

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

20th November 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 REFUSE

REASONS:

Green Belt harm, harm to openness, under provision of affordable housing, harm resulting from traffic congestion and harm to the listed building.

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 REFUSE

REASONS:

Green Belt harm, harm to openness, under provision of affordable housing, harm resulting from traffic congestion and harm to the listed building.

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 REFUSE

Item No:	04
Application No:	13/03194/REG03
Site Location:	Car Park, Newbridge Park & Ride Car Park, Newbridge, Bath
Ward: Newbridge	Parish: N/A LB Grade: N/A
Application Type:	Regulation 3 Application
Proposal:	Extension of existing Newbridge Park and Ride facility to provide 248 spaces, construction of a central amenity building, along with associated landscape and engineering works.
Constraints:	Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, British Waterways Major and EIA, British Waterways Minor and Householders, Coal - Standing Advice Area, Flood Zone 2, Forest of Avon, Greenbelt, Hotspring Protection, World Heritage Site,
Applicant:	Bath & North East Somerset Council
Expiry Date:	13th November 2013
Case Officer:	Mike Muston

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 hereby permitted shall only be carried out in accordance with the recommendations of the submitted Preliminary Ecological Appraisal dated July 2013 and Bat Survey Report dated July 2013 (insofar as these relate to the application site), and the submitted Landscape and Ecological Management Plan dated July 2013 and the addendum dated October 2013 (or any amendment to the Plan as approved in writing by the Local Planning Authority).

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

3 With the exception of works comprising site preparation, surveys, welfare and accommodation set up; vegetation clearance; tree protection; general demolition including retaining walls; topsoil strip; reduce level dig; retaining wall construction; foundations to facilities building; construction of acoustic bund and fence; utilities duct runs and chambers, no development shall be undertaken until a detailed surface water drainage scheme for the site has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be in accordance with the principles set out in section 5 of the approved flood risk assessment (prepared by Mott MacDonald and dated July 2013) and shall include pollution prevention measures. The development shall subsequently be implemented in accordance with the details of the approved scheme within a timetable to be agreed by the Local Planning Authority.

REASON: To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of the surface water drainage system.

4 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to an unacceptable risk of water pollution and to ensure that the site is appropriately remediated.

5 Unless with the prior written approval of the Local Planning Authority, the lighting approved for the park and ride facility as part of this application shall only be used/operated between 06.00 - 22.30 Monday to Saturday and 09:00 - 19:00 on Sundays and Bank Holidays.

REASON: To prevent unnecessary light pollution, and in the interests of the ecology of the area.

6 All hard and/or soft landscape works shall be carried out in accordance with the approved details (subject to the precise location of the four pine trees shown on drawing BTP/N/764/P1 being agreed in writing with the Local Planning Authority). 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 site works or clearance shall be commenced until protective fences which conform to British Standard 5837:2005 have been erected around any existing trees and other existing or proposed landscape areas in positions indicated on the approved plans. Until the development has been completed these fences shall not be removed and the protected areas are to be kept clear of any building, plant, material, debris and trenching, with the existing ground levels maintained, and there shall be no entry to those areas except for approved arboricultural or landscape works.

Reason: To safeguard the areas to be landscaped and the existing trees and planting to be retained within the site.

8 Prior to the commencement of any form of site works or clearance the Local Planning Authority shall be given not less than two weeks notice in writing of these works to ensure that appropriate measures of landscape protection required under condition 7 have been implemented in accordance with the approved plans or conditions.

Reason: To ensure that adequate protection is given to the areas to be landscaped and the existing trees and planting to be retained within the site.

9 The development hereby permitted shall not be brought into operation until the approved acoustic barriers shown on drawings BTP/N/765 and 260275/NEW/03/001/P1 have been installed. These acoustic barriers shall be retained at all times thereafter that the Park _ Ride extension is used.

REASON: To protect the living conditions of nearby residents.

10 No site works including clearance or demolition shall take place until an Arboricultural Method Statement (AMS) in accordance with British Standard 5837:2005 has been submitted to and approved in writing by the Local Planning Authority where any development which cannot be avoided is carried out within the Root Protection Area of retained trees. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To ensure that the existing retained trees and their root systems are not damaged during any construction works, including site clearance, demolition of existing structure's installation of services or reinstatement.

11 The programme of archaeological work set out within the written scheme of investigation prepared by Wessex Archaeology (June 2012) and previously approved under application 11/05449/COND shall be completed in accordance with that approved scheme (or such alternative programme that shall first have been agreed in writing by the Local Planning Authority).

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

12 Prior to the construction of an above ground element of the facilities building, a schedule of materials and finishes, and samples of the materials to be used in the construction of that element of the external surfaces, including roofs, of the facilities building, shall be 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, including the Cotswolds Area of Outstanding Natural Beauty.

13 Unless agreed in writing with the Local Planning Authority, all construction works in connection with the expansion of the park and ride must comply with the submitted Draft Code of Construction Practice, dated September 2013.

REASON: In the interests of the living conditions of nearby residents, and highway safety.

14 Unless agreed in writing with the Local Planning Authority, lighting on the site during the construction of the expansion of the park and ride must comply with the submitted Code of Construction Practice, which has stated that the workings hours will be confined to Monday - Friday between 0700 and 1900 and Saturday 0700 and 1300.

REASON: To prevent unnecessary light pollution, and in the interests of the ecology of the area.

PLANS LIST:

Drawings BTP/N/202, 400, 501, 502, 601, 603, 755, 756, 757, 758, 759, 760, 762, 764, 765, 260275/NEW/00/01, 01/001A, 01/002, 01/009 (Rev P2), 03/001, 014/001 (Rev P2), 014/002, 05/500 (Rev P2), 260276/NEW/01/007 (Rev P2), 40/001 (all Rev P1 unless stated to be Rev P2), 583-sk-11, 12, 13, 14, all as submitted 29 July 2013.

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 Committee report, a positive view of the proposals was taken and permission was granted.

Item No:	05
Application No:	13/03358/FUL
Site Location:	Parcel 2866, Woolley Lane, Charlcombe, Bath
Ward: Bathavon North	Parish: Charlcombe LB Grade: N/A
Application Type:	Full Application
Proposal:	Alterations and extension to existing agricultural building, formation of farm track, construction of stock pond and ancillary works (Retrospective) (Resubmission of 12/05660/FUL)
Constraints:	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Article 4, Greenbelt, Sites of Nature Conservation Imp (SN), Tree Preservation Order,
Applicant:	Golden Valley Paddocks Ltd
Expiry Date:	4th November 2013
Case Officer:	Gwilym Jones

DECISION PERMIT

1 Prior to any excavations or engineering operations being undertaken on the land the applicant shall submit for approval in writing by the Local Planning Authority a method statement for works to the site of the stock pond. The method statement, prepared in consultation with the Environment Agency and Natural England, shall cover the following matters:

- The plant and machinery to be used in the re-grading operations
- The method for creating and maintaining a final slope on its upper (west) side of less than 1:1
- The disposal and re-grading of any material removed from the stock pond and specification of the type and timing of any re-seeding of excavated soils
- The measures used to control sediment run off from the works
- A programme for the implementation of the works

Reason: To ensure the re-grading works are properly controlled and do not have an unacceptable impact on the environment.

2 Prior to any excavations or engineering operations being undertaken on the land the applicant shall submit for approval in writing by the Local Planning Authority a Wildlife Management and Enhancement Scheme for the land adjoining the stock pond. The Scheme, prepared in consultation with Natural England, shall cover the following matters:

- Works to the land adjoining the pond to create an area of new marshy grassland habitat designed to replicate the waterlogged conditions and botanical composition of the marshy grassland habitat elsewhere within the field
- Details of how the pond and marshy grassland habitat will be maintained and enhanced together with measures to restore and maximise the ecological and botanical value of the grassland within the remainder of the field through appropriate native plant seeding and wildlife friendly stock management and grazing regimes

- Measures of how the recommendations of the submitted ecological report, including temporary stock fencing of the pond and marshy grassland area, shall be implemented
- A programme for carrying out the above works

Upon receiving written approval from the Local Planning Authority all works detailed in the scheme shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To maintain and enhance the ecological interest of the Site of Nature Conservation Importance.

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 permission relates to the development shown on the following drawings: 2028/002B (Plans and Elevations of Proposed Agricultural Storage Building dated November 2012); 2028/31 (Block Plan dated November 2009); 2028/200/A/B (Location Plan dated February 2009); 2028/500/A (Site Plan dated October 2010).

The applicant is advised that the approved plans do not include external lighting to the building.

Informative

The applicant is reminded that the site is the subject of an Article 4 Direction - The Swainswick Valley Article 4 Direction (No.1) 1992 - and that alterations to buildings and excavation or engineering operations require planning permission. This includes works of alteration or extension to the existing building, farm track or stock pond.

Item No:	06
Application No:	13/03374/CLEU
Site Location:	Parcel 2866, Woolley Lane, Charlcombe, Bath
Ward: Bathavon North	Parish: Charlcombe LB Grade: N/A
Application Type:	Cert of Lawfulness (Existing) 191
Proposal:	Certificate of lawfulness for the existing alterations to access and formation of hardstanding and track around existing building.
Constraints:	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Greenbelt, Sites of Nature Conservation Imp (SN), Tree Preservation Order,
Applicant:	Golden Valley Paddocks Ltd
Expiry Date:	30th September 2013
Case Officer:	Gwilym Jones

DECISION LAWFUL

1 This decision relates only to the site access (concrete apron and wooden panel gates) and hardstanding (hardcore track plus concrete yard adjacent to the existing building and bounded by wooden fence to the north) within the area of land outlined in red on the attached drawing.

PLANS LIST:

Informative

The applicant is reminded that the site is the subject of an Article 4 Direction - The Swainswick Valley Article 4 Direction (No.1) 1992 - and that excavation or engineering operations require planning permission. This includes works of alteration or extension to the site access and hardstanding/track around the existing building covered by this Certificate.

Item No:	07
Application No:	13/03589/FUL
Site Location:	Forge Stud, Hunstrete, Marksbury, Bristol
Ward: Farmborough	Parish: Marksbury LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of existing land and stables to a Farrier business and conversion of existing stone barn to provide rural workers dwelling (Resubmission)
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Public Right of Way, Tree Preservation Order,
Applicant:	Mr Jonathan Hodge
Expiry Date:	2nd December 2013
Case Officer:	Alice Barnes

DECISION Authorise Development Manager to Permit subject to S106 Agreement

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 hereby permitted shall be carried out only in accordance with the recommendations contained within the approved Bat and Barn Owl Survey Ecology Report dated 22 May 2013 updated 17 September 2013 or any amendment to the recommendations of the Report as approved in writing by the Local Planning Authority. These include implementation of:

(i) Paragraph 4.8 specifying provision of two wall mounted and two tree mounted bat boxes

(ii) Wildlife friendly planting as recommended in paragraph 4.7

(iii) Bat-friendly lighting as recommended in paragraph 4.6

Prior to occupation of the development written and photographic information demonstrating that the above measures have been applied shall be submitted to and approved in writing by the Local Planning Authority

Reason: To avoid harm to bats and other wildlife and provide ecological enhancements in line with NPPF

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 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.

Reason: Any further extensions require detailed consideration by the Local Planning Authority to safeguard the amenities of the surrounding area.

4 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(s) 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.

5 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 any part of any roof 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.

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

6 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:

Existing floor plan, elevations and site plan 001B
Proposed plans and elevations 101D

Item No:	08
Application No:	13/02087/FUL
Site Location:	Parcel 0056, Kilkenny Lane, Englishcombe, Bath
Ward: Bathavon West	Parish: Englishcombe LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of land to mixed use of agriculture and equestrian and erection of timber stables
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, Hazards & Pipelines,
Applicant:	Mrs A Allen
Expiry Date:	23rd October 2013
Case Officer:	Alice Barnes

DECISION Authorise Development Manager to Permit subject to application being advertised as a Departure from the Development Plan.

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 stables hereby permitted shall only be used for the private stabling of horses and shall not be used for, or in connection with, any commercial use.

Reason: To prevent the introduction of a commercial use on the site.

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.

Item No:	09
Application No:	13/03555/FUL
Site Location:	2 Rush Hill, Southdown, Bath, Bath And North East Somerset
Ward: Odd Down	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use from Labour Club (Sui Generis) to Office (B1)
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,
Applicant:	Western Building Consultants
Expiry Date:	11th October 2013
Case Officer:	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 The area allocated for parking and turning on the submitted plan shall be provided before the building is occupied and shall be kept clear of obstruction and 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 The area allocated for cycle parking on the submitted plan shall be provided before the building 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 sustainable development.

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:

Site Location Plan

- 1
- 2
- 3
- 4

100 Rev A
101 Rev A
102

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. The Local Planning Authority encourages the use of pre-application advice which was not sought in this case. The Local Planning Authority has engaged positively with the applicant and their agent in seeking to resolve the issues with the application including the parking arrangement and the provision of cycle storage. However, for the reasons given in the report above the principle of development is unacceptable.

Item No:	10
Application No:	13/04016/FUL
Site Location:	Costa Coffee, 50 High Street, Keynsham, BS31 1DX
Ward: Keynsham North	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Planning application for the change of use of the highway to place 2 tables and 4 chairs to the south of the existing coffee shop entrance. (Resubmission of 13/01412/FUL)
Constraints:	Agric Land Class 3b,4,5, City/Town Centre Shopping Areas, Conservation Area, Forest of Avon, Housing Development Boundary,
Applicant:	South West Coffee Ltd
Expiry Date:	13th November 2013
Case Officer:	Sasha Coombs

DECISION REFUSE

1 The proposed change of use of the public highway for the siting of tables and chairs, by reason of the proximity of the site to the adjacent zebra crossing where pedestrians gather before and after crossing, would fail to maintain an acceptable width on the pavement for safe pedestrian movement contrary to policy T.24 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

2 The proposed change of use of the public highway for the siting of tables and chairs, by reason of the proximity of the site to the adjacent zebra crossing where vehicles wait for pedestrians to cross and the location of the site within the Keynsham Air Quality Management Area, would expose future users of the development to unacceptable levels of air pollution contrary to policy ES.10 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

PLANS LIST:

This decision relates to the following plans and documents:

OS Extract 18 Sep 2013 SITE LOCATION PLAN
Drawing 18 Sep 2013 PROPOSED PLAN No 0709-KEYNSHAM/02A
BackGround Papers 18 Sep 2013 COVER LETTER, DESIGN & ACCESS STATEMENT, and FURNITURE SPECIFICATIONS.

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. The applicant and council have worked together to overcome the reasons for refusal. 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.

Item No:	11
Application No:	13/03472/FUL
Site Location:	28 Park Road, Keynsham, Bristol, Bath And North East Somerset
Ward: Keynsham South	Parish: Keynsham Town Council LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a single storey side extension including integral garage and revised access arrangements.
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Housing Development Boundary,
Applicant:	Mr Pingstone
Expiry Date:	14th 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 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.

4 The accesses hereby permitted shall not be used until the footway/verge crossings have been widened and constructed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

5 The accesses and area of hardstanding hereby approved shall be properly bound and compacted (not loose stone or gravel).

Reason: In the interests of highway safety.

6 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	13 Aug 2013	310713 02	EXISTING GROUND FLOOR PLAN
Drawing	13 Aug 2013	310713 03	EXISTING FIRST FLOOR PLAN
Drawing	13 Aug 2013	310713 04	EXISTING ELEVATIONS
Drawing	13 Aug 2013	310713 06	PROPOSED FIRST FLOOR PLAN
Drawing	13 Aug 2013	310713 07	PROPOSED ELEVATIONS
OS Extract	13 Aug 2013	310713 01	LOCATION AND BLOCK PLAN
Revised Drawing	23 Oct 2013	310713/05	PROPOSED GROUND FLOOR

Note to applicant:

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 construction of a 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.

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.

Item No:	12
Application No:	13/02651/FUL
Site Location:	Little Willows Day Nursery, Powlett Road, Bathwick, Bath
Ward: Walcot	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Installation of modular building for temporary two year period
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Forest of Avon, Hotspring Protection, World Heritage Site,
Applicant:	Little Willows Day Nursery
Expiry Date:	30th August 2013
Case Officer:	Victoria Griffin

DECISION PERMIT

1 This permission shall expire on 27th November 2015 and the development hereby permitted shall be removed and the land restored to a grassed surface.

Reason: At the request of the applicant and to allow the impact of the development to be monitored.

2 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement dated June 2013 and tree works schedule unless agreed in writing by the Local Planning Authority. A signed certificate of compliance shall be provided by the appointed arboricultural consultant to the local planning authority on completion. Reason: To ensure that the approved method statement is complied with for the duration of the development.

3 The development hereby approved shall retain the existing number of children in attendance at the nursery (66 no.) as documented in the supporting correspondence dated 14th August 2013. Reason: In the interests of highway safety and neighbouring amenity.

4 Prior to the installation of the proposed modular building details of the construction management to include how the building will be delivered, how it will be assembled on-site and how it will be maintained shall be submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of highway safety.

5 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:

PBSE3578 rev B, PBSE3578 rev A, PBSE3578 rev C, PBSE3578 rev B date received 05/07/13

This permission does not convey or imply any civil or legal consents required to undertake the works.

Item No:	13		
Application No:	13/03332/FUL		
Site Location:	129 Ringswell Gardens, Lambridge, Bath, Bath And North East Somerset		
Ward:	Walcot	Parish:	N/A
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Change of use from C3 (Dwelling) to C4 (HMO)		
Constraints:	Agric Land Class 3b,4,5, Article 4, Article 4, Conservation Area, Flood Zone 2, Forest of Avon, Hotspring Protection, World Heritage Site,		
Applicant:	Mr M Tansley		
Expiry Date:	15th October 2013		
Case Officer:	Heather Faulkner		

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 hereby approved shall not be occupied by more than 4 unrelated occupants.

Reason: An increase in the number of occupants would need further consideration by the Local Planning Authority.

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/documents:

Received 2nd August
Site Plan
Site Location Plan

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 revised proposals was taken and permission was granted.

ADVICE NOTE

Please note that you will also require an HMO Licence for your property to operate as an HMO. Planning and HMO licensing are two separate requirements and it is essential that an HMO licence is obtained after receiving planning permission. Although Planning Permission may be granted without an HMO licence, you may legally not be able to use the property as an HMO. If you have any queries, please contact Housing Services by email at hmo_licensing@bathnes.gov.uk or telephone 01225 396269.

Item No:	14
Application No:	12/05281/FUL
Site Location:	Bubblers Dytch, High Street, Wellow, Bath
Ward: Bathavon South	Parish: Wellow LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of 2no detached two storey houses with attached garages following demolition of existing single storey house (Resubmission).
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, Housing Development Boundary,
Applicant:	Hesketh Ventures Ltd
Expiry Date:	28th February 2013
Case Officer:	Tessa Hampden

DECISION REFUSE

1 The proposed development is considered to be of an inappropriate design. The high wall is considered to be out of keeping with the character of the area. Further the glazing element to the south elevation is considered to form a large prominent incongruous element when seen across the valley. The development is therefore considered to be contrary to Policies D2 and D4 of the Bath and North East Somerset Local Plan (including minerals and waste) adopted October 2007

2 The proposed development is considered to represent the overdevelopment of the site with the narrowness of the gap between the proposed buildings being considered to be inappropriate. The development is therefore considered to be contrary to Policies D2 and D4 of the Bath and North East Somerset Local Plan (including minerals and waste) adopted October 2007

PLANS LIST:

Plans: OS extract, 189/P01 A, 189/P02 B, 189/P10 A, 189/P04 B, 189/P07 A, 189/P03 B, 189/P05 B, 189/P06 A, 189/P08 A, 189/P09 A, 189/P11 A, date stamped 29th November 2012 and MH 2010/1 date stamped 3rd January 2013

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. Whilst the Officer recommendation was to permit, the Development Control Committee did not consider that significant changes had been made since the previous refusal, and voted to refuse the application.