

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

23rd October 2013

DECISIONS

Item No:	01	
Application No:	13/02164/OUT	
Site Location:	Horseworld, Staunton Lane, Whitchurch, Bristol	
Ward: Publow And Whitchurch	Parish: Whitchurch	LB Grade: II
Application Type:	Outline Application	
Proposal:	Hybrid planning application for enabling residential development of up to 125 dwellings and associated demolition, highways infrastructure and landscaping works:	
	The outline component comprises up to 118 dwellings including associated demolition, highways infrastructure and landscaping works; and the detailed component comprises the redevelopment of 6 curtilage listed dwellings including associated demolition, highways infrastructure and landscaping works adjacent to the Grade II Listed Staunton Manor Farmhouse	
Constraints:	Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Cycle Route, Forest of Avon, Greenbelt, Housing Development Boundary, Listed Building, Public Right of Way,	
Applicant:	HorseWorld Trust	
Expiry Date:	16th September 2013	
Case Officer:	Daniel Stone	

DECISION Withdrawn from the Agenda

Item No:	02	
Application No:	13/02180/FUL	
Site Location:	Horseworld, Staunton Lane, Whitchurch, Bristol	
Ward: Publow And Whitchurch	Parish: Whitchurch	LB Grade: II
Application Type:	Full Application	
Proposal:	Erection of new visitor centre for the Horseworld charity including associated highways infrastructure, parking provision and landscaping	
Constraints:	Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Public Right of Way,	
Applicant:	HorseWorld Trust	
Expiry Date:	16th September 2013	
Case Officer:	Daniel Stone	

DECISION Withdrawn from the Agenda

Item No:	03
Application No:	13/02121/LBA
Site Location:	Horseworld, Staunton Lane, Whitchurch, Bristol
Ward: Publow And Whitchurch	Parish: Whitchurch LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Conversion of curtilage listed buildings to residential including selective demolition, extensions, internal and external works
Constraints:	Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Cycle Route, Forest of Avon, Greenbelt, Housing Development Boundary, Listed Building, Public Right of Way,
Applicant:	HorseWorld Trust
Expiry Date:	12th August 2013
Case Officer:	Daniel Stone

DECISION Withdrawn from the Agenda

Item No:	04	
Application No:	13/03415/OUT	
Site Location:	Agricultural Haulage Building And Yard, Pinkers Farm, Middle Street, East Harptree	
Ward:	Parish:	LB Grade:
Mendip	East Harptree	N/A
Application Type:	Outline Application	
Proposal:	Erection of 8no. houses and 4no. workshops and provision of a new access road (resubmission).	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Water Source Areas,	
Applicant:	Mr Malcolm Pearce	
Expiry Date:	2nd October 2013	
Case Officer:	Daniel Stone	

DECISION Defer consideration to allow members to visit the site to assess the site, surroundings and road network.

Item No:	05		
Application No:	13/01038/FUL		
Site Location:	56 Stonehouse Lane, Combe Down, Bath, Bath And North East Somerset		
Ward:	Combe Down	Parish:	N/A
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of 3no dwellings with two garages and amendments to existing access drive		
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, Water Source Areas, World Heritage Site,		
Applicant:	Mrs Wendy Parfitt		
Expiry Date:	23rd May 2013		
Case Officer:	Alice Barnes		

DECISION Authorise Development Manager to Permit subject to S106 agreement

A. Authorise the Planning and Environmental Law Manager to enter into a Section 106 Agreement to cover the following;-

1) £18,360.93, for school places

B. Subject to the prior completion of the above agreement, authorise the Development Manager for Planning and Transport Development to PERMIT 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 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.

3 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 water 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.

4 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 water 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.

5 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 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 water 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.

6 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 3, and where remediation is necessary a

remediation scheme must be prepared in accordance with the requirements of condition 4, 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 5.

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 water 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.

7 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the Local Planning Authority 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 water 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.

8 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.

9 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.

10 Before the dwellings hereby approved are first occupied, the works to the junction outlaid on plan 2529-01 with Stonehouse Lane shall have been carried out in accordance with the approved plan.

Reason: In the interests of highway safety.

11 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, hours of working and traffic management.

Reason: To ensure the safe operation of the highway.

12 No works shall be commenced until an Arboricultural Method Statement in accordance with BS5837:2012 detailing the proposed 'No-Dig' construction of the proposed access drive has been submitted and approved in writing by the Local Planning Authority.' The development shall thereafter be carried out in accordance with the details so approved.

Reason: To protect tree to be retained on the southern edge of the access track and trees located in neighbouring properties

13 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
Site plan 01 C
Site survey 001
Plots 1 and 2 02 B
Plot 3 03 A
Site sections existing and proposed 05 B
Site section BB 06 A

Advise note:

The applicant should be advised to contact the Highway Maintenance Team on 01225 394337 with regard to securing a licence under Section 184 of the Highways Act 1980 for the extension of the existing vehicular crossing. The access shall not be brought into use until the details of the access have been approved and constructed in accordance with the current Specification.

No materials arising from the demolition of any existing structures, the construction of new buildings nor any material from incidental and landscaping works shall be burnt on the site.

The developer shall comply with the BRE Code of Practice to control dust from construction and demolition activities (ISBN No. 1860816126). The requirements of the Code shall apply to all work on the site, access roads and adjacent roads.

The requirements of the Council's Code of Practice to Control noise from construction sites shall be fully complied with during demolition and construction of the new buildings.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the revised proposals was taken and consent was granted.

Item No:	06
Application No:	13/03309/FUL
Site Location:	63 Warminster Road, Bathampton, Bath, Bath And North East Somerset
Ward: Bathavon North	Parish: Bathampton LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of replacement dwelling following demolition of existing dwelling (Revised proposal).
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Housing Development Boundary,
Applicant:	Mr Mock
Expiry Date:	26th September 2013
Case Officer:	Chris Griggs-Trevarthen

DECISION Deferred to negotiate alterations to design of proposal.

Item No:	07
Application No:	12/05126/VAR
Site Location:	Beechen Cliff School, Kipling Avenue, Bear Flat, Bath
Ward: Widcombe	Parish: N/A LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of condition 5 of application 11/00573/VAR (Variation of condition 3 of application 10/00540/FUL in order to substitute submitted sports lighting report/assessment with a new lighting proposal (Provision of a synthetic pitch to replace existing sports pitch and an additional 5-a-side synthetic sports pitch; both with sports fencing and lighting.))
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, World Heritage Site,
Applicant:	Beechen Cliff School
Expiry Date:	17th January 2013
Case Officer:	Richard Stott

DECISION PERMIT

1 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.

2 The development hereby permitted shall be carried out in accordance with The Institute of Lighting Engineers Guidance note 1 (ILE GN01) and the details set out in the Report on the Changes to the External Sports Pitch Lighting by Jones King dated November 2012.

Reason: To minimise the impact of light from the development on occupiers of nearby properties in the interests of residential amenity.

3 The sports lighting hereby permitted shall not be operated after 21:00 hours Monday to Friday and 18:00 hours on Saturday, Sunday and Bank Holidays.

Reason: In the interests of residential amenity.

4 Prior to the use of the pitches until the later time of 21:00 hours coming into effect, the floodlights shall be adapted to operate independently between the two pitches and automatic timer switches shall be installed on the lights on MUGA pitch 1 to ensure 50% of the lights are switched off after 18:00 hours. Within one month of the adaptations being carried out, confirmation of compliance shall be submitted to the Local Planning Authority.

Reason: In the interests of residential and visual amenity.

5 The lighting levels of MUGA pitch 1 shall not exceed the average lighting levels set out in the Design and Access Statement dated November 2012. Within 6 months of the new

lights coming into use the applicant shall submit an update assessment to the Local Planning Authority to demonstrate that a lower level of lighting and light glare has been achieved.

Reason: In the interest of ecology and in order to minimise light spill into the local woodland

6 The flood lights shall not be used until the later time of 21:00 hours (in accordance with condition 3 of application 12/05126/VAR) until a comprehensive management plan detailing the way in which the pitches will be made available to the community has been submitted to, and approved in writing by, the Local Planning Authority. The development thereafter shall be operated strictly in accordance with the approved details. The plan shall include, but not be limited to, details of how the pitches will be booked, used and managed out of normal school hours, the management and operation of the use of the floodlights (including how the timer switches will operated) and shall include detailed arrangements for on-site parking and access.

Reason. In order to define the out of school hours use, to secure adequate off- street parking provision and in the interest of safeguarding the amenities of adjacent residential properties.

PLANS LIST:

This decision relates to drawing nos E160C7/AL/05 Revision A and PROPOSED PLAN OF PITCHES Revision A date stamped 30 September 2011, E160C7/AL/02 and E160C7/AL/03 date stamped 9 February 2010 and Musco Green Generation Lighting assessment and Verde Recreo Sports Additional Supporting Information date stamped 1 February 2011 submitted with application 11/00573/VAR and to drawing E160C7/AL/01, the DESIGN & ACCESS STATEMENT and the REPORT ON CHANGES TO EXTERNAL SPORTS PITCH LIGHTING date stamped 20th November 2012, the Desk Based Assessment of the Potential Impact to Bats date stamped 19th February 2013, to the Bat Survey Report date stamped 27th September 2013 and to the Addendum Bat Survey Report date stamped 2nd October 2013.

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

Item No:	08		
Application No:	13/03137/FUL		
Site Location:	Forge Cottage, 7 High Street, Wellow, Bath		
Ward:	Bathavon South	Parish:	Wellow
		LB Grade:	II
Application Type:	Full Application		
Proposal:	Replacement of a single storey flat roofed extension to forge cottage with a two storey extension, elevational alterations and associated works		
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary,		
Applicant:	Mr Chris Watt		
Expiry Date:	16th October 2013		
Case Officer:	Rebecca Roberts		

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 materials including render to be used has been erected on site, approved in writing by the Local Planning Authority, and kept on site for reference until the development is completed.

Reason: In the interests of the development and the character and appearance of this part of the Conservation Area.

3 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 west and east elevation 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.

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:

This decision relates to drawing no's 2544-S-01, 12654-200-001 and Design and Access Statement date stamped 7th August 2013, drawing no. 2544-18 date stamped 21st August 2013 and drawing no.2544-06 Rev E date stamped 10th October 2013.

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

Item No:	09
Application No:	13/03584/FUL
Site Location:	Park House, Station Road, Keynsham, Bristol
Ward: Keynsham North	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of conservatory
Constraints:	Agric Land Class 3b,4,5, Scheduled Ancient Monument SAM, Conservation Area, Forest of Avon, Housing Development Boundary, Listed Building,
Applicant:	Mr Gerrish
Expiry Date:	25th October 2013
Case Officer:	Sasha Coombs

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 take place within the site until the applicant, or their agents or successors in title, has given 14 days written notice of the date of commencement of works to the Local Planning Authority. Thereafter the developer shall afford access at all reasonable times to any archaeologist nominated by the Council and shall allow him/her to observe the excavations and record items of interest and finds.

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

3 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:

This decision relates to the following plans and documents:

Drawing	19 Aug 2013	FLOOR PLAN - AFTER
Drawing	19 Aug 2013	FLOOR PLAN - BEFORE
Drawing	19 Aug 2013	FRONT ELEVATION - AFTER
Drawing	19 Aug 2013	FRONT ELEVATION - BEFORE
Drawing	19 Aug 2013	REAR ELEVATION - AFTER
Drawing	19 Aug 2013	REAR ELEVATION - BEFORE
Drawing	19 Aug 2013	SIDE ELEVATION - AFTER

Drawing	19 Aug 2013	SIDE ELEVATION - AFTER
Drawing	19 Aug 2013	SIDE ELEVATION - BEFORE
Drawing	19 Aug 2013	SIDE ELEVATION - BEFORE
OS Extract	19 Aug 2013	BLOCK PLAN
OS Extract	19 Aug 2013	SITE LOCATION PLAN
Supporting Information	19 Aug 2013	DESIGN & ACCESS STATEMENT

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. 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.