

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

30th July 2014

DECISIONS

Item No:	01	
Application No:	14/00862/OUT	
Site Location:	W T Burden Ltd, Bath Road, Farmborough, Bath	
Ward: Farmborough	Parish: Farmborough	LB Grade: N/A
Application Type:	Outline Application	
Proposal:	Demolition of existing building and redevelopment of site with up to 14 dwellings with associated means of access, access roads, car parking, boundary treatments and landscaping; conversion (including re-cladding) of retained building to provide office/workshop accommodation (Class B1) with associated car parking.	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Hazards & Pipelines,	
Applicant:	Boystown Ltd	
Expiry Date:	23rd May 2014	
Case Officer:	Alice Barnes	

DECISION Overturned – Delegate to PERMIT Subject to S106 and conditions

Item No:	02	
Application No:	14/00839/EMINW	
Site Location:	Fosseway Environment Park, Fosseway, Englishcombe, Bath	
Ward: Bathavon West	Parish: Combe Hay	LB Grade: N/A
Application Type:	EIA Minerals & Waste Application	
Proposal:	Proposed erection of residual waste facility including a materials recovery facility, anaerobic digestion plant, reception building, weighbridge, outdoor storage areas and other ancillary development. (Outline application with access to be determined all other matters reserved)	
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt, MOD Safeguarded Areas, Regionally Important Geological Site RIG, Sites of Nature Conservation Interest, Tree Preservation Order,	
Applicant:	Gazelle Properties Ltd	

Expiry Date:	9th July 2014
Case Officer:	Chris Herbert

DECISION APPROVE

1 Details of the, appearance, landscaping, layout and scale (hereinafter called the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: As required by Section 92 of the Town and Country Planning Act (as amended), and to avoid the accumulation of unimplemented planning permissions.

2 Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 2 years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

3 The development hereby permitted shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

4 The layout and scale of the proposed buildings and tanks shall conform with the description in the Design and Access Statement and Drawing No. 214.15 dated 18/02/2014 and shall comply with the following limits:

- i. Buildings shall not exceed a ridge height of 12 metres;
- ii. Gross new internal floor area shall not exceed 2313m²;
- iii. A maximum of 2 digester tanks and 1 digestate storage tank; and
- iv. The above tanks to not exceed 12 metres in height and 15.2 metres in diameter

Reason: In the interest of visual amenities and the landscape character of the area and in order to safeguard the openness of the Green Belt.

5 Before the development hereby permitted commences details of the finished floor levels of the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: In the interest of visual amenities and the landscape character of the area and in order to safeguard the openness of the Green Belt

6 The development hereby permitted shall not be commenced until a schedule of materials and samples of such materials and finishes and colours to be used for external walls, roofs and tanks of the proposed development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason: In the interest of visual amenities and the landscape character of the area

7 No more than 100,000 tonnes of waste per annum shall be imported to the application site. Records of the amounts of imports of waste for each calendar month shall be taken and shall be made available to the Local Planning Authority within 10 working days of receiving such a request.

Reason: In the interests of highway safety.

8 Vehicle movements into and out of the application site shall be restricted to a maximum of 128 HGV movements (64 in and 64 out) per day. The applicant shall keep a log of all HGV movements which shall be made available to the Local Planning Authority within 10 working days of receiving such a request.

Reason: In the interests of highway safety.

9 Adequate sheeting shall be provided on uncovered vehicles when exiting the site to ensure there is no material deposited onto the highway.

Reason: In the interests of highway safety.

10 Prior to the commencement of the development details of the means of access, including amended internal junction radii and a pedestrian safe zone, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of highway safety.

11 Prior to the commencement of the development, an operational statement shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the hours of operation of the site, provision of wheel washing facilities, and the details of the method of monitoring for HGV movements. The development shall thereafter operate in accordance with the approved details.

Reason: In the interests of highway safety.

12 Prior to the development being first brought into use details of the type and location of a covered cycle shelter and cycle stands shall have been submitted to and approved in writing by the Local Planning Authority. The cycle shelter and cycle stands shall be provided prior to the site being first brought into use.

Reason: In the interests of sustainable development.

13 Before the development hereby permitted commences a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise (including vehicles), dust and odour emanating from the application site. The approved scheme shall be implemented prior to the receipt of waste at the application site and thereafter maintained in accordance with the approved details.

Reason: To protect the amenities of the area.

14 No work for the implementation of the development hereby permitted shall be undertaken on the application site except between the hours of 0800 to 1800 Monday to Friday and 0800 to 1300 on Saturdays. No works shall be undertaken on Sundays, Bank and Public Holidays.

Reason: To safeguard neighbouring amenity.

15 No waste deliveries, export of waste or recycled/processed materials or any external activities shall take place on the application site except between the hours of 0700 to 1800 Monday to Friday and 0700 to 1300 on Saturdays. No works shall be undertaken on Sundays, Bank and Public Holidays.

Reason: To safeguard neighbouring amenity.

16 No development shall take place until full details of both the hard and soft landscaping works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out in their entirety within 12 months of receiving written approval.

Reason: In the interest of the visual amenities and the landscape character of this part of the Green Belt.

17 All bunding, planting and seeding comprised in the approved landscaping works shall be carried out prior to the occupation of any of the buildings or the use of the processed/recyclable material storage area. Any plants or trees which within a period of five years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure the successful establishment of the approved landscaping scheme

18 No development 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 in 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 records and certificates of completion and compliance. The statement should also include the control of potentially harmful operations such as construction access, storage, handling and mixing of materials on site, access improvements, burning, location of site office, service run locations including soak-away locations and movement of people and machinery.

Reason: To ensure the protected trees to be retained are not adversely affected by the development proposals.

19 All stockpiles on the application site shall not exceed a height of four metres above 177.73m AOD.

Reason: In the interests of visual amenities and the landscape character of the site and protecting the openness of the Green Belt.

20 No waste shall be stored on the application site at any time except within buildings.

Reason: In the interest of visual amenities and the landscape character of this part of the Green Belt.

21 No processed/recyclable materials or skips shall be stored or stacked on the application site at any time except within buildings or the processed/recyclable material storage area.

Reason: In the interest of visual amenities and the landscape character of this part of the Green Belt.

22 No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority. Any that is installed with the permission of the Local Planning Authority shall be maintained in accordance with the approved details.

Reason: In the interest of visual amenities and the landscape character of this part of the Green Belt.

23 Any outflow from the application site must be limited to Greenfield run-off rates and discharged incrementally for all return periods up to and including the 1 in 100 year storm event.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

24 No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details on the following matters:

- i. A clearly labelled drainage layout plan showing any pipe networks, swales, soakaways and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes.
- ii. Model runs to demonstrate that the critical storm duration is being used.
- iii. Confirmation of the agreed discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated.
- iv. Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding. A 30% allowance for climate change should be incorporated into the scheme in accordance with Table 5 of the Technical Guidance to the National Planning Policy Framework (NPPF).
- v. Clarification over the storage volume requirement shown in the micro drainage calculations which suggest that more storage is required than currently shown on the proposed surface drainage strategy drawing.

vi. Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

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

25 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the water environment.

26 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

i) a preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the LPA. The scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment.

27 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages,

maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To prevent pollution of the water environment.

28 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 prevent pollution of the water environment.

29 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

30 The development hereby approved shall not be occupied until parking, turning and access facilities have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety

31 1 Before the development hereby permitted commences a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP will cover the following:

- i. A description of the sensitive features or receptors associated with the Application Site and surrounding area, and the rationale for protection of these features (known as the Environmental Impacts / Aspects register);
- ii. An overall programme for construction activities, together with method statements and risk assessments relating to certain activities;
- iii. Details including deliveries (including storage arrangements and timings), contractor parking, traffic management and any need for cranes for construction;
- iv. The control measures and monitoring requirements to be implemented during each stage of the construction works to minimise resource use, protect the environment or minimise disturbance of sensitive receptors;
- v. Names of the nominated person(s) responsible for implementing these measures and undertaking the required monitoring, and the person(s) responsible for checking that these measures have been implemented and monitoring completed;

- vi. Reporting procedures and documentation requirements in relation to implementation of the control measures and monitoring; and
- vii. Actions to be taken in the event of an emergency or unexpected event.

In addition it should reflect the mitigation measures with respect to dust controls detailed in the Environmental statement 6.147 (page 143) in addition to the Council's Code of Practice to Control noise from construction sites (see informative).

Reason: In the interests of sustainable construction and to minimise the disturbance to the surrounding area during the construction period.

32 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:

Application Boundary Plan, Drawing No. 214.17 dated 18/02/2014; Proposed Illustrative Site Plan, Drawing No. 214.15 dated 18/02/2014; Existing Topographical Survey, Drawing GRP/004/01; Proposed Illustrative Floor Plan, Drawing No. 214.16 dated 18/02/2014; Proposed Illustrative Site Sections, Drawing No. 214.10 Rev A dated 27/11/ 2013; Indicative Site Sections A-C, Drawing No.12-14-37 Rev 0 dated 29/04/2014; Illustrative Landscape Masterplan, Drawing No. 12-14-29 Rev C dated 28/01/2014.

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.

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 and 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:	03		
Application No:	13/01733/FUL		
Site Location:	Rockery Tea Gardens Vacant Premises, North Road, Combe Down, Bath		
Ward: Combe Down	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		

Proposal:	Erection of a detached single storey dwelling (revised proposal).
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, Mineral Consultation, Water Source Areas, World Heritage Site,
Applicant:	Freemantle Capital (Coombe Down) Ltd
Expiry Date:	20th August 2014
Case Officer:	Rachel Tadman

Deferred awaiting site visit: To allow Members to view the site in the context of its surroundings

Item No:	04		
Application No:	14/01124/FUL		
Site Location:	Parcel 2866, Woolley Lane, Charlcombe, Bath		
Ward:	Bathavon North	Parish:	Charlcombe
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of 2no. mobile field shelters.		
Constraints:	Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Article 4, Greenbelt, MOD Safeguarded Areas, Sites of Nature Conservation Interest,		
Applicant:	Golden Valley Paddocks Ltd		
Expiry Date:	9th July 2014		
Case Officer:	Richard Stott		

DECISION REFUSE

1 The field shelters represent inappropriate development in the Green Belt, which by definition are harmful and the applicant has failed to adequately demonstrate any very special circumstances to justify the need for the shelters which are considered harmful to the openness of the green belt. The shelters are considered contrary to Policy CP8 of the Bath & North East Somerset Core Strategy, 2014, contrary to Policy GB.2 of the Bath and North East Somerset Local Plan, including minerals and waste policies, October 2007 (which is a saved policy) and contrary to the national guidance set out in the National Planning Policy Framework, 2012.

2 By reason of the visual prominence of the application site the siting of two mobile field shelters is considered harmful to the setting of this part of the Area of Outstanding Natural Beauty and harmful to the wider landscape character, contrary to policies NE.1 and NE.2 of the Bath and North East Somerset Local Plan, including minerals and waste policies, October 2007 which are saved policies in the Core Strategy, 2014.

PLANS LIST:

This decision relates to Photo (2028/97) and Elevation and Floor Plan (drawing 2028/98) date stamped 11th March 2014 and to the Site Location Plan (drawing 2028/99) dated 9th April 2014

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 and 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:	05	
Application No:	14/02308/FUL	
Site Location:	Somerset Inn, Bath Road, Paulton, Bristol	
Ward: Paulton	Parish: Paulton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use of Public House (Use Class A4) to form a single dwelling (Use Class C3) and associated works. (Resubmission).	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Forest of Avon, Housing Development Boundary,	
Applicant:	Poulton Ltd	
Expiry Date:	15th July 2014	
Case Officer:	Daniel Stone	

DECISION Application Withdrawn

Item No:	06	
Application No:	14/00808/FUL	
Site Location:	Whiteways, White Cross, Hallatrow, Bristol	
Ward: High Littleton	Parish: High Littleton	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 2no. holiday cottages to expand existing B&B business following the demolition of existing outbuildings (Resubmission)	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Hazards & Pipelines,	
Applicant:	Mr Nick Pollett	
Expiry Date:	16th April 2014	
Case Officer:	Daniel Stone	

DECISION Overturned – Delegate to PERMIT Subject to Unilateral Undertaking and conditions

Item No:	07	
Application No:	14/01943/FUL	
Site Location:	Bathway House, 144 London Road West, Lower Swainswick, Bath	
Ward: Lambridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 2no detached dwellings and associated landscape works	
Constraints:	Agric Land Class 1,2,3a, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Greenbelt, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,	
Applicant:	Mr Andrew Pegler	
Expiry Date:	4th August 2014	
Case Officer:	Alice Barnes	

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 surrounding area.

3 Prior to the occupation of the development, plans showing the works to improve the visibility at the existing junction shall be submitted to and approved in writing by the local planning authority. The works shall then be carried out prior to the occupation of the permitted dwellings.

Reason: In the interests of highway safety.

4 Prior to the commencement of the development details of the proposed method of drainage of the site shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the details so approved.

Reason: In the interests of highway safety

5 No development shall take place until an annotated tree protection plan identifying measures to protect the trees to be retained has been submitted to and approved in writing by the Local Planning Authority and details within the approved document implemented as appropriate. The plan shall include proposed tree protection measures during site preparation (including clearance and level changes), during construction and landscaping operations. The plan should also take into account the control of potentially harmful operations such as the position of service runs, storage, handling and mixing of materials on site, burning, and movement of people and machinery.

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

6 No development shall commence 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 tree planting specification to include numbers, density, size, species and positions and a programme of implementation.

Reason: To mitigate the loss of trees for the development. In the interests of the appearance of the development and the surrounding area.

7 All 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

8 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, traffic management and any need for cranes for construction.

Reason: To ensure the safe operation of the highway.

9 The areas 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 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:	08
Application No:	14/00958/VAR
Site Location:	St James Surgery , 8 - 9 Northampton Buildings, Lansdown, Bath
Ward: Kingsmead	Parish: N/A LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of condition 6 of application 08/04692/FUL. (Erection of a new surgery annexe (Use Class D1) and first floor apartment (Use Class C3) following demolition of garages)
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,
Applicant:	St James' Surgery
Expiry Date:	1st August 2014
Case Officer:	Alice Barnes

DECISION Overturned – REFUSED. Reasons: Parking/access issues and building not ancillary to the existing use

Item No:	09
Application No:	14/01542/FUL
Site Location:	135 Englishcombe Lane, Southdown, Bath, Bath And North East Somerset
Ward: Oldfield	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a new dwelling
Constraints:	Agric Land Class 3b,4,5, Article 4, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,
Applicant:	Mr Sam Sardo
Expiry Date:	27th May 2014
Case Officer:	Tessa Hampden

DECISION REFUSE

1 The development, due to the unacceptable siting, scale and design, would form an incongruous proposal that would be at odds with the established pattern of development in the area, appearing cramped in the street scene and would have a resultant harmful impact upon the character and appearance of the area. The development would therefore be contrary to saved policies D2 and D4 of the of the Bath and North East Somerset Local Plan - 2007 and policy CP6 of the Core Strategy July 2014

PLANS LIST:

01 Apr 2014	353-S-01	LOCATION PLAN
28 May 2014	353/P/00 A	SITE PLAN
28 May 2014	353/P/03 A	PROPOSED EAST ELEVATION
28 May 2014	353/P/04 A	PROPOSED WEST ELEVATION
28 May 2014	353/P/05 A	PROPOSED SOUTH ELEVATION
28 May 2014	353/P/06 A	PROPOSED NORTH ELEVATION
28 May 2014	353/P/07 A	PROPOSED STREET ELEVATIONS
28 May 2014	353/S/01 A	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 Framework. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	10	
Application No:	14/01624/FUL	
Site Location:	Charnwood House, Rankers Lane, Compton Dando, Bristol	
Ward: Farmborough	Parish: Compton Dando	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of extension to garage to form car ports and store	
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt,	
Applicant:	Mr Neil Saunders	
Expiry Date:	1st August 2014	
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 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:

CHBS394JY-1 C
CHBS394JY-2
CHBS394JY-1 B

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 Committee took a positive view of the submitted proposals and the application was approved.

Item No:	11	
Application No:	14/02319/FUL	
Site Location:	3 High Street, Wellow, Bath, Bath And North East Somerset	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Full Application	
Proposal:	Erection of rear single storey extension, attic conversion and roof alterations with conservation lights	
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building,	
Applicant:	Mr Chris Watt	
Expiry Date:	15th July 2014	
Case Officer:	Stuart Ashford	

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.

PLANS LIST:

This decision relates to site location plan and drawing numbers 2557-02B and 2557-04 all received on 19 May 2014. Drawing numbers 2557-J-01, 2557-J-02 and 2557-05 Rev B all received on 17 June 2014. Drawing numbers 2557-J-03 Rev G and 2557-J-03 Rev G both received on 3 July 2014.

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.

Item No:	12	
Application No:	14/02384/LBA	
Site Location:	3 High Street, Wellow, Bath, Bath And North East Somerset	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Internal and external alterations to include the erection of single storey rear extension, attic conversion, alterations to roof, installation of conservation lights, removal of modern internal wall and lining wall, reposition of modern staircase to first floor and installation of new staircase to roof space.	
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building,	
Applicant:	Mr Chris Watt	
Expiry Date:	12th August 2014	
Case Officer:	John Davey	

DECISION CONSENT

1 The works hereby approved shall be begun before the expiration of three years from the date of this consent

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Notwithstanding the submitted drawings of the casement window joinery and stone details, large scale details of the casement windows, including the thickness of glazing and its method of fixing are to be submitted to the local planning authority for agreement in writing.

Reason: To safeguard the character and appearance of the listed building.

3 Prior to commencement of development full details of the proposed treatment and repair methods for fireplace openings, including any surrounds are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the character and appearance of the listed building.

4 Prior to commencement of development large scale detailed drawings of the new staircases are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the internal character and appearance of the listed building.

5 Prior to commencement of development large scale details of the roof lights are to be submitted to the local planning authority for approval in writing.

Reason: To safeguard the character and appearance of the listed building.

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 Heritage Statement, Design and Access Statement, Photographs, site location plan and drawing numbers 2557-02B and 2557-04 all received on 19th May 2014, 2557-J-01, 2557-J-02 and 2557-05 Rev B all received on 17th June 2014 and 2557-J-03 Rev G and 2557-J-03 Rev G both received on 3rd July 2014.

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 proposals was taken and consent was granted.

Item No:	13	
Application No:	14/01866/FUL	
Site Location:	Land And Buildings To Rear Of 1-7 High Street, Mill Hill, Wellow, Bath	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Full Application	
Proposal:	Conversion of former farm buildings to form 1No. dwelling with associated works. (Resubmission with revisions of 13/02812/FUL)	

Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building,
Applicant:	Mr Chris Watt
Expiry Date:	9th July 2014
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 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.

3 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.

4 No development shall take place until full details of a Wildlife Mitigation and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

(i) Details of replacement bat roosts and additional bat roost provision including bat tubes and boxes and specifications and methods for their incorporation into the fabric of the building where applicable

(ii) Details of bat friendly lighting, demonstrating avoidance of light spill onto roosts and provision of dark corridors for commuting bats

(iii) Details of wildlife friendly planting and other ecological enhancements as appropriate

Reason: In the interests of the ecology of the area.

5 The development hereby permitted shall be carried out only in accordance with the approved Wildlife Mitigation and Enhancement Scheme, and the approved Bat and Bird Survey (ACE Consulting dated 29th August 2012 and CTM Wildlife Ltd Bat Survey dated July 2013) or any amendment to these documents as 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 the ecology of the area.

6 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 any 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.

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 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.

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 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.

9 Provision shall be made within the site for the disposal of surface water. Details of which including the means of outfall shall be submitted to, and approved in writing by the Local Planning Authority prior to construction.

Reason: In the interests of Flood Risk Management.

10 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 of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and highway safety

11 The garage(s) hereby approved shall be retained for the purpose of parking a motor vehicle(s) associated with the dwelling.

Reason: To retain adequate off-street parking provision.

12 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 Bat and Bird Survey, Tree Survey and Subterranean pool methodology date stamped 22nd April 2014 and drawing no's 2544-17A, 2544-02C, 2544-03I, 2544-05G, 2544-07D, 2544-08A, 2544-09A, 2544-0210A, 2544-11B, 2544-12A, 2544-15B, 2544-16B, 2544-S-02A, 2544-S-03A, 2544-SK-01H, 2544-SK-02, 2544-SK-03, 2544-S-04a, 2544-SK-05B, 2544-17A, 12654-200-001 date stamped 14th May 2014.

ADVICE NOTE:

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

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:	14	
Application No:	14/01867/LBA	
Site Location:	Land And Buildings To Rear Of 1-7 High Street, Mill Hill, Wellow, Bath	
Ward: Bathavon South	Parish: Wellow	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	Internal and external alterations to facilitate conversion of former farm buildings to 1 no. dwelling. (Resubmission with revisions of 13/02813/LBA)	
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, Listed Building,	
Applicant:	Mr Chris Watt	
Expiry Date:	9th July 2014	
Case Officer:	Rebecca Roberts	

DECISION CONSENT

1 The works hereby approved shall be begun before the expiration of three years from the date of this consent

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2 Prior to the re-pointing of existing external walls a sample of the lime pointing to be undertaken and details of the areas of wall to be re pointed shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved sample.

Reason. To safeguard the character and appearance of the listed buildings.

3 Prior to the erection of the new walls a sample panel of natural limestone stonework shall be constructed on site to show type, bonding, and pointing with a lime based mortar, to be agreed in writing by the local planning authority . The works shall be undertaken in accordance with the approved specification of works.

Reason. To safeguard the character and appearance of the listed buildings.

4 Prior to commencement of the extension works full structural details of the method for supporting the existing barn structure shall be submitted to and agreed in writing by the local planning authority.

Reason: To avoid damage to the structural integrity of the listed building.

5 Prior to re-cladding the roofs of the listed buildings a sample of the clay tiles to be used shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved sample of roof tile.

Reason. To safeguard the character and appearance of the listed buildings.

6 Prior to commencement of the works large scale details of the roof lights are to be submitted to the local planning authority for approval in writing.

Reason. To safeguard the character and appearance of the listed buildings.

7 Prior to the fitting of any external vents, gas or electricity meter inspection boxes details of their appearance and location on the buildings shall be submitted to and agreed in writing by the local planning authority .

Reason: To safeguard the character and appearance of the listed buildings.

8 Prior to the fitting of the external joinery, details of the final colour finish shall be submitted and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

Reason. To safeguard the character and appearance of the listed buildings.

9 Prior to works commencing on the existing floors and interior walls of the listed buildings a detailed specification of works to include existing and proposed finishes shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved specification of works.

Reason. To safeguard the character and appearance of the listed buildings

10 Prior to repair works to the first floor and roof structure in the stables and the roofs of the barn and the forge, a detailed specification of works shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

Reason. To safeguard the character and appearance of the listed buildings.

11 Prior to commencement of the works full details of the proposed mezzanine in the barn shall be submitted to and agreed in writing by the local planning authority. The works shall be undertaken in accordance with the approved details.

Reason: To safeguard the appearance and character of the listed building.

12 Prior to commencement of works to construct the swimming pool, details of the pool surround and any associated structures or boundary treatment shall be submitted to and agreed in writing by the local planning authority.

Reason: To safeguard the appearance, character and setting of the listed buildings.

13 No development shall take place until full details of a Wildlife Mitigation and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall include:

(i) Details of replacement bat roosts and additional bat roost provision including bat tubes and boxes and specifications and methods for their incorporation into the fabric of the building where applicable

(ii) Details of bat friendly lighting, demonstrating avoidance of light spill onto roosts and provision of dark corridors for commuting bats

(iii) Details of wildlife friendly planting and other ecological enhancements as appropriate

Reason: In the interests of the ecology of the area.

14 The development hereby permitted shall be carried out only in accordance with the approved Wildlife Mitigation and Enhancement Scheme, and the approved Bat and Bird Survey (ACE Consulting dated 29th August 2012 and CTM Wildlife Ltd Bat Survey dated July 2013) or any amendment to these documents as 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 the ecology of the area.

15 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 Bat and Bird Survey, Tree Survey and Subterranean pool methodology date stamped 22nd April 2014 and drawing no's 2544-17A, 2544-02C, 2544-03I, 2544-05G, 2544-07D, 2544-08A, 2544-09A, 2544-0210A, 2544-11B, 2544-12A, 2544-15B, 2544-16B, 2544-S-02A, 2544-S-03A, 2544-SK-01H, 2544-SK-02, 2544-SK-03, 2544-S-04a, 2544-SK-05B, 2544-17A and 12654-200-001 date stamped 14th May 2014.

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 consent was granted.

ADVICE NOTE:

When a request is made to a Local Planning Authority for written confirmation of compliance with a condition or conditions attached to an approved application, or where a request to discharge conditions is submitted, it will assist the Local Planning Authority if the 1APP standard form is used. The form is available from the Planning Portal at

www.planningportal.gov.uk. Requests can be submitted via the Planning Portal or sent direct to the Registration Team, Planning Services, PO Box 5006, Bath, BA1 1JG.