

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Control Committee**

**Date 4<sup>th</sup> June 2014**

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

ITEM

ITEMS FOR PLANNING PERMISSION

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
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**Item 1. 14/01510/FUL - Parcel 0074, Flatts Lane, Farmborough**

Correction / amended condition

Temporary consent is sought for a 25 year period rather than a 20 year period as referred to in the committee report.

Recommended condition 1 is therefore proposed to be revised to read as follows:

“This permission shall expire within 25 years from the date when electricity is first exported from the solar farm to the electricity grid (the 'First Export Date'). Written notification of the First Export Date shall be given to the local planning authority no later than 14 days after this event

Reason: A temporary consent is sought and to avoid the permanent loss of agricultural land, to protect the character of the countryside and to protect the Green Belt from unnecessary development.”

Change to recommendation

The applicants have confirmed that the Unilateral Undertaking to secure the permissive footpath will not be completed by the time of the committee meeting. Therefore the recommendation is to be changed to read as follows: (additional text underlined)

- A. Authorise the Planning and Environmental Law Manager to finalise a Unilateral Undertaking from the applicant to secure the provision of a permissive footpath along the north eastern and south eastern boundaries of the site and the maintenance of permissive public access to the informal open space to the northwest corner of the

application site, to be publically accessible for the lifetime of the development.

- B. that the application be referred to the Secretary of State to give him the opportunity to consider whether to exercise his call-in powers in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, and
- C. Subject to the Secretary of State not calling in the application, authorise the Group Manager, Development Management to PERMIT the application, subject to the following conditions:-

Additional condition

16. 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. 2      Application No. 14/00324/REG03 Parcel 7540, Lower Bristol Road, Twerton, Bath**

Additional information

Since the finalisation of the report and the re-consultation on amended plans carried out on 21<sup>st</sup> May 2014, one further objection has been received. This comments that the changes to the landscaping don't overcome previous concerns. Additional concerns were raised about the proposed amended off-site highway works, which would narrow the road at a busy point, opposite the entrances to Lawrence House and Minerva House, the wider consequences of these works and the loss of on-street parking spaces.

Correction

Last sentence of Page 110 / first page of 111 to read:

“Without prejudice to the consideration of the application; in the event that Members are minded to refuse a permanent planning permission, the human rights of the existing residents ~~applicant and her family~~ will be engaged under Article 8 of the European Convention on Human Rights.”

Correction

Second sentence of Page 112 to be amended to read:

“Should Members be minded to refuse the application, it is recommended that the application be deferred and brought back to Committee at a later date, in order that a separate recommendation can be made in respect of the second

stage test set out below to allow Members to fully debate the human rights issue.

### Correction

Condition 15 to be amended to read:

The access road and turning areas shall be properly bound and compacted (not loose stone or gravel). Prior to the commencement of these works, full details shall be submitted to and approved in writing by the Local Planning Authority of the surfacing materials for these areas. The development shall then be carried out in accordance with the details approved.

Reason: In the interests of highway safety.

### **Item No. 4      Application No. 14/00862/FUL      Address**

#### **W T Burden Ltd, Bath Road, Farmborough**

Following the drafting of the report the applicant has submitted further information with regards to affordable housing on site. The applicant has stated that they are prepared to accept the requirement for 35% affordable housing and will meet the requirements from the planning obligations SPD.

This has been referred to the housing officer whose comments are as follows;

If a 35% affordable housing contribution can be secured with an agreement that these units will further comply with the Planning Obligations SPD, then this application meets our policy position.

The site is not an exception site, and whilst it is always appropriate to consider the local housing needs when it comes to a rural housing opportunity, the application should be determined in accordance with Local Plan Policy HG8.

I withdraw my previous objections in light of the email below.

In light of the above comments reason for refusal 2 is withdrawn from the recommendation.

The reason for refusal has been amended to;

The proposed development will result in an increase in the amount of built form on the existing brownfield site and therefore the proposed development would result in a greater impact on the openness of the Green Belt. No very special circumstances have been put forward to justify inappropriate development within the Green Belt and the development is contrary to paragraph 89 of the National Planning Policy Framework and polices GB.1 and Gb.2 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

**Item No. 5      Application No. 14/00544/RES   Address: Parcel 3567  
Stitchings Shord Lane, Bishop Sutton**

Amended Plans received

Since the finalisation of the report amended plans have been received to address the design concerns set out in the report as follows:

- The Render Colour Scheme has been amended to omit the salmon pink render colour previously proposed. The applicants have confirmed that the colour scheme matches that used on the adjoining completed development in Cappards Road.
- The landscaping and layout scheme has been amended to include low natural stone walls to define front gardens as used in the adjoining Cappards Road development and to increase the landscaping proposed for the terraced units.

Change to Recommendation

The amended plans received resolve the remaining design concerns raised in the committee report. Consequently the recommendation is to be amended to permit the application subject to the conditions recommended.

Additional Informative:

Plans List:

- WALL & FENCE DETAILS - drawing 54 Rev B
- GARAGES - drawing 56
- PLANNING LAYOUT – drawing 100 –Rev B
- LANDSCAPING LAYOUT – drawing 101 - Rev C
- LOCATION PLAN – drawing 102
- PLANNING LAYOUT - drawing 100 Rev D
- PLANNING LAYOUT - (COLOURED) - drawing 100-1 Rev E
- LANDSCAPING LAYOUT - drawing 101 Rev C
- LOCATION PLAN - drawing 102
- EXTERNAL WORKS LAYOUT - drawing 110 rev C
- SITE SURVEY - drawing 200
- SWEPT PATH ANALYSIS OF A LARGE REFUSE VEHICLE - drawing SP02 B
- B SWEPT PATH ANALYSIS OF A FIRE APPLIANCE - drawing SP03 Rev B
- LOCATION OF RAISED TABLE 1:500 - drawing SK02
- CAR PARKING SCHEDULE Rev B
- SUSTAINABILITY STATEMENT
- House Type A - TRAFALGAR (699) - drawing HT-A
- House Type B - DOWNING (1190) - drawing HT-B Rev A
- House Type C - KNIGHTSBRIDGE (1202) - drawing HT-C Rev A

- House Type D - STRAND (1350) ELEVATIONS - drawing HT-D1-1
- House Type D - STRAND (1350) FLOOR PLANS - drawing HT-D1-2
- House Type F - HARLEY (1350) ELEVATIONS - drawing HT-F1-1
- House Type F - HARLEY (1350) FLOOR PLANS - drawing HT-F1-2
- House Type G - MARYLEBONE (1623) ELEVS - drawing HT-G1-1 Rev A
- House Type G - MARYLEBONE (1623) FLR PLAN - drawing HT-G1-2 Rev A
- House Type H - COMPTON (1995) ELEVATIONS - drawing HT-H1-1 Rev A
- House Type H - COMPTON (1995) FLOOR PLANS - drawing HT-H1-2 Rev A
- House Type J - APARTMENT (484) - drawing HT-J
- House Type K1 - LIFETIME HOME (823) - drawing HT-K1
- House Type L1 - LIFETIME HOME (964) - drawing HT-L1 Rev A
- House Type L2 - LIFETIME HOME (964) - drawing HT-L2 Rev A
- House Type M - WHEELCHAIR UNIT (1262) - drawing HT-M1-1
- House Type N- WHITEHALL (1013) ELEVATIONS - drawing HT-N1-1 Rev A
- House Type N- WHITEHALL (1013) FLOOR PLANS - drawing HT-N1-2 Rev A

**Item No. 6      Application No. 14/00892/OUT      Address: Land opposite Tunley Farmhouse, Priston**

Further correspondence has been received and reviewed by the Arboricultural officer in respect of the above and below ground constraints. The arboricultural officer still advises that the final layout will need to reflect future potential and management of the trees. However, there is no need to include these in the plan for the current outline application for access only. This does not alter the recommendations for the application.

Two revised drawings have been submitted in response to the Highways reasons for refusal these are 17300/200D and 13109(L)003 F. A letter from the agent also states that the applicant is willing to make an appropriate contribution towards the planned footway from Overdale to Tunley Village.

The Highways Officer has responded to the revised drawings and concluded that the details are acceptable and that refusal reasons 3 and 4 are no longer required. However, refusal reason 5 is still relevant. It has been requested that should the consent be granted that a that any permission is withheld pending the completion of a legal agreement to secure the highway works and any highway contribution towards the footway from Overdale, as offered by the applicant's agent.

**Item no. 11      Application 12/00107/FUL      Address: Designer Composites, Fosseyway, Westfield**

Change to wording of recommendation:

B. Upon completion of the Agreement authorise the Group Manager to PERMIT the application subject to the following conditions:-