Enforcement Notice requiring removal of the ten poultry sheds was issued on 23 August 2013.

A site inspection on 30 August 2013 confirmed that all units have been removed.

Caravan, shed and dog kennel

Enforcement Notices requiring the removal of these items was issued on 22 July 2013.

A site inspection on 14 August 2013 confirmed that all items have been removed from the site together with the concrete bases (and the skip in which the material was put had also been removed).

The land excavation works to provide the level area for the caravan, shed and dog kennel was completed more than 4 years ago and therefore immune from enforcement action.

Following a review of photographic and other evidence held by the Council it was concluded that the area was laid with hardcore at the same time and therefore the requirement that this area was provided with topsoil and seed was removed from the Notice.

New Planning Applications

Two separate applications have recently been submitted to the Council seeking to regularise the planning position in respect of various works at the site.

1. Certificate of lawfulness for the existing alterations to access and formation of hardstanding and track around existing building - 13/03374/CLEU. Received on 05/08/2013, this is intended to cover those works that are immune from enforcement action i.e. substantially complete more than four years ago.
2. Alterations and extension to existing agricultural building, formation of farm track, construction of stock pond and ancillary works - 13/03358/FUL. Received on 05/08/2013, this is for those items of work that it was not

considered expedient to take enforcement action against at the Development Control Committee meeting on 5th June 2013.

Consultation on these applications started on 21 August 2013.

As yet there is no date for determination of these applications.