

**BATH AND NORTH EAST SOMERSET COUNCIL**  
**DEVELOPMENT CONTROL COMMITTEE**

**11th February 2015**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	14/02619/FUL	
<b>Site Location:</b>	Pinesgate, Lower Bristol Road, Westmoreland, Bath	
<b>Ward:</b> Widcombe	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of an office building (use class B1) with basement parking, associated infrastructure and landscaping following the demolition of existing office building.	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, British Waterways Major and EIA, Flood Zone 2, Flood Zone 3, Forest of Avon, General Development Site, Hotspring Protection, MOD Safeguarded Areas, World Heritage Site,	
<b>Applicant:</b>	Pinesgate Investment Company Ltd	
<b>Expiry Date:</b>	27th February 2015	
<b>Case Officer:</b>	Rachel Tadman	

**DECISION REFUSE**

1 The proposed development, by reason of the materials and height, would have a detrimental impact on the character and appearance of the area and result in harm to the Outstanding Universal Value of the World Heritage Site. This would be contrary to Policies D2 and D4 of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007, Policy B4 and CP6 of the Bath and North East Somerset Core Strategy, adopted July 2014, and the Bath Western Riverside Supplementary Planning Document, adopted March 2008.

**PLANS LIST:**

This decision relates to drawing nos 1669/P/001 P1, /002 P1, /011 P3, /012 P3, /020 P1, /021 P1, /051 P1, /052 P1, /061/ P1, /062 P1, /063 P1, /064 P1, 071 P1, /072 P1, /100 P3, /101 P3, /102 P3, /103 P3, /105 P3, /107 P3, /301 P3, /302 P3, /321 P3, /322 P3, /323 P3, /324 P3, /421 P3, /422 P3.

Informative:

SuDs Approval Bodies have not been established and it is unclear when they will be set-up. As such Bath & North East Somerset Council will not adopt SuDS features, therefore the applicant should detail the long-term maintenance of the drainage system. The ownership and maintenance responsibility of the SuDS features should be explained as

part of the drainage strategy. (Model legal agreements that provide a mechanism for SuDs maintenance can be accessed from Ciria (Publication 626))

## Flood Warning and Evacuation

The site lies within a Flood Warning area. The Environment Agency does not normally comment on or approve the adequacy of flood emergency response and evacuation procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users.

## 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 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.

### 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](http://www.planningportal.gov.uk).

This permission is accompanied by an agreement under Section 106 of the Town and Country Planning Act 1990.

<b>Item No:</b>	02	
<b>Application No:</b>	14/02272/EFUL	
<b>Site Location:</b>	Ministry Of Defence, Warminster Road, Bathwick, Bath	
<b>Ward:</b> Bathwick	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application with an EIA attached	
<b>Proposal:</b>	Demolition of existing buildings, erection of 204 no. dwellings; 2 no. accesses from Warminster Road, vehicular parking; open space; landscaping (including tree removal); pumping station; and associated engineering works.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Agric Land Class 3b,4,5, Article 4, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, Sites of Nature Conservation Interest, World Heritage Site,	
<b>Applicant:</b>	Square Bay (Bath) LLP	
<b>Expiry Date:</b>	1st December 2014	
<b>Case Officer:</b>	Daniel Stone	

## DECISION

Delegate to PERMIT - Await further conditions and subject to a S106 Agreement

<b>Item No:</b>	03
<b>Application No:</b>	14/01772/REG03
<b>Site Location:</b>	Colonnade Beneath Street, Grand Parade, City Centre, Bath
<b>Ward:</b> Abbey	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Regulation 3 Application
<b>Proposal:</b>	Change of use of vault and undercroft spaces below Grand Parade to restaurants and ancillary facilities (A3), with works to allow pedestrian access to Boat Stall Lane and The Colonnade and to facilitate access to Slippery Lane. Alteration of the public highway, the creation of pedestrian space, the realignment of bus and service parking capacity along Grand Parade and towards Orange Grove, provision of a new loading bay, and construction of vertical pedestrian and service receptions.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Scheduled Ancient Monument SAM, Article 4, Bath Core Office Area, City/Town Centre Shopping Areas, Conservation Area, Cycle Route, Flood Zone 2, Flood Zone 3, Forest of Avon, Listed Building, MOD Safeguarded Areas, Public Right of Way, Sites of Nature Conservation Interest, World Heritage Site,
<b>Applicant:</b>	Bath And North East Somerset Council Property Services
<b>Expiry Date:</b>	27th August 2014
<b>Case Officer:</b>	Sarah James

## DECISION

Overtaken - Refused for the following reasons: No public benefits and substantial harm to the Grade 1 Pulteney Bridge.

<b>Item No:</b>	04
<b>Application No:</b>	14/01773/REG13
<b>Site Location:</b>	Colonnade Beneath Street, Grand Parade, City Centre, Bath
<b>Ward:</b> Abbey	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Regulation 13 Application
<b>Proposal:</b>	Change of use of vault and undercroft spaces below Grand Parade to restaurants and ancillary facilities (A3), with works to allow pedestrian access to Boat Stall Lane and The Colonnade and to facilitate access to Slippery Lane. Alteration of the public highway, the creation of pedestrian space, the realignment of bus and service parking capacity along Grand Parade and towards Orange Grove, provision of a new

	loading bay, and construction of vertical pedestrian and service receptions.
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Bath Core Office Area, City/Town Centre Shopping Areas, , Cycle Route, Forest of Avon, Hotspring Protection, Listed Building, MOD Safeguarded Areas, Prime Shop Front, Public Right of Way, Sites of Nature Conservation Interest, World Heritage Site,
<b>Applicant:</b>	Bath And North East Somerset Council Property Services
<b>Expiry Date:</b>	27th August 2014
<b>Case Officer:</b>	Sarah James

## DECISION

Overtaken - Refused for the following reasons: No public benefits and substantial harm to the Grade 1 Pulteney Bridge.

<b>Item No:</b>	05		
<b>Application No:</b>	14/04354/EOUT		
<b>Site Location:</b>	Former Ministry Of Defence Foxhill Premises, Bradford Road, Combe Down, Bath		
<b>Ward:</b>	Combe Down	<b>Parish:</b>	N/A
		<b>LB Grade:</b>	N/A
<b>Application Type:</b>	Outline Application with an EIA attached		
<b>Proposal:</b>	Outline Planning Permission for up to 700 dwellings, up to 500 sqm retail (Use Class A1, A2, A3, A4, A5) up to 1,000sqm employment (Use Class B1), up to 3,500 sqm community/education (Use Class D1), single form entry primary school, open space and all associated infrastructure.		
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, General Development Site, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, Tree Preservation Order, Water Source Areas, World Heritage Site,		
<b>Applicant:</b>	Curo Enterprise Ltd		
<b>Expiry Date:</b>	26th January 2015		
<b>Case Officer:</b>	Simon Metcalf		

## DECISION

A) Authorise the Planning and Environmental Law Manager to enter into a Section 106 Agreement to secure the following:

- Transport, contributions towards public transport, sustainable transport measures, provision of off-site highways works, improvements to Pope's Walk and a Travel Plan.
- Open Space, financial contributions towards green space and provision of allotments. Financial contributions for ongoing maintenance of open space / management and maintenance by a management company.

- Provision of 30% affordable housing
- Education - provision of a 210 place primary school on site designed in agreement with the Council. Provision of 70 place Early Years facility in agreement with the Council.
- Community Services - provision of community space, contribution towards youth services, library services and lifelong learning.
- Economic Development - participation in Targeted Recruitment and Training Management Board and commitment to delivery of employment floorspace.

B) Subject to the prior completion of the above agreement, authorise the Group Manager to PERMIT subject to the following conditions

1 (a) No part of the Outline Application hereby permitted shall be commenced unless and until an application or applications for the matters reserved by this planning permission in respect of that part of the Development have been submitted to and approved in writing by the Local Planning Authority and the reserved matters application or applications shall include detailed plans, sections and elevations showing:

- Layout
- Scale
- Appearance
- Landscaping

(b) Application(s) for approval of the matters reserved by this planning permission must be made not later than the expiration of 5 years from the date of this decision notice

(c) The Outline Application hereby approved shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved whichever is the latest.

Reason: This is an outline planning permission and these matters have been reserved for the subsequent approval of the Local Planning Authority under the provisions of Section 92 of the Town and Country Planning Act (as amended) and to avoid the accumulation of unimplemented planning permissions.

2 All reserved matters applications shall be accompanied by a Design Statement identifying how they align with the Area Wide Design Principles and Design Principles for the Character Area/s in which they are located, as set out in the submitted Design and Access Statement (as amended) prepared by HTA dated September 2014. The Design Statement shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development and the character and appearance of the area and to ensure the effects of the development accord with that assessed.

3 This outline planning permission relates solely to the description of development set out above and in the Application Plans and Documents attached to this planning permission. All reserved matters applications shall accord with the following approved parameter plans

forming part of the application except where specific listed conditions in this permission require otherwise:

- Amount and Access - MXX-XX-DR\_0110 Rev E
- Scale - MXX-XX-DR\_0112 Rev F
- Landscaping - MXX-XX-DR\_0113 Rev D

Reason: To ensure that the amenities of the site and the impact of the development on the surrounding area are safeguarded and appropriately mitigated.

4 All floorspace figures, building heights (based on AOD levels) and housing numbers stated in the application plans and documents attached to this permission are hereby deemed as maximum parameters used for the Environmental Impact Assessment. They shall not be exceeded and this permission shall not be deemed to guarantee that those maximum development parameters are achievable at the reserved matters stage.

Reason: To ensure the effects of the development accord with that assessed.

5 Details of the finished site levels and floor levels (based on AOD levels) shall be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To ensure that the amenities of the site and the impact of the development on the surrounding area are safeguarded and appropriately mitigated.

6 No development shall commence within any individual part of the development until a schedule and sample of all materials to be used in the construction of the external surfaces including elevations, windows, doors, roofs of buildings of that part of the development have been first 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 character and appearance of the area.

7 No development shall commence within any individual part of the development until details of hard landscape materials for that part of the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include all walls, fences and other boundary treatments/means of enclosure and finished ground levels; details of the surface treatment of the open parts of the site; roads, footpaths, cycleways and driveways and a programme of implementation. The development shall thereafter be carried out only in accordance with the details so approved.

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

8 No development shall commence within any individual part of the development until details of the open spaces and the planting scheme for that part of the development have been first submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all trees, hedgerows and other planting which are to be

retained; 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.

9 Notwithstanding the details shown in the 'Advance Planting Plan' ref: MXX-XX-DR\_9000 Rev B, a revised Advance Planting Plan accompanied by a timetable for implementation and management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall thereafter proceed in accordance with the approved details.

Reason: To ensure the provision of an appropriate landscape setting to the development and to enhance the existing tree belt on the northern part of the site which contributes to the green setting of the City of Bath.

10 All hard and/or soft landscape works shall be carried out in accordance with the approved details. The landscape works for approved shall be carried out prior to the occupation of that part of that 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 5 years from the date of the scheme 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

11 No development shall take place until an arboricultural method statement with tree protection plan identifying measures to protect the trees during access construction has been submitted to and approved in writing by the Local Planning Authority. The statement shall include proposed tree protection measures during site preparation (including clearance and removal of hard surfacing). The statement should also include the control of potentially harmful operations such as the storage, handling and mixing of materials on site, burning, and movement of people and machinery.

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

12 No development activity shall commence on any individual part of the development until the protective measures as stated in the approved Arboricultural Method Statement, for that part of the development, and tree protection plan have been implemented. The local planning authority is to be advised in writing two weeks prior to development commencing of the fact that the tree protection measures as required are in place and available for inspection.

Reason: To ensure that the trees are protected from potentially damaging activities.

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

- (i) Details of exclusion zones to be shown on a scale plan and details of specifications for all exclusion fencing. The LPA must be notified of when fencing is installed and photographic evidence supplied
- (ii) Details of all necessary ecological update survey findings and pre-commencement checks for example to check for new badger activity
- (iii) Details of all other necessary wildlife protection measures and confirmation with photographic evidence once these are in place, including confirmation of commissioning of named ecological watching brief, provision of tool box talks, as applicable

All works within the scheme shall be carried out in accordance with the approved details, unless otherwise 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: to avoid harm to protected species and wildlife habitats

14 Any application for reserved matters that includes development within 100m of the northern boundary of the site shall be accompanied by a detailed lighting scheme to be submitted to the Local Planning Authority for approval. The scheme shall be based on the principles established through the approved Itdoes Lighting Strategy titled (Notes regarding bat mitigation and design choices for Mulberry Park, Bath) and shall include:

- A detailed lighting plan that demonstrates that lighting levels within the vegetated zone along the northern boundary would be 1 lux or below;
- Details and specifications to demonstrate that the interior lighting to residential properties and exterior residential lighting include such measures to avoid the possibility of lightspill from residential properties bringing any part of bat corridor to levels which are greater than 1 lux;
- A dimming regime for night hours to be agreed with Natural England, B&NES Ecological Officers and the Local Planning Authority
- Use of back shields or other equivalent measures to reduce light levels to 1 lux or below within the vegetated zone
- Details of a timetable to be agreed for implementation of the lighting scheme

The approved Lighting Scheme shall be implemented and thereafter maintained as specified unless otherwise agreed in writing with the Local Planning Authority.

Reason: To avoid harm to bats and bat activity

15 No development shall take place until full details of a Landscape and Ecological Management Plan have been submitted to and approved in writing by the local planning authority. These details shall include:

- (i) Details of all wildlife friendly landscape planting and habitat provision, to also be shown on all relevant plans and drawings
- (ii) Details of proposed long term management specifications, duration, method, timing and frequency of works, and responsibilities and resourcing, for all areas of habitat which must also be clearly shown on a plan
- (iii) Details of proposed long term monitoring of ecological measures, bat activity and light level compliance monitoring

All works within the scheme shall be carried out in accordance with the approved details and an agreed timetable unless otherwise approved in writing by the local planning authority

Reason: To secure long term provision maintenance and monitoring of ecological and protected species mitigation measures in line with the approved ecological assessment

16 No development shall take place within the site until the implementation of a programme of archaeological work has occurred in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work should provide a controlled watching brief during ground works within areas A and B as shown on the submitted site plan (drawing number EDP 2103/22, dated 01/12/14), with provision for excavation of any significant deposits or features encountered, and shall be carried out by a competent person(s) and completed in accordance with the approved written scheme of investigation.

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

17 No part of the development shall commence until further soakaway testing has been undertaken for that part of the development to demonstrate the infiltration feasibility for the proposed soakaways. Tests should be undertaken in the presence of suitable officer of Bath and North East Somerset Council Drainage and Flooding Team officer and the results shall be submitted to approved in writing by the Local Planning Authority prior to any soakaways being constructed. Where tests results preclude the use of soakaways, an alternative method for dealing with surface water discharge in line with the objectives of delivering a sustainable urban drainage solution for the site will need to be submitted to and agreed with the Local Planning Authority.

Reason: In the interests of Flood Risk and Drainage Management

18 No part of the development shall commence until Electronic Micro Drainage files (.mdx files) for that part have been submitted to the Local Planning Authority so that the performance of the proposed system can be simulated. These simulations should demonstrate that no flooding to property will occur on site up to the 1 in100 year (+30% for climate change) rainfall events. Details of the existing surface water runoff rates and volumes should be presented, illustrating that the proposed method of drainage will as a minimum result in no increase in these rate and where feasible reduce them.

Reason: In the interests of flood risk management.

19 No part of the development shall commence until plans showing overland flow routes with flood depths and velocities for that part have been submitted to and approved and approved in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of Flood Risk and Drainage Management

20 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 should be in accordance with the Flood Risk Assessment (Hydrock, November 2014 Ref R/C12549/001.02). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall 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.

21 There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface water, whether direct or via soakaways.

Reason: To prevent pollution of the water environment.

22 No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - o human health,
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o adjoining land,
  - o groundwaters and surface waters,
  - o ecological systems,
  - o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: In order to ensure that the land is suitable for the intended uses 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.

23 Prior to the commencement of development a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The

scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to ensure that the land is suitable for the intended uses 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.

24 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: In order to ensure that the land is suitable for the intended uses 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.

25 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 22, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 23, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 24.

Reason: In order to ensure that the land is suitable for the intended uses 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.

26 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the Local Planning Authority and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: In order to ensure that the land is suitable for the intended uses 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.

27 The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker

- o a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing,
- o the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

28 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

29 No development falling within Use Class A3, A4 or A5 shall commence until a scheme for treating fumes and odours, so as to render them innocuous before their emission to the atmosphere, has been submitted to and approved in writing by the Local Planning Authority and the means of treating the fumes and odours shall be installed and be operational before the development is brought into use or occupied and maintained as such thereafter.

Reason: To ensure that any concentration of air pollutants in the vicinity is minimised and to protect the amenity of the locality, especially for people living and working nearby or a nuisance is not caused in accordance with Local Planning Policy.

30 Any development falling within Use Class A1 shall be open to customers only between the hours of 7.00 - 22.00 Monday to Saturday and 08.00 - 20.00 on Sundays. No deliveries to commercial uses shall be taken at or dispatched and no delivery vehicles shall park within the application site outside these hours

Reason: To protect the amenity of the locality, especially for people living nearby.

31 Any development falling within Use Class A3, A4 or A5 shall not be open to customers outside the hours of 07.00 - 23.00 on any day and no customer shall be served or remain on the premises outside those hours.

Reason: To protect the amenity of the locality, especially for people living nearby

32 No part of the development shall commence until full details of the following works to the highway have been submitted to and been approved in writing by the Local Planning Authority:

- o The Main Site Access on Bradford Road (Drawing FMW1555 SK01 Rev D)
- o The secondary Site Access Junctions on Fox Hill (Drawing FMW1220 Figure 5.2)
- o Fox Hill Bradford Road Junction Improvement (Drawing FMW1220 SK08)

The development hereby permitted shall not be occupied until these works have been completed in accordance with the approved details and a timetable to be agreed with the Local Planning Authority. The works shall be retained thereafter.

Reason: To ensure that all highway works associated with the proposed development are to a standard approved by the Local Planning Authority and are completed at an appropriate juncture to serve the development.

33 Any application for reserved matters shall include details of the street lighting and street furniture for that part of the development . The development shall thereafter be carried out only in accordance with the details so approved by the Local Planning Authority and shall be retained thereafter

Reason: To ensure that the roads and public highway are designed, laid out and constructed to an adoptable standard.

34 No part of the development shall be occupied until junctions on the internal access roads serving that part of the development have been constructed with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall therefore be maintained free of obstruction at all times.

Reason: In the interests of highway safety

35 The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly bound and compacted footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: To ensure that the development is served by an adequate means of access

36 No part of the development hereby permitted shall be occupied until details of pedestrian/cycle links for that part of the development have been provided and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The links shall thereafter be maintained free of obstruction at all times.

Reason in the interests of amenity and sustainable development

37 No individual plots shall be occupied until their access and parking provision has been laid out using a properly consolidated surface material.

Reason: In the interests of the appearance of the development and highway safety.

38 No commercial development shall be occupied until car parking to serve it has been constructed and laid out in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The car parking area shall thereafter remain solely for use as parking in perpetuity.

Reason: To ensure adequate provision and in the interests of highway safety.

39 All applications for reserved matters shall provide details of the number, type and location of cycle parking facilities. The details approved by the Local Planning Authority shall be implemented and thereafter maintained.

Reason: In the interest of sustainable development and to ensure the satisfactory location of cycle parking.

40 No development shall be occupied until or unless a full Travel Plan has been submitted to and approved in writing by the Local Planning Authority, such a plan shall include; a School Travel Plan to cover school uses, a commercial Travel Plan to cover employment uses and a residential Travel Plan to cover residential uses.

Reason: in the interest of sustainable development

41 Before any dwelling is first occupied new residents Welcome Packs, the content of which shall have been submitted to and approved in writing by the Local Planning Authority, shall be issued to occupiers of the property. The Packs should include information of bus and train timetable information, information giving examples of fares / ticket options, information on cycle routes, a copy of the Travel Better, Live Better publication, car share, car club information and sustainable travel voucher to encourage residents to use public transport and travel sustainably.

Reason: in the interest of sustainable development.

42 No part of the development hereby permitted shall be occupied until details of a proposed bus route through the site and a programme for its implementation have been submitted to and approved in writing by the Local Planning Authority. The route shall ensure all new dwellings are located within 400m of a bus stop or 5 minutes walk, whichever is the greater. The approved bus route should thereafter be maintained free of obstruction at all times.

Reason: In the interests of amenity and sustainable development

43 Prior to commencement of development a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan

shall be adhered to throughout any demolition works, site preparation and construction works unless otherwise agreed in writing by the Local Planning Authority. The plan shall provide for:

- Parking of vehicle of site operatives and visitors
- Routes for construction traffic
- Hours of operation for working and deliveries
- Details of control measures and monitoring during construction to minimise noise and dust resulting from works
- Onsite storage areas.
- Method of prevention of mud being carried onto highway
- Pedestrian and cyclist protection
- Proposed temporary traffic restrictions
- Arrangements for turning vehicles
- Diversion of existing bus service

Reason - In the interests of safe operation of the highway and to safeguard the amenity of residential properties.

44 No development shall commence until details of refuse storage for that part of the development have been submitted to and approved in writing by the Local Planning Authority. That part of the development shall not be occupied until the refuse storage has been provided in accordance with the details so approved, and thereafter shall be retained solely for this purpose. No refuse shall be stored outside the building(s) other than in the approved refuse store(s).

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

45 No development shall commence until a phasing plan for delivery of the approved development shall be submitted to and approved in writing by the Local Planning Authority. The phasing shall thereafter take place in accordance with the agreed plan.

Reason: In the interests of ensuring that infrastructure is in place to meet the needs of the development.

46 No development shall commence until a programme for the provision of the approved community space has been first submitted to and approved in writing by the Local Planning Authority. The community space shall thereafter be provided in accordance with the agreed programme.

Reason: In order to ensure that the community facility which is required as part of this development is delivered.

47 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:

Plans list:

This decision relates to drawing nos - Site Plan MXX-XX-DR\_0001, Amount and Access - MXX-XX-DR\_0110 Rev E, Scale - MXX-XX-DR\_0112 Rev F, Landscaping - MXX-XX-DR\_0113 Rev D, Advance Planting Plan' ref: MXX-XX-DR\_9000 Rev B, Proposed Site Access Roundabout FMW1555 SK01 Rev D, Secondary Site Access Junctions FMW1220 Figure 5.2, Fox Hill Bradford Road Junction Improvement FMW1220 Figure 8.4 SK08

<b>Item No:</b>	06	
<b>Application No:</b>	12/00293/FUL	
<b>Site Location:</b>	The Wharf, Greensbrook, Clutton, Bristol	
<b>Ward:</b> Clutton	<b>Parish:</b> Clutton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of 15no dwellings following demolition of existing workshop and stone shed	
<b>Constraints:</b>	Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Forest of Avon, Tree Preservation Order,	
<b>Applicant:</b>	Mr Jeffrey Bromilow	
<b>Expiry Date:</b>	17th May 2012	
<b>Case Officer:</b>	Gwilym Jones	

## DECISION

1 (A) Authorise the Planning and Environmental Law Manager to secure an Agreement under Section 106 of the Town and Country Planning Act 1990 to secure:

i). The provision of 5 dwellings as affordable homes comprising:

Social Rent

2 x 1 bed flats

1 x 2 bed house

1 x 3 bed house

Shared Ownership

1 x 3 bed house

ii). A financial contribution of £6037.51 towards improvements to pedestrian facilities and/or traffic management in the village of Clutton.

iii). A financial contribution of £18,561.55 towards Primary School Places and Youth Services.

(B) Upon completion of the Agreement authorise the Development Manager to PERMIT the application subject to the following conditions:

2 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.

3 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.

4 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.

5 Before the dwellings are first occupied, new resident's welcome packs shall be issued to purchasers which should include information of bus and train timetable information, information giving examples of fares/ticket options, information on cycle routes, a copy of the Travel Smarter publication, car share, car club information etc., together with complimentary bus tickets for each household member to encourage residents to try public transport. The content of such packs shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of sustainable development.

6 The area allocated for parking 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.

7 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include (but not limited to) the pre and post construction hard standing areas calculations; the pre and post construction discharge rates from the site; details of surface water discharge points; a site layout drawing with details of suds features and the overall drainage strategy; how potential pollution from the site will be removed and controlled. Any drainage calculations carried electronically should be submitted in an electronic format.

Reason: In the interests of highway safety.

8 All houses in the development shall be designed to achieve level 3, or better, of the Code for Sustainable Homes.

Reason: To ensure that the development is constructed as specified in the application and to secure the sustainable development of the site.

9 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (a) a survey of the extent, scale and nature of contamination;
- (b) an assessment of the potential risks to:
  - (c) human health,
  - (d) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - (e) adjoining land,
  - (f) groundwaters and surface waters,
  - (g) ecological systems,
  - (h) archaeological sites and ancient monuments;
- (i) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10 Where required a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13 A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14 Prior to commencement of development an intrusive site investigation survey of the site shall be undertaken in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in consultation with the Coal Authority.

In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these works shall be undertaken prior to commencement of development.

Reason: Coal mining legacy potentially poses a risk to the proposed development and intrusive site investigation works are required to establish the impact on the safety and stability of the proposed development and the need, if required, for remedial works.

15 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 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 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, burning, location of site office, service run locations including soakaway and surface water drainage locations 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.

16 No development activity shall commence until the protective measures as stated in the approved Detailed Arboricultural Method Statement are implemented. The local planning authority is to be advised two weeks prior to development commencing of the fact that the tree protection measures as required are in place and available for inspection.

Reason: To ensure that the trees are protected from potentially damaging activities.

17 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 to the local planning authority on completion.

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

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

(i) Finalised details of badger mitigation including findings of pre-commencement checks for new badger activity; mapped location and specifications for fencing; confirmation that fencing is in place; details of licence application

- (ii) Details of proposed street lighting and external lighting demonstrating retention and provision of dark corridors to enable continued passage across the site and use of the site and adjacent woodland edge by bats for commuting and foraging
- (iii) Specifications and location for bat roost provision to be shown on soft landscape scheme
- (iv) Specifications and location for reptile mitigation to be shown on soft landscape scheme
- (v) Details to be incorporated into soft landscape scheme of wildlife-friendly and native species planting, including boundary planting, to maximise wildlife benefit and minimise impacts of the development on ecological value on adjacent land
- (vi) Details of ecological enhancements as appropriate

All works within the scheme shall be carried out in accordance with the approved details, unless otherwise approved in writing by the local planning authority. The works shall be carried out prior to the occupation of any part of the development.

19 No development shall commence until details of the proposed: estate road(s); footways; footpaths; verges; junctions; street lighting; sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays; accesses; carriageway gradients; drive gradients; car parking; street furniture and programme of implementation shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out other than in accordance with the approved details and programme of implementation without the prior written approval of the Local Planning Authority.

Reason: In the interests of highway safety.

20 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.

21 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.

22 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.

## **PLANS LIST:**

L100, L101, L102, L103 Rev.B, L105, L106 Rev. G, L107 Rev. B, L109, L110, L111, L112, L115, sk 32 Rev. B, sk 35 Rev.A, HT 5-1 Rev. A, HT 5-2 Rev. A, HT 7-1 Rev. A, HT 7-2 Rev. A, HT 8 Rev. A, HT 8-2, HT 15 Rev. A, HT 19, HT 25-1, HT 25-2, HT 26, HT 26b, HT 28, A201.

## **REASONS FOR APPROVAL**

The decision to recommend approval has taken account of relevant policies set out in the Development Plan and adopted Supplementary Planning Documents and the National Planning Policy Framework. The decision has also been taken into account other material considerations including emerging policy set out in the Draft Core Strategy and the responses from statutory consultees and other interested parties.

The proposed development is located outside the Housing Development Boundary as defined in the adopted Bath and North East Somerset Local Plan (including minerals and waste policies) 2007 and therefore contrary to policy HG.4 (Residential development in the urban areas and R.1 settlements) of the Local Plan and to policy RA1 of the Draft Core Strategy (Development in the villages meeting the listed criteria). However this is outweighed by guidance set out in the National Planning Policy Framework in respect of promoting sustainable development and ensuring an adequate supply of land for housing.

Subject to conditions and a s.106 agreement secured in accordance with policies IMP.1 (Planning obligations), by virtue of site area and number and tenure mix of the proposed dwellings the development is in accordance with policy HG.8 (Affordable housing on allocated and large windfall sites) and CF.3 (Contributions from new development to community facilities) of the Local Plan. It is considered that the scale, layout and design of the proposed buildings is acceptable and would not materially affect the amenities of the neighbours in accordance with Policy D.2 (General design and public realm considerations) and D.4 (Townscape considerations). Subject to implementation of measures to safeguard trees and protected species the development is in accordance with policies NE.4 (Trees & woodland conservation), NE.10 (Nationally important species and habitats) and NE.11 (Locally important species and habitats). The site adjoins the Green Belt however by virtue of the siting, design and materials of the development it will not be visually detrimental to the Green Belt nor impact negatively on its openness in accordance with policy GB2 (Visual amenities of the Green Belt). The proposed site access and layout is considered acceptable and subject to a planning obligation in respect of improvements to pedestrian facilities and/or traffic management the development is in accordance with Policy T.24 (General development control and access policy) of the Local Plan. Subject to site investigations (and, if required, mitigation and remediation) the development is in accordance with policies ES.14 (Unstable land) and ES.15 (Contaminated Land) of the Local Plan.

**Advice Note:-**

The applicant is advised that the existing railway weighbridge and associated building currently on the site should be dismantled in a manner suitable for its relocation and reassembly on another site. Prior to dismantling the weighbridge and building should be made available for inspection by a railway heritage organisation (such as the North Somerset Heritage Trust) and, if they so request, it is made available to them for removal to another site.

<b>Item No:</b>	07	
<b>Application No:</b>	14/05232/FUL	
<b>Site Location:</b>	Lansdown Mazda , 59 High Street, Upper Weston, Bath	
<b>Ward:</b> Weston	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of single storey front extension to car showroom (Revised proposal)	
<b>Constraints:</b>	Agric Land Class 3b,4,5, Article 4, Conservation Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,	
<b>Applicant:</b>	Lansdown Mazda	
<b>Expiry Date:</b>	8th January 2015	
<b>Case Officer:</b>	Alice Barnes	

**DECISION**

Overtuned - Delegate to PERMIT with appropriate conditions,

<b>Item No:</b>	08	
<b>Application No:</b>	14/02927/FUL	
<b>Site Location:</b>	Parcel 4645, Bath Road, Farmborough, Bath	
<b>Ward:</b> Farmborough	<b>Parish:</b> Farmborough	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Construction of vehicular access and hard standing for round bale silage storage. (Retrospective)	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt, Hazards & Pipelines, Public Right of Way, Special Area of Conservation (SAC), SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr F J Reakes	
<b>Expiry Date:</b>	28th February 2015	
<b>Case Officer:</b>	Martin Almond	

## **DECISION PERMIT**

1 Within 3 months of the date of decision the entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of 12m from the carriageway edge.

Reason: In the interests of highway safety.

2 Within 3 months of the date of decision details for a properly bound and compacted access (not loose stone or gravel) constructed between A39 Bath Road and the gates shall have been submitted to and approved in writing by the Local Planning Authority. The approved access shall then be constructed within 2 months of approval in accordance with the approved details.

Reason: In the interest of highway safety.

3 Within 3 months of the date of decision a turning area shall be provided within the site, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To allow vehicles to enter and leave the site in a forward gear, in the interest of highway safety.

4 The access hereby approved shall be used for agricultural purposes only.

Reason: In the interest of highway safety.

5 Within 3 months of the date of decision infiltration test results and soakaway design calculations to BRE Digest 365 standard should be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of flood risk management.

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 1:2500 location plan dated as received 21st November 2014, drawing 00765 Rev B dated as received 18th November 2014, drawing 766 dated as received on 16th October 2014 and drawing 761 dated as received 25th June 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 the delegated report, a positive view of the submitted proposals was taken and permission was granted.

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

**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](http://www.planningportal.gov.uk).

<b>Item No:</b>	09	
<b>Application No:</b>	14/04625/FUL	
<b>Site Location:</b>	28 Brummel Way, Paulton, Bristol, Bath And North East Somerset	
<b>Ward:</b> Paulton	<b>Parish:</b> Paulton	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of dwelling house and associated car parking, following demolition of existing garage.	
<b>Constraints:</b>	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Mr & Mrs Ian Burton	
<b>Expiry Date:</b>	5th December 2014	
<b>Case Officer:</b>	Mike Muston	

**DECISION REFUSE**

1 The proposed development would result in the unacceptable intensification of the use of the site which would be uncharacteristic of this area. The increased use of the site, including the associated highway movements, in close proximity to the neighbouring occupiers would be harmful to their amenity and would result in a severe threat to highway safety. The development would therefore be contrary to policies D2, D4, and T24 of the Bath and North East Somerset Local Plan, including Minerals and Waste Policies 2007 and policy C6 of the Bath and North East Somerset Core Strategy 2014.

**PLANS LIST:**

Drawings P-BW-1.0 Rev B, 1.1 Rev B, 1.3 Rev A, 1.4 Rev A, 1.6 Rev B and 1.8 Rev B, received 11 December 2014.

Drawings P-BW-1.2, 1.5, and 1.7, received 10 October 2014.

**DECISION TAKING STATEMENT**

In determining this application, the Local Planning Authority has complied with the aims of paragraphs 186 and 187 of the National Planning Framework by moving forward and issuing a decision to refuse the application after the Council's Development Control Committee found the proposal unacceptable.