

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 3rd September, 2014

Present:- Councillor Gerry Curran in the Chair

Councillors Patrick Anketell-Jones, Rob Appleyard, Neil Butters, Sally Davis (In place of Martin Veal), Ian Gilchrist, Les Kew, Dave Laming, Malcolm Lees, Bryan Organ, Vic Pritchard, Manda Rigby and David Veale

Also in attendance: Councillors Cherry Beath, Anthony Clarke, Nathan Hartley, Eleanor Jackson and Tim Warren

36 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure.

37 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required.

38 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There was an apology for absence from Councillor Martin Veal, whose substitute was Councillor Sally Davies.

39 DECLARATIONS OF INTEREST

Councillor Rob Appleyard declared an interest in the planning application at Hope House, Lansdown Road, Bath (Item 1, Report 10) as he was a Director of Curo. He would therefore not take part in the debate or vote. Councillor Les Kew declared an interest in the application at Parcel 3300 Temple Inn Lane, Temple Cloud (Item 3, Report 10) as he was instrumental in achieving speed limits to Harts Lane, Hallatrow, where he resided and therefore he would not take part in the debate if this was raised.

40 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

41 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

The Senior Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when reaching their respective items in Reports 9 and 10 on the Agenda. The Chair stated that the time had been extended on Items 1 and 2 on the Main List due to the number of speakers and the nature of the applications.

42 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were none.

43 MINUTES: 30TH JULY 2014

The minutes of the previous meeting held on Wednesday 30th July 2014 were approved as a correct record and signed by the Chair, subject to the following additional wording being included in Minute 32 regarding the Bath Recreation Ground planning application:

“Legal advice was sought on the determination of the application before some Members were willing to take part in the discussion. After discussion, advice given was that it was the duty of this Committee to determine the application irrespective of any other court issues around land use, covenants, ownership, size of developable land or status. Failure to do so would be breaking the law. Members taking part in the discussion would be indemnified by the Council if any legal action was taken against them as a result of their participation in the debate.”

44 SITE VISIT LIST - APPLICATION FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- The report of the Group Manager – Development Management on an application for planning permission etc.
- An oral statement by a member of the public speaking against the proposal, the Speakers List being attached as *Appendix 1* to these Minutes

RESOLVED that, in accordance with their delegated powers, the application be determined as set out in the Decision List attached as *Appendix 2* to these Minutes

Former Rockery Tea Gardens, North Road, Combe Down, Bath – Erection of a detached single storey dwelling (Revised proposal) - The Case Officer reported on this application and her recommendation to (A) authorise the Group Manager, in consultation with the Planning and Environmental Law Manager, to enter into a S106 Agreement to provide/agree various provisos; and (B) on completion of an acceptable S106 legal agreement, grant permission subject to conditions. The Case Officer provided an oral update to the recommendations section of her report to amend the proviso in the S106 relating to the Management Company to state as follows: “to provide by way of management company for the future maintenance of the communal road leading to the dwelling.”

The public speaker made a statement against the proposal which was followed by a statement by the Ward Councillor Cherry Beath against the application.

After receiving a response to a query, Councillor Ian Gilchrist moved that the Officer recommendation be overturned and that permission be refused on the grounds that the mitigation measures were insufficient to compensate for the loss of woodland. It was seconded by Councillor Rob Appleyard.

Members debated the motion. The Case Officer responded to a number of queries by Members including the earlier scheme and the S106 Agreement. It was generally felt that the loss of trees was a significant issue in this sensitive site. However, it was agreed that further reasons for refusal be added, namely, overdevelopment of the site, overlooking and loss of woodland as an area of amenity. Some Members considered that the mitigation measures were sufficient to cover the loss of woodland.

The Chair summed up the debate and put the motion to the vote which was carried, 11 voting in favour and 2 against. Motion carried.

45 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- A report by the Group Manager – Development Management on various applications for planning permission etc.
- Oral statements by members of the public etc. on Item Nos. 1 - 9, the Speakers List being attached as *Appendix 1* to these Minutes
- An Update Report on Item Nos. 1 – 3 and 8, the Report being attached as *Appendix 3* to these Minutes

RESOLVED that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached as *Appendix 4* to these Minutes

Item 1 Hope House, Royal High School, Lansdown Road, Lansdown, Bath – Residential development of 58 dwellings, including the conversion of Hope House and associated infrastructure and parking following demolition of existing school buildings – The Case Officer reported on this application and her recommendation to (A) authorise the Group Manager, in consultation with the Planning and Environmental Law Manager, to enter into a S106 Agreement to provide/agree various provisos; and (B) on completion of an acceptable S106 Agreement, grant permission subject to various conditions. She referred to various typographical errors regarding the dates of consultation responses in the report and advised members that a revised vehicle tracking plan had been received and was considered acceptable. The Update Report provided further information on the scheme and slightly amended the recommendation.

The public speakers made their statements against and in favour of the proposals. The Ward Councillor Anthony Clarke made a statement on the matter.

Councillor Patrick Anketell-Jones, as Ward Member on the Committee, opened the debate. He commented on the application and referred to the large number of objections received and increased number of houses proposed for the site. He considered that Block C was 30% bigger and could be reduced by a floor. The quality of the design on the lower part of the site was poor and did not contribute to

the setting of the World Heritage site and the Conservation Area. He acknowledged that there were some good aspects of the application.

Members asked questions to which the Case Officer responded. There was some discussion about the affordable housing aspect of the development. It was queried whether the application could be split into two so that some of the application could be approved and the other part refused. The Team Manager – Development Management stated that the application could not be split into two and would need to be considered as submitted. The Senior Legal Adviser supported this view. Councillor Les Kew moved that the Officer recommendation be overturned and that permission be refused on the basis that the design of houses on the lower section of the site was not acceptable and adversely affected the character and appearance of the Conservation Area. The motion was seconded by Councillor Patrick Anketell-Jones.

Members debated the motion. Some Members considered that the total scheme had merit and could be approved.

The Chair summed up the debate and put the motion to the vote. Voting: 7 in favour and 5 against with 1 abstention. Motion carried.

(Note: After this decision at 4.15pm, there was a short adjournment for a natural break)

Item 2 St Saviour's Junior School, Brookleaze Place, Avondale Buildings, Larkhall, Bath – Demolition of existing temporary classrooms and kitchen, extensions to existing school building comprising of a new classroom block and new kitchen to be located off the main hall – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. The Update Report provided further information on the proposal and recommended that a further condition be added.

The public speakers made their statements against and in favour of the proposals.

Councillor Dave Laming, as Ward Member on the Committee, expressed concern about various aspects of the proposal and considered that the application should be refused.

It was queried whether the application could be split into two as regards the temporary buildings and the permanent buildings. The Team Manager – Development Management stated that, in this particular instance, it could as the temporary classrooms were already on site and in use and were not dependent on the use of the proposed permanent buildings. Councillor Rob Appleyard felt that there was an issue about consultation but this was an opportunity to move forward and the existing permanent classrooms were in poor condition which affected the learning experience. He therefore moved the Officer recommendation which was seconded by Councillor Sally Davies.

Members debated the motion. It was felt that the proposed development fitted into the area well. The existing conditions were cramped and Members needed to listen to the needs of the users. However, it was also considered that the temporary and permanent buildings could be dealt with separately so as to permit the temporary

buildings and re-examine the need for the permanent buildings. It was also considered that this was an application that was just trying to cover the anticipated bulge class issue over the next 5 years and could be redesigned.

The Chair commented on the proposals and put the motion to the vote which was carried, 7 voting in favour and 4 against with 2 abstentions. Motion carried.

Item 3 Parcel 3300 Temple Inn Lane, Temple Cloud – Development of the site for residential purposes (approximately 70 dwellings) with associated public open space, landscaping and parking, primary vehicular access from Temple Inn Lane (internal access, layout, scale, appearance and landscaping reserved for subsequent approval) – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure various provisos relating to Transport and accessibility; Affordable housing, Education, and Community facilities; and (B) subject to the prior completion of the S106 Agreement, authorise the Group Manager to grant permission subject to various conditions (or such conditions as may be determined). He reported on the various changes to the earlier application considered back in March this year. The Update Report referred to various corrections to the report and the Case Officer circulated a further Update Note to Members clarifying matters relating to the provision of a public footpath link

The public speakers made their statements against and in favour of the development. Councillor Tim Warren as Ward Councillor commented on the proposal.

Members discussed the RA1 status of the village in the Core Strategy and the number of houses that had already been developed or granted permission. It was a different situation to that when the earlier application was considered. It was queried whether this application was reopening the previous application. The Team Manager – Development Management replied that the resolution of the Committee to grant permission had not yet been issued and circumstances had changed in the interim as the Core Strategy had now been adopted by the Council. The adopted Core Strategy now sought a different level of provision of affordable housing and the proposals had been amended to comply with the Core Strategy. He clarified what was being said in the Update Report and Note and further commented that a footpath link to the adjoining estate could be secured in the terms of the S106 Agreement. There was some discussion about the amount of affordable housing that was being provided.

Councillor Bryan Organ moved the Officer recommendation which was seconded by Councillor Dave Laming.

Members briefly debated the motion. The Chair summed up the debate and put the motion to the vote. Voting: 5 in favour and 7 against with 1 abstention. Motion lost.

Councillor Manda Rigby moved that the application be refused permission on the grounds that it was outside the housing development boundary, there was an excessive number of houses being proposed which exceeded the requirements of the RA1 status of the village, and the highway junction was unacceptable for this number of houses with no prospect of improvement. The motion was seconded by Councillor Rob Appleyard.

The motion was put to the vote and was carried, 7 voting in favour and 5 against with 1 abstention.

Item 4 Land adjacent to Tree Tops, Firgrove Lane, Peasedown – Erection of straw bale, timber frame living/work unit (Retrospective) – The Case Officer reported on this application and his recommendation to refuse permission. He commented on further representations received in support of the proposal.

The applicant made a statement in favour of the proposal which was followed by a statement by the Ward Councillor Nathan Hartley in support of the application.

Councillor Rob Appleyard considered that this was a lifestyle choice and that the site needed to be viewed on the ground to consider the impact on its surroundings. On that basis, he moved that the application be deferred for a Site Visit which was seconded by Councillor Les Kew.

The motion was put to the vote and was carried, 10 voting in favour and 1 against with 2 abstentions.

Item 5 Rentokil Tropical Plants, Pipehouse Nursery, Pipehouse, Freshford – Erection of 10 dwellings including access road, car parking and hard standing, landscaping and associated works and services following demolition of existing buildings and structures – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure various provisos relating to Transport and accessibility, Affordable housing, Open space and recreational facilities, Education, and Protection of boundary hedgerows; and (B) subject to the prior completion of the S106 Agreement, authorise the Group Manager to grant permission subject to various conditions (or such conditions as may be appropriate).

The public speakers made their statements against and in favour of the application.

Councillor Neil Butters, as Ward Member on the Committee, opened the debate. He referred to the historic nature of the site and moved that the application be deferred for a Site Visit to view the site in the context of its surroundings, highway access and turning space. The motion was seconded by Councillor Les Kew.

The Chair put the motion to the vote which was carried, 10 voting in favour and 0 against with 3 abstentions. Motion carried.

(Note: After this decision at 6.45pm, the meeting adjourned for a Tea break and resumed at 7.15pm).

Item 6 Land opposite Tunley Farmhouse, Wood Lane, Priston – Erection of 2 live/work buildings and re-alignment of highway (Outline) – The Case Officer reported on this application and her recommendation to refuse permission. She reported the comments of Camerton and Dunkerton Parish Councils on the proposal.

The applicants' agent made a statement in favour of the application.

Councillor David Veale (Ward Member on the Committee) had the same view on this application as previously. A Bond could be taken out to build the footpath to the village but he felt that the developer should make a contribution to the cost of the works rather than the total cost.

Councillor Les Kew considered that this development was only 2 live/work units and didn't warrant the full cost of the footpath being met by the developer. He therefore moved that the Officer recommendation be overturned and that Officers be authorised to grant permission subject to the previous terms of the S106 Agreement with a contribution to a maximum of £10k by the developer to the cost of the footpath, and appropriate conditions. The motion was seconded by Councillor Malcolm Lees.

Members debated the motion. It was considered that a lesser amount would be more appropriate. Councillor Kew on reconsideration amended his motion to a specific amount of £5k. This was considered to be more acceptable to Members.

The Chair put the motion to the vote which was carried unanimously.

Item 7 No 72 High Street, Twerton, Bath – Change of use from single dwelling (C3) to house in multiple occupation (C4) – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The public speaker made a statement against the application.

The Chair, as Ward Member on the Committee, considered that there were special circumstances regarding this part of the High Street particularly with regard to the location of the Foyer building, pubs and shops. It was acknowledged that students can bring diversity to a community and present different issues although residents could see them as detrimental to their amenity. Councillor Vic Pritchard felt that this was not a good location for an HMO and this was only a 3 bed end of terrace family dwelling. He therefore moved that the Officer recommendation be overturned and permission be refused on the basis of the cumulative impact on the community and adverse impact on residential amenity. The motion was seconded by Councillor Les Kew.

After a brief debate, the Chair put the motion to the vote. Voting: 7 in favour and 1 against with 5 abstentions. Motion carried.

Item 8 Land between cycle path and roundabout, London Road East, Bath – Change of use of existing building to residential including external alterations – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. She commented on a further letter of objection.

The public speakers made statements against and in favour of the proposal.

Councillor Sally Davis read a statement on behalf of the Ward Councillor Geoff Ward who supported the objections to the application. She also referred to comments by the other Ward Councillor Martin Veal as regards the history of the site. Councillor Les Kew considered that this was a dangerous location and moved that the Officer recommendation be overturned and that permission be refused on the grounds that

a substantial reconstruction of the building would be required to change it to residential use. The motion was seconded by Councillor Malcolm Lees.

Members debated the motion. The Team Manager – Development Management pointed out that this was not intended to be a holiday let as mentioned in the debate but a residential use.

The Chair put the motion to the vote. Voting: 12 in favour and 1 against. Motion carried.

Item 9 Trinity C of E Primary School, Woodborough Lane, Radstock – Erection of detached timber framed building to provide break out space on school site –

The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

Councillor Deborah Porter, on behalf of Radstock Town Council, made a statement against the proposal. Councillor Eleanor Jackson, as Ward Councillor, made a statement against the application.

Members discussed the proposal. Councillor Vic Pritchard stated that this was an award winning school and the proposal was of a cheap standard not befitting to the school. He therefore moved that the Officer recommendation be overturned and permission be refused on the grounds of poor design. The motion was seconded by Councillor Malcolm Lees.

Members briefly debated the motion which was generally supported.

The Chair put the motion to the vote which was carried, 9 voting in favour and 3 against with 1 abstention. Motion carried.

46 QUARTERLY PERFORMANCE REPORT - APRIL TO JUNE 2014

The report was noted.

47 NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES

The report was noted.

The meeting ended at 8.25 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

Date 3rd September 2014

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

ITEM

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
01	13/04235/FUL	Hope House, Lansdown Road

REPRESENTATIONS

Consultee Comments

Parks Officer – A review of the contributions required reduces the overall level of requirement for provision to a Total Contribution: of £139,024.86. This is on the basis that all on site provision will be maintained by the developer via a management company at nil cost to the Council.

Ecology Officer additional comments made 13th August 2013 - Further revisions have been made to plans. They do not require any changes to my advice. Natural England have made comments including advice for the LPA to document the screening stage of the Habitats Regulation Assessment, due to the use of the site by greater and lesser horseshoe bats and the proximity of the Bath & Bradford on Avon Bats Special Area of Conservation (SAC). In accordance with Natural England's advice I have therefore undertaken a "Test of Likely Significant Effect" which concludes, subject to securing all necessary bat mitigation measures by condition as recommended in the ecological report and my advice below, that the risk of a "likely significant effect" on the SAC can be ruled out.

Third Party Representations

A letter has been received in relation to the lower site confirming previous objections still stand and in addition raising the following:-

- The planning committee did not enter the site via the bottom gate
- The fire appliance tracking is incorrect
- The development may result in damage to a resident's retaining wall.

In response reasonable steps have been taken to assess access and the highways officer is satisfied with what has been provided. A more detailed assessment will be undertaken under separate Building Control legislation

Councillors undertook a thorough site visit and it is for members to be satisfied that they are sufficiently informed to make the decision on the application.

The development does not directly affect adjoining walls and construction difficulties are not anticipated however any damage during construction would be a private matter between the parties.

A further letter has been received that reiterates previous concerns relating to impact on trees, ecology and highways already addressed in the main report.

Affordable Housing

Since adoption of the core strategy the required level of affordable housing for this postcode area increases from 35-40% as already addressed within the main agenda report. The affordable housing officer is satisfied with the level of provision at 35% as initially secured however some further supplementary explanation of the reason for this has been sought and is set out in the applicant's statement below.

"There are a number of constraints within the grounds of Hope House that have a significant impact upon development costs. The scheme has been engineered to be efficient and work with the levels to minimise its impact on surrounding properties and the Conservation Area as a whole. The site slopes steeply from north to south and subsequently the scheme requires a great many retaining walls and the foundations will need to be piled to stabilise the ground. In addition there are a number of other abnormalities, such as, the redirection of underground springs, the protection of retained trees, as well as the treatment of Japanese knotweed which is located within the grounds. This means that costs associated with the ground works will be very significant, well in excess of potentially any scheme built in Bath. The development will also be built to Code Level 4 and using the highest quality materials reflecting what is expected in a City with World Heritage Status. All buildings including the affordable will be built using Bath stone. It should be noted that the affordable accommodation has been designed and will be built to be compliant with both HAPPI and Lifetimes Homes and this will increase the cost of construction.

Hope House Developments LLP have done their utmost to accommodate the Council's requirement for 35% of on-site affordable housing provision and specifically address the identified need for over 55s accommodation. The increased build costs due to the above constraints my client estimated to be in the region of £4.25m and this has a marked impact on the scheme.

Discussions on this site commenced in 2012 with the first pre-application enquiry being lodged in October 2012. Design considerations continued and further pre-application submissions were made in January and June 2013. We submitted the application in September 2013 and discussions have continued to ensure the design is first class and appropriate to the location and also to ensure the affordable housing proposed will meet the requirements of the provider and user. The affordable housing is bespoke to this site to ensure that the specific needs of the over 55 age groups are met which will assist in

enticing these residents from existing homes. You will note the incorporation of mobility scooter parking and charging facilities within Block A (see attached plan) and retention of the disabled parking spaces which we trust satisfies your requirements. Curo have advised that these facilities are welcomed and acceptable. I have also attached an amended elevation to reflect the fact that the lift door has moved to the side of the building rather than being accessed through the parking area.

The very recent adoption of the Core Strategy and subsequent change in affordable housing levels to 40% is of great concern to the viability of my client's scheme. The team has designed the proposed affordable accommodation to the highest of standards complying with HAPPI principles and Lifetime Homes wherever possible. The quality, location and setting of the development we feel will almost certainly attract/entice over 55 affordable residents from larger under-occupied family housing elsewhere in Bath. Freeing up these family sized units in our opinion will more than make up for the 3 units / 5% reduction to this recently adopted policy. On the basis that individuals or couples under occupying a family house would be relocating to the Hope House site this development would not only provide 20 first class purpose built properties but would free up valuable family housing. This represents on average at least 2 additional bed spaces per unit provided on site (e.g. a 3 or 4 bed house would free up 4 spaces) – this represents a significant overall contribution which exceeds policy which can be delivered through the provider. As previously mentioned the waiting list for 1 bedroom properties is considerable and this scheme will help readdress the balance and be focused on a particular age of residents where demand is at its highest.

Further consideration is the design of the properties on site and their location in relation to the functionality of the affordable housing. All affordable must be provided within one block to reduce management cost and also because this age group are vulnerable and would take comfort from the fact that they will be with peers. It is not practical or viable to increase the number of units through dispersing units through the site, as Block B has been designed to meet the bespoke requirements and the other blocks have been designed to meet market requirements. The inclusion of 3 units would result in a redesign of the whole scheme. It is also not appropriate to increase the scale of the existing building either in footprint or height given the site constraints. The levels drop away to the west and so any increase in provision would result in further foundations, retaining walls at greater costs. We also, very importantly, need to be mindful of the residents of St James's Park and any resultant impact on changes which have been carefully considered.

The provision of specific age restricted affordable housing on the Hope House site will release much needed family housing, freeing up under occupied stock back elsewhere in Bath into the community (see under occupation reference in 2013 SHMA page 52). As you know there is much support for over 55s retirement development in the Adopted Local Plan and also in the emerging evidence base including the 2009 and 2013 SHMAs. Paragraph 159 of the NPPF refers LPA to prepare SHMAs to understand the housing need in their

area and requires the need for all types of housing to be addressed including that for older people. Laying the Foundations also refers to the need to make provision for this sector.

The 2013 SHMA identifies that the ageing population is impacting on the need and the “estimated requirement for specialist housing for Older People (market and affordable) represents a potentially significant proportion of the total housing requirement.” (para 12.58). Chapter 9 is relevant and clearly indicates that the need for older people accommodation in B&NES is greater than in England as a whole. Policy CP10 of the Core Strategy also supports housing for older people - “housing developments will also need to contribute to the provision of homes that are suitable for the needs of older people, disabled people and those with other special needs....in a way that integrates all households into the community. The 2009 SHMA identified the split of affordable need in Bath North between family 3/4bed and non-family 1/2 bed as 31% / 69% respectively. The 2008 DCLG household projections showed that between 2008 and 2033 over 50% of the growth across the District will come from the over 65 age group.

Officer assessment

The proposals as submitted are agreed bespoke in particular with regard to the affordable housing provisions. Build quality within the scheme exceeds standards that are generally applied and it is agreed highly unlikely given the longevity and complexity of negotiations leading to this point that an increased affordable housing provision in this case could be secured on the basis of the current scheme and if it were sought it would generate a requirement for a different approach to the development. In this specific case taking account of the affordable housing officers very clear support for the proposed scheme I am satisfied that taking account of the very particular and specific circumstances and constraints in this case it is acceptable to move forward on the basis of the secured 35% affordable housing provision.

Other Matters

The development has been advertised as a departure due to the 5% lower than policy affordable housing provision. No representations on this point have been received.

Recommendation

As per the main agenda with revision to point iii) to secure the parks contribution in line with the revised Parks officer advice as set out in this update.

Drainage

Following the receipt of additional information the Flood Risk Management and Drainage Team no longer require the advice in respect of contacting Wessex Water in respect of drainage prior to commencement. They have however recommended the following condition to be attached:

On completion of the scheme record drawings are to be produced detailing the drainage systems installed (including permeable paving areas) and the point of discharge to the Public sewer system.

Reason:

To allow operation and maintenance of the drainage system in accordance with the initial design for the purpose of flood risk management.

Land contamination

A Desk Study and Ground Investigation and Geoenvironmental Interpretative Report has been submitted and the Contaminated Land Officer is satisfied with the conclusions of the report and confirm that the condition requiring a desk study and preliminary land quality risk assessment has been met. Therefore condition 2 is no longer required and the following document should be added to the approved documents list:

Received 11th August 2014

Ground investigation and geoenvironmental interpretative report (June 2014)
Greenfield Associates

Item No.	Application No.	Address
03.	13/03562/OUT	Parcel 3300, Temple Inn Lane, Temple Cloud

Corrections:

Page 131

Heading 4 - to read as follows: (Additional text in **Bold**, deleted text struck-through.)

4. The provision of a direct public footpath link from the ~~north~~ **south** east corner of the site to Cameley Church of England Primary School and contributions of £20,000 to fund **3rd party compensation**, any associated admin costs and construction costs, any unused funds to be returned to the developer.

Page 132

Heading 2. - To read as follows

"2. £10,000 to fund the rationalisation of signage on the junction of Temple Inn Lane with the A37."; ~~or part thereof should planning application 13/04456/FUL be approved.~~

Heading 7 - to read as follows:

7. The provision, on site, of ~~30~~ **5%** Affordable Housing the housing mix to be agreed in writing with Bath and North East Somerset Council

Heading 10 - to read as follows:

10. Contributions to fund the need for primary school places and Youth Services provision places arising from the development, the amount of the contribution to be calculated prior to reserved matters consent being granted and calculated in accordance with the Supplementary Planning Document entitled Planning Obligations, adopted July 2009, ~~or any equivalent subsequently adopted Document.~~ The agreed contributions shall be provided prior to the commencement of development.

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
08	14/01237/FUL	Land at London Road East

Since the agenda was published Councillor Geoff Ward has objected to the application and one further letter has been received objecting to the application. Both comments are summarised below.

The applicant does not have access over the vehicular access to the site. New drawings have been submitted, objectors and the parish council have not been reconsulted. The building could be used for employment use.

Officer assessment

The onus is on the applicant to provide the correct information with regards to land ownership. In this case the applicant has signed certificate D. Certificate D is required if land is included within the red line where the applicant does not know who owns the land. The applicant is required to place a notice of the application within the local press. The applicant has also supplied a letter from their solicitor stating that they do have a right of access to the site.

Further comments have been made by the highways officer which state that:

I note the correspondence received confirming the right of access from London Road East to the development site, from the Land Registry, dated 12/10/1998. I have also seen the information sent in respect of the stopping-up of public highway and private access, dated May 1993.

Given the information sent in support of the development post-dates the stopping-up notice, it is reasonable to assume that this legally supersedes that previous order and therefore that access exists. Should this not be the case and access does not exist, this would be a civil matter to be resolved outside the planning process.

The applicant has submitted a revised site location plan which has revised the red line to show access to the highway. The council is not under any obligation to reconsult and in this case it was not deemed necessary as it did not substantially alter the proposal.

With regard to planning policy that is relevant to this proposal it should be noted that paragraph 51 of the NPPF states that,

Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

The proposed development would result in the reuse of a currently disused building. Therefore the proposed development is considered to be compliant with the policies set out within the National Planning Policy Framework.

The submitted comments do not alter the officer's recommendation and the application is still recommended for permission.

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

3rd September 2014

SITE VISIT DECISIONS

Item No:	001	
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 (Combe Down) Ltd	
Expiry Date:	10th September 2014	
Case Officer:	Rachel Tadman	

DECISION Overturned – Refused on the grounds of overdevelopment, overlooking and loss of residential amenity – full wording to follow

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BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

3rd September 2014

DECISIONS

Item No:	01	
Application No:	13/04235/FUL	
Site Location:	Hope House, The Royal High School, Lansdown Road, Lansdown	
Ward: Lansdown	Parish: N/A	LB Grade: II
Application Type:	Full Application	
Proposal:	Residential development for the erection of 58 no. dwellings, including the conversion of Hope House, and associated infrastructure and parking following demolition of existing school buildings.	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Listed Building, Tree Preservation Order, World Heritage Site,	
Applicant:	Hope House Developments LLP	
Expiry Date:	17th September 2014	
Case Officer:	Sarah James	

DECISION REFUSE

1 The proposed development by virtue of the unacceptable design and appearance of the 4 new dwellings on the lower site (accessed from Park Street Mews) would have a harmful impact upon the character and appearance of the conservation area contrary to saved policies D2, D4 and BH6 of the Bath and North East Somerset Local Plan, including minerals and waste policies, 2007

PLANS LIST:

Site Location Plan 0158/72826, 0005 PHL - 101-C, 0005-PHL - 103-B , 1500 R01e Tree Quality Survey - drawings - (1500/P01c, Po2e, Po3c, Po7c, Po8b)1866 - PE- 32 rev C, 1866 - PE- 33 rev B, 1866 - PE- 34, 1866 - PE- 36 rev D, 1866 - PP- 31 rev C, 1866 - PP- 32 rev E 1866 - PP- 33 rev E , 1866 - PP- 34 rev C, 1866 - PP- 35 rev A , 1866 - PP- 36 rev A, 1866 - PP- 37 rev A, 1866 - PP- 38 rev B, GA Roof Plan rev D, AN1083:100 Landscape Masterplan Whole Site Rev D, AN1083:101 Landscape North Rev G, AN1083:102 Landscape South - Rev B , AN1083:103 Landscape and Existing Rev E, AN1083:105 Landscape Section - Rev B, AN1083:106 Landscape Section CC, 0005-PHL-101C, M313/9100 P8, 67000 M313/9101 P8, 71000 M313/9102 P8, 74000 M313/9103 P8, M313/9105 P8, M313/9106 P8, M313/9107 P8, M313/9111 P8, M313/9112 P8, M313/9120 P8, M313/9121 P8, AN.1083.102 , M313/9113 P2, M313/9133 P1, 1866 PE 31, 1866 PE 35, 1866 PE37, 1866 PE 38, 1866 PP 39, 1866 PP40, WSP-1642-GA-630-

ST-201 Existing Lighting - Lux Measurement Site Survey, WSP-1642-GA-630-ST-202 , GF1A, FF1A, SF1A, TF1A, ELEV1, ELEV 2, ELEV 3, 17A, 15A, 3160-1, 3160-2, 3160-3, DP-31, DP-32, PS-31, PD-31, PD-32A, PD-33, PD-34, PD-35

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 and has worked positively with the applicant in bringing forward the proposed development. Notwithstanding the case officers recommendation, for the reason set out within this refusal the Development Control Committee has determined that the development is unacceptable.

Item No:	02	
Application No:	14/02309/REG03	
Site Location:	St Saviours Junior School Brookleaze Place, Avondale Buildings, Larkhall, Bath	
Ward: Lambridge	Parish: N/A	LB Grade: N/A
Application Type:	Regulation 3 Application	
Proposal:	Demolition of existing temporary classrooms and kitchen. Extensions to the existing school building comprising of a new classroom block and new Kitchen to be located off the main hall.	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Primary School Purpose, World Heritage Site,	
Applicant:	Bath & North East Somerset Council	
Expiry Date:	5th September 2014	
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 Excluding the installation of the proposed temporary classrooms 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.

Reason: To ensure the safe operation of the highway.

3 Development shall not commence until a Landscape and Ecological Protection Plan providing details of all necessary measures to avoid harm to wildlife has been submitted to and approved in writing by the local planning authority. The scheme shall include details, as necessary, of provision of tool box talks; timing of works to avoid harm to nesting birds; a plan showing exclusion zones and fencing specification around retained habitats; and pre-commencement checks or ecological watching brief as applicable. The development shall be carried out only in accordance with the approved Scheme or any amendment to the Scheme as approved in writing by the Local Planning Authority.

Reason: to avoid harm to wildlife during construction including protected species and retained habitats.

4 No development 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 within the approved document implemented as appropriate. The final method statement shall incorporate a provisional programme of works; supervision and monitoring details by an appointed Arboriculturalist and the provision of site visit records and certificates of completion. The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, location of site office, service run locations including soakaway locations and movement of people and machinery.

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

5 No development or other operations shall take place except in complete accordance with the approved Arboricultural Method Statement unless agreed in writing by the Local Planning Authority. A signed certificate of compliance shall be provided by the appointed Arboriculturalist to the Local Planning Authority on completion.

Reason: To ensure that the approved method statement is complied with for the duration of the development.

6 Within two months of the commencement of the development a hard and soft landscape scheme shall be 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. The scheme shall also include details of all recommended ecological mitigation and enhancement measures as set out in the Ecological Appraisal including wildlife-friendly lighting; numbers, locations and specifications for bat and bird boxes and other wildlife features; provision of connective habitat, and details and specification for native planting.

Reason: To ensure the provision of ecological mitigation and an appropriate landscape setting to the development.

7 The relevant part of the development shall not 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.

8 Prior to the installation of windows and doors large scale detailed drawings (including window reveal detailing) shall be submitted to and approved in writing by the Local Planning Authority. Works must then be completed in accordance with these details.

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

9 Further information to be provided in respect of all boundary treatments, in particular around the new play areas and where the new entrance will be.

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

10 Reporting of Unexpected Contamination

In the event that unexpected contamination is found at any time when carrying out the approved development, work must be ceased and it must be reported in writing immediately to the Local Planning Authority. The Local Planning Authority Contaminated Land Department shall be consulted to provide advice regarding any further works required. Unexpected contamination may be indicated by unusual colour, odour, texture or containing unexpected foreign material.

Reason: In order to ensure that the land is suitable for the intended use and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with section 11 of the National Planning Policy Framework.

11 Prior to the occupation of the development an updated Travel Plan shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the Travel Plan.

Reason: In the interests of sustainable development.

12 All work of making good of boundary walls shall be finished to match the adjacent wall in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

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

13 The temporary classrooms approved as part of this consent must be removed from site within 2 months of the occupation of the proposed extension.

Reason: In the interests of the appearance of the area and neighbouring amenity.

14 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.

15 The proposed first floor windows in the north west elevation of the proposed extension, shown as three coloured windows annotation 10 and the window annotated as 14 on drawing 130992 P(0)14 J shall be non-opening and glazed with obscure glass prior to the occupation of the building and permanently retained as such.

Reason: To safeguard the amenities of adjoining occupiers from overlooking and loss of privacy.

16 No external lighting shall be erected without prior approval from the Local Planning Authority.

Reason: To ensure the amenity of neighbouring properties is protected.

17 Prior to the use of the kitchen extension hereby approved details of any extract/ventilation system shall be submitted and approved by the Local Planning Authority and then implemented in accordance with the details so approved. The system shall thereafter be retained in accordance with the approved details.

Reason: To ensure that the extract/ventilation system is appropriate for the character of the building and/or to safeguard the amenities of local occupiers.

18 On completion of the scheme record drawings are to be produced detailing the drainage systems installed (including permeable paving areas) and the point of discharge to the Public sewer system.

Reason:

To allow operation and maintenance of the drainage system in accordance with the initial design for the purpose of flood risk management.

19 The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

PLANS LIST:

This decision relates to drawing nos E055B3/AL/102 Existing Blocks 004, 005, 006 and 007, E055B3/AL/103 Existing Elevations and Sections, 130992 P(0)08 Existing Site Plan, 130992 P(0)19 rev A Decant Plan and Elevation, 130992 P(0)20 rev A Decant Site Plan, 130992 P(0)21 rev A Decant Site Section, 939 d005 Drainage Details, Preliminary

Ecological Appraisal (August 2013), School Travel Plan (June 2013) and Arboricultural Report received 20th May 2014, Initial Bat Assessment (July 2014) received 29th July 2014, 130992 P(0)11 rev O Proposed Plans, 130992 P(0)12 rev I Indicative Street Scene, 130992 P(0)13 rev I Proposed Site Plan, 130992 P(0)14 rev J Proposed Elevations, 130992 P(0)15 rev H Proposed GA Sections, 130992 P(0)22 rev D Roof Plan and D001 D Proposed Drainage Plan received 6th August 2014 and Ground investigation and geoenvironmental interpretative report (June 2014) received 11th August 2014.

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. 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.

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.

Construction Advice

- 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.

Furthermore due to increasing issues and concerns with the gull population in Bath I would advise that that consideration is given to proofing any roof/flat surfaces against gulls nests

Item No:	03	
Application No:	13/03562/OUT	
Site Location:	Parcel 3300, Temple Inn Lane, Temple Cloud, Bristol	
Ward: Mendip	Parish: Cameley	LB Grade: N/A
Application Type:	Outline Application	

Proposal:	Development of the site for residential purposes (approximately 70 dwellings), with associated public open space, landscaping and parking. Primary vehicular access from Temple Inn Lane to be determined, (internal access, layout, scale, appearance and landscaping reserved for subsequent approval).
Constraints:	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenfield site, Public Right of Way, Tree Preservation Order,
Applicant:	Mr E Bruegger
Expiry Date:	29th November 2013
Case Officer:	Daniel Stone

DECISION REFUSE

1 The application site lies outside the Housing Development Boundary, defined through the Bath and North East Somerset Local Plan Adopted 2007 and the proposal (for 70 dwellings) would significantly exceed the scale of growth to be accommodated in Temple Cloud, as set out in Adopted Core Strategy policy RA1. As such the proposals are contrary to saved policies HG.4 (i) and SC.1 of the Bath and North East Somerset Local Plan Including Minerals and Waste Adopted 2007, to Policy RA.1 of the Bath and North East Somerset Core Strategy Adopted July 2014 and to the guidance set out in the National Planning Policy Framework.

2 The traffic generated from this proposal would use the junction of Temple Inn lane with the A37. By virtue of the high traffic levels and congestion problems on the A37 and substandard visibility splays, the junction is considered unsuitable to accommodate the increase in traffic from this development and would be likely to lead to additional hazards and conflict with all users of the highway. As such, the proposed development would be contrary to saved policies T.1 (2) and T.24 (i) of the Bath & North East Somerset Local Plan including minerals and waste policies Adopted October 2007 and the guidance set out in the National Planning Policy Framework.

PLANS LIST:

This decision relates to drawing nos

- Drawing 01 Nov 2013 TEMPLE CLOUD HEDGE MITIGATION
- Drawing 131031 3200 REV C Illustrative Masterplan
- 130816 1001 A SITE LOCATION PLAN
- PROTECTION OF HEDGEROW ON NORTH EASTERN - 26 Nov 2013
- 04 Nov 2013 TEMPLE CLOUD HEDGE MITIGATION
- SUPPLEMENT TO ECOLOGICAL REPORT - NORTH-EASTERN HEDGEROW - 28TH OCTOBER 2013
- STATEMENT OF COMMUNITY INVOLVEMENT
- ARCHAEOLOGICAL DESK BASED ASSESSMENT
- TRANSPORT STATEMENT
- AFFORDABLE HOUSING DELIVERY STATEMENT

- LANDSCAPE AND VISUAL IMPACT ASSESSMENT
- ECOLOGICAL SURVEY
- EXISTING LAYOUT - A37 / TEMPLE INN LANE LAYOUT- DRAWING 12001/300 REV 0
- PROPOSED SITE ACCESS - DRAWING 12001/200 REV A
- PROPOSED ILLUSTRATIVE SITE SECTIONS - DRAWING 13130/2100
- FLOOD RISK ASSESSMENT
- PLANNING STATEMENT
- ARBORICULTURAL CONSTRAINTS REPORT

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 Council engaged with the applicant and sought to resolve and address problems with the proposals. Notwithstanding this engagement, the proposals were re-considered following the adoption of the Core Strategy in July 2014, and the Committee resolved that the proposals were unacceptable in principle for the reasons given.

Item No:	04		
Application No:	14/01261/FUL		
Site Location:	Land Adjacent To Tree Tops, Firgrove Lane, Peasedown St. John, Bath		
Ward:	Peasedown St John	Parish:	Peasedown St John
Grade:	N/A		LB
Application Type:	Full Application		
Proposal:	Erection of straw bale, timber frame, living/work unit. (Retrospective)		
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt,		
Applicant:	Mrs Zoe Hawes		
Expiry Date:	13th May 2014		
Case Officer:	Andy Pegler		

Deferred awaiting site visit: To allow Members to view the site within its surroundings

Item No:	05
Application No:	14/01495/FUL

Site Location:	Rentokil Tropical Plants Pipehouse Nursery, Pipehouse, Freshford, Bath		
Ward:	Bathavon South	Parish:	Freshford
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of 10 no. dwellings, including access road, car parking and hardstanding, landscaping and associated works and services following demolition of existing buildings and structures.		
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, Mineral Consultation, MOD Safeguarded Areas,		
Applicant:	Belgravia Land Ltd		
Expiry Date:	23rd July 2014		
Case Officer:	Daniel Stone		

Deferred awaiting site visit: To allow Members to view the site and its access

Item No:	06		
Application No:	14/00892/OUT		
Site Location:	Land Opposite Tunley Farm House, Wood Lane, Priston, Bath		
Ward:	Bathavon West	Parish:	Camerton
		LB Grade:	N/A
Application Type:	Outline Application		
Proposal:	Outline application for the erection of two live/work buildings and re-alignment of the highway.		
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt,		
Applicant:	Woodstone Construction SW LTD		
Expiry Date:	5th June 2014		
Case Officer:	Heather Faulkner		

DECISION Delegate to PERMIT

Authorise the Development Manager to permit subject to a Section 106 agreement and conditions to be worded at a later date.

PLANS LIST:

This decision relates to the following documents:

Received 25th February 2014

13109_L_001_D

13109_L_003_D

13109_L_004_D

13109_L_005_B

13109_L_006_B

13109_L_007_B

17300_200_C

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 Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. The proposal was considered unacceptable for the reasons given by the case officer in their committee report. However the Planning Committee considered that the proposals were acceptable subject to conditions and a legal agreement and permission was granted.

Item No:	07	
Application No:	14/02663/FUL	
Site Location:	72 High Street, Twerton, Bath, Bath And North East Somerset	
Ward: Twerton	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from single dwelling (C3) to house in multiple occupation (C4)	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,	
Applicant:	Miss Marie Hutton	
Expiry Date:	5th August 2014	
Case Officer:	Alice Barnes	

DECISION REFUSE

1 The change of use to a house in multiple occupation will have a detrimental impact on the housing mix of the surrounding area and will harm the amenity of nearby residential occupiers. The proposed development is therefore contrary to saved policy HG.12 and D.2 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007

PLANS LIST:

Site location plan

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

Item No:	08				
Application No:	14/01237/FUL				
Site Location:	Land Between Cyclepath And Roundabout, London Road East, Batheaston, Bath				
Ward:	Bathavon North	Parish:	Bathford	LB Grade:	N/A
Application Type:	Full Application				
Proposal:	Change of use of existing building to residential including external alterations.				
Constraints:	Agric Land Class 3b,4,5, Flood Zone 2, Flood Zone 3, Forest of Avon, Greenbelt, Hotspring Protection, Listed Building, MOD Safeguarded Areas,				
Applicant:	Mr Alex Dodge				
Expiry Date:	23rd July 2014				
Case Officer:	Alice Barnes				

DECISION REFUSE

1 The proposed change of use will result in substantial reconstruction of the existing building within the green belt. It is therefore inappropriate development contrary to paragraph 90 of the National Planning Policy Framework and policy CP8 of the Core Strategy for Bath and North East Somerset adopted - July 2014

PLANS LIST:

This decision relates to the Existing site plan PL01, Existing floor plan PL02, Existing elevations PL03, Existing site context PL04, Existing site context elevations PL05, Location plan PL06, Proposed site plan PL10, Proposed floor plan PL11, Proposed elevations PL12, Proposed context elevations PL13 and Proposed context elevations PL14 received 14th March 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, and expanded upon in a related case officer's report, a positive view of the revised proposals was taken and consent was granted.

Item No:	09	
Application No:	14/02258/FUL	
Site Location:	Trinity C Of E Primary School, Woodborough Lane, Radstock, Bath And North East Somerset	
Ward:	Parish:	LB Grade:
Radstock	Radstock	N/A
Application Type:	Full Application	
Proposal:	Erection of detached timber-framed building to provide break-out space on school site	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Primary School Purpose,	
Applicant:	Trinity C Of E Academy Trust	
Expiry Date:	5th September 2014	
Case Officer:	Heather Faulkner	

DECISION REFUSE

1 The design and siting of the proposed classroom building is considered to be unacceptable and have a poor relationship with the design of the school and the surrounding play areas. The application would therefore be contrary saved policies D.2 and D.4 of the Bath and North East Somerset Local Plan adopted 2007 and the Chapter 7 of the NPPF 2012.

PLANS LIST:

This decision relates to drawing nos 10, 11, 12, 13, 14,, 15, 16, 18, 100, 101 and 102 received 15th 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 and the application was assessed and considered acceptable by officers. Notwithstanding the case officers recommendation, for the reason set out within this refusal the Development Control Committee has determined that the development is unacceptable.

**SPEAKERS LIST
BATH AND NORTH EAST SOMERSET COUNCIL**

**MEMBERS OF THE PUBLIC ETC WHO MADE A STATEMENT AT THE MEETING
OF THE DEVELOPMENT CONTROL COMMITTEE ON WEDNESDAY 3RD
SEPTEMBER 2014**

SITE/REPORT	NAME/REPRESENTING	FOR/AGAINST
SITE VISIT – REPORT 9		
Former Rockery Tea Gardens, North Road, Combe Down, Bath (Pages 55-73)	Kathryn Harris	Against
MAIN PLANS LIST – REPORT 10		
Hope House, The Royal High School, Lansdown Road, Bath (Item 1, Pages 78-105)	Alice Lennard <u>AND</u> Nick Fraser Alan Pearce, Alder King Planning Consultants (Applicant's Agents)	Against – To share 7 minutes For – Up to 7 minutes
St Saviour's Junior School, Avondale Buildings, Larkhall, Bath (Item 2, Pages 106-122)	Chris Wright 1. Kevin O'Shea, Headmaster 2. Ian Plain 3. Kate Robinson	Against – Up to 4 minutes For – To share 4 minutes
Parcel 3300, Temple Inn Lane, Temple Cloud (Item 3, Pages 123-161)	Clive Wellsford, Cameley Parish Council Maria Musins, Chair, Temple Cloud Residents Association Andy Shepley (Applicant's Agent)	Against Against For
Land adjacent to Tree Tops, Firgrove Lane, Peasedown (Item 4, Pages 161-166)	Zoe Hawes (Applicant)	For
Rentokil Tropical Plants, Pipehouse Nursery, Freshford (Item 5, Pages 167-189)	Nick Stevens, Chair, Freshford Parish Council Ann Ross Martyn Stutchbury, Stutchbury Associates (Applicant's Architects)	Against Against For
Land opposite Tunley Farmhouse, Wood Lane, Priston (Item 6, Pages 190-204)	Mel Clinton, Nash Partnership (Applicants' Agents)	For
72 High Street, Twerton, Bath (Item 7, Pages 205-	Hannah Watson	Against

209)		
Land between cycle path and roundabout, London Road East, Batheaston, Bath (Item 8, Pages 210-215)	David Faulkner Nick Morley (Applicant's Architect)	Against For
Trinity C of E Primary School, Woodborough Lane, Radstock (Item 9, Pages 216-221)	Councillor Deborah Porter, Radstock Town Council	Against