

Bath & North East Somerset Council

MEETING: **Development Management Committee**

MEETING DATE: **4th May 2016**

AGENDA
ITEM
NUMBER

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RESPONSIBLE OFFICER: Mark Reynolds – Group Manager (Development Management) (Telephone: 01225 477079)

TITLE: **APPLICATIONS FOR PLANNING PERMISSION**

WARDS: ALL

BACKGROUND PAPERS:

AN OPEN PUBLIC ITEM

BACKGROUND PAPERS

List of background papers relating to this report of the Group Manager, Development Management about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
 - (i) Sections and officers of the Council, including:
 - Building Control
 - Environmental Services
 - Transport Development
 - Planning Policy, Environment and Projects, Urban Design (Sustainability)
 - (ii) The Environment Agency
 - (iii) Wessex Water
 - (iv) Bristol Water
 - (v) Health and Safety Executive
 - (vi) British Gas
 - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
 - (viii) The Garden History Society
 - (ix) Royal Fine Arts Commission
 - (x) Department of Environment, Food and Rural Affairs
 - (xi) Nature Conservancy Council
 - (xii) Natural England
 - (xiii) National and local amenity societies
 - (xiv) Other interested organisations
 - (xv) Neighbours, residents and other interested persons
 - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

The following notes are for information only:-

- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers relevant to an application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

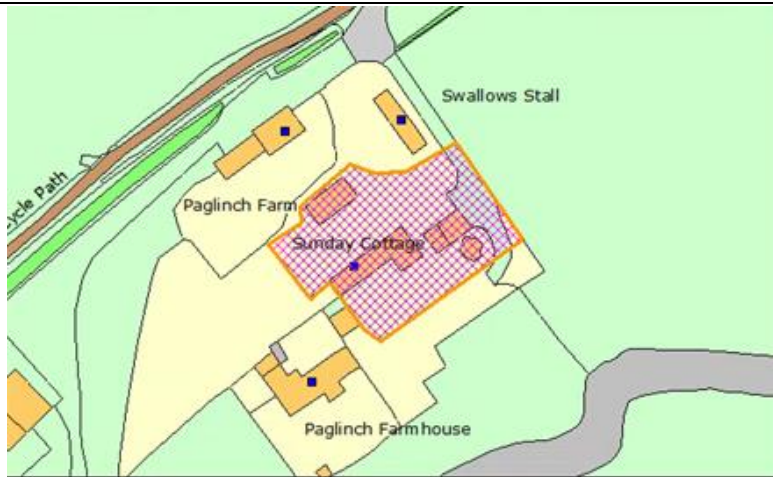
- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

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ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
01	16/01108/FUL 29 April 2016	Mr John Davey Sunday Cottage, Access Road To Paglinch Farm, Shoscombe, Bath, Bath And North East Somerset External alterations to existing conservatory, filling door opening (North elevation), insertion of roof lights and alterations to garden studio.	Bathavon South	Sasha Berezina	PERMIT
02	16/01112/LBA 29 April 2016	Mr John Davey Sunday Cottage, Access Road To Paglinch Farm, Shoscombe, Bath, Bath And North East Somerset External alterations to the existing conservatory, filling existing door opening with recessed rubble stone (north elevation), widening of kitchen door and insertion of roof lights at Sunday Cottage. Minor alterations to approved windows and doors at the Garden Studio.	Bathavon South	Sasha Berezina	CONSENT

REPORT OF THE GROUP MANAGER, DEVELOPMENT MANAGEMENT ON APPLICATIONS FOR DEVELOPMENT

Item No:	01
Application No:	16/01108/FUL
Site Location:	Sunday Cottage Access Road To Paglinch Farm Shoscombe Bath Bath And North East Somerset



Ward: Bathavon South

Parish: Shoscombe

LB Grade: N/A

Ward Members: Councillor Neil Butters

Application Type: Full Application

Proposal: External alterations to existing conservatory, filling door opening (North elevation), insertion of roof lights and alterations to garden studio.

Constraints: Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Listed Building, SSSI - Impact Risk Zones,

Applicant: Mr John Davey

Expiry Date: 29th April 2016

Case Officer: Sasha Berezina

REPORT

REASON FOR REPORTING APPLICATION TO COMMITTEE:

The applicant is a Bath and North East Somerset Consultant within the Planning and Transport Services Section

DESCRIPTION OF SITE AND APPLICATION:

The site is located in Shoscombe Vale, which is also a SSSI Impact Zone, and is accessed by a private lane which continues on as a cycle path. Sunday Cottage is a curtilage listed building, which forms part of a small group of buildings within the original farmstead of Grade II listed C15 Paglinch Farmhouse. At the gated entrance to the site there is a low mono-pitch outbuilding which was recently converted to create a home studio. Sunday cottage is set at a higher level than the outbuilding due to the sloping topography, but is closely located to the outbuilding, approx. 4 metres and has a strong relationship as it is used as an ancillary store and workshop.

The proposal seeks to carry out minor external alterations to Sunday Cottage and its garden studio.

RELEVANT PLANNING HISTORY

WB 008125A and WB LB 008125B - Approved in 1992 - convert the farm outbuildings into three dwellings. (Condition 2 removed PD rights)

DC - 97/02400/FUL - PER - 6 June 1997 - Conservatory

DC - 14/00064/FUL - PERMIT - 14 March 2014 - Alterations to an existing ancillary outbuilding to form an ancillary garden studio and store.

DC - 14/00065/LBA - CON - 14 March 2014 - Internal and external alterations to an existing ancillary outbuilding to form an ancillary garden studio and store.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Shoscombe Parish Council - Support. Following a site visit and our meeting this evening, the Parish Council supports this application as it was felt the aesthetic look of the building would be enhanced and in keeping. The Parish Council were confident any listed building issues would be addressed.

POLICIES/LEGISLATION

The Council's Development Plan now comprises:

- Bath & North East Somerset Core Strategy (July 2014)
- Saved Policies from the Bath & North East Somerset Local Plan (2007)
- Joint Waste Core Strategy
- Relevant adopted Neighbourhood Plans

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of planning applications.

The following policies of the Core Strategy are relevant to the determination of this application:

CP6: Environmental Quality

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application:

BH.2 Listed Buildings and their Setting

D.2 General Design and public realm considerations

D.4 Townscape considerations

Policies within the Draft Placemaking Plan (December 2015) with limited weight in the determination of planning applications:

D.1 - D.7 & D.10: General Urban design principles: Local Character & Distinctiveness; Urban Fabric; Streets and Spaces; Building Design; Amenity; Lighting; Public Realm

H2: Local Character and Distinctiveness

HE1: Safeguarding heritage assets

Planning (Listed Buildings & Conservation Areas) Act 1990

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 'In considering whether to grant planning permission for development which affects a listed building or its setting' to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

The National Planning Policy Framework (NPPF) and the supporting National Planning Practice Guidance (2014) also represents an important material consideration.

OFFICER ASSESSMENT

The scheme entails minor external alterations to the Cottage and its conservatory, as well as the recently converted Garden Studio. Given the siting of this single storey buildings and the separation distances from the neighbouring properties, the scheme does not raise any overlooking issues and the key material consideration in this case is in relation to the impacts on the listed buildings and their setting.

In relation to the main building, the proposal seeks to replace existing timber panelling to the 1990's conservatory with rubble stone walling, to provide new windows and to insert rooflights in the south and east elevations. The existing kitchen door to the south elevation would be widened to accommodate French doors to match existing doors to the living room.

The alterations to the Studio entail provision of an additional rooflight and swapping of the position of the approved door and window at the south-west corner of the building.

The Cottage appears to have been considerably altered as part of the 1990's conversion and its significance mainly lies in its contribution to the group value of the former farm outbuildings. The existing conservatory was erected under planning permission that was granted in 1997, however it was not completed in accordance with the approved plans and is erected in pseudo-oriental style (instead of glazed oak frames), which appears at odds and detracts from the host building and the wider surroundings. The proposed replacement rubble stone walling and removal of incongruous painted panels and rooflights would offer significant improvement to the appearance of this historic building. The changes to fenestration and openings are considered acceptable, taking into account the variety of window/door styles.

The minor changes to the positioning of the approved windows and doors in the Garden Studio are not considered to have appreciable effect on the appearance of the building or its historic fabric. As such, there would be no harm to its character or significance.

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 'In considering whether to grant planning permission for development which affects a listed building or its setting' to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' Here it is considered that the alterations to the protected building are consistent with the aims and requirements of the primary legislation and planning policy and accompanying guidance.

RECOMMENDATION

PERMIT

CONDITIONS

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

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

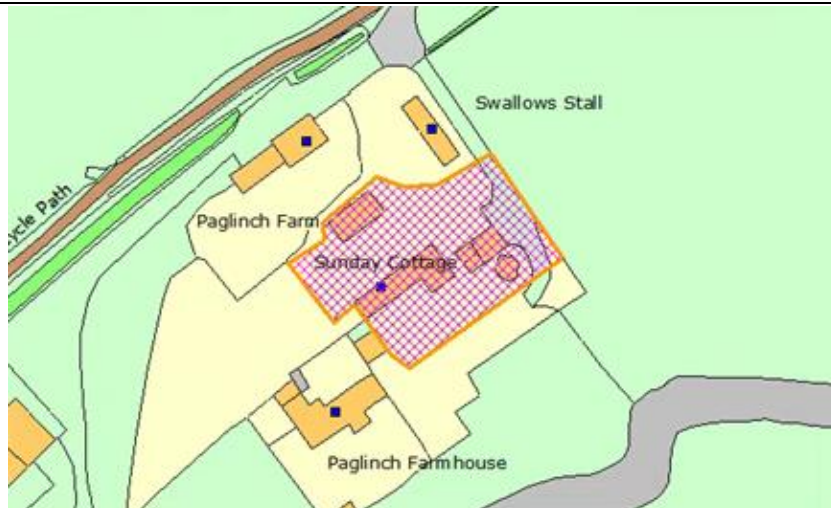
Reason: To define the terms and extent of the permission.

PLANS LIST:

OS Extract	04 Mar 2016	SITE LOCATION PLAN
Drawing	04 Mar 2016	BLOCK PLAN
Drawing	04 Mar 2016	ELEVATIONS AS EXISTING
Drawing	04 Mar 2016	ELEVATIONS AS PROPOSED
Drawing	04 Mar 2016	FLOOR PLANS EXISTING AND PROPOSED
Drawing	04 Mar 2016	JOINERY

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/revised proposals was taken and consent was granted.

Item No:	02
Application No:	16/01112/LBA
Site Location:	Sunday Cottage Access Road To Paglinch Farm Shoscombe Bath Bath And North East Somerset



Ward: Bathavon South

Parish: Shoscombe

LB Grade: N/A

Ward Members: Councillor Neil Butters

Application Type: Listed Building Consent (Alts/exts)

Proposal: External alterations to the existing conservatory, filling existing door opening with recessed rubble stone (north elevation), widening of kitchen door and insertion of roof lights at Sunday Cottage. Minor alterations to approved windows and doors at the Garden Studio.

Constraints: Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Listed Building, SSSI - Impact Risk Zones,

Applicant: Mr John Davey

Expiry Date: 29th April 2016

Case Officer: Sasha Berezina

REPORT

REASON FOR REPORTING APPLICATION TO COMMITTEE:

The applicant is a Bath and North East Somerset Consultant within the Planning and Transport Services Section

DESCRIPTION OF SITE AND APPLICATION:

Sunday Cottage is a curtilage listed building, which forms part of a small group of buildings within the original farmstead of Grade II listed C15 Paglinch Farmhouse. At the gated entrance to the site there is a low mono-pitch outbuilding which was recently converted to create a home studio. Sunday cottage is set at a higher level than the outbuilding due to the sloping topography, but is closely located to the outbuilding, approx. 4 metres and has a strong relationship as it is used as an ancillary store and workshop.

The proposal seeks to carry out minor external alterations to Sunday Cottage and its garden studio.

RELEVANT PLANNING HISTORY

WB 008125A and WB LB 008125B - Approved in 1992 - convert the farm outbuildings into three dwellings. (Condition 2 removed PD rights)

DC - 97/02400/FUL - PER - 6 June 1997 - Conservatory

DC - 14/00064/FUL - PERMIT - 14 March 2014 - Alterations to an existing ancillary outbuilding to form an ancillary garden studio and store.

DC - 14/00065/LBA - CON - 14 March 2014 - Internal and external alterations to an existing ancillary outbuilding to form an ancillary garden studio and store.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Shoscombe Parish Council commented on the parallel planning application ref. 16/01108/FUL - - Support. Following a site visit and our meeting this evening, the Parish Council supports this application as it was felt the aesthetic look of the building would be enhanced and in keeping. The Parish Council were confident any listed building issues would be addressed.

POLICIES/LEGISLATION

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

With respect to any buildings or other land in a conservation area the Council has a statutory requirement under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

The National Planning Policy Framework (NPPF) is national policy in the conservation and enhancement of the historic environment which must be taken into account by the Council together with the related guidance given in the Planning Practice Guidance (PPG).

The Council must have regard to its development plan where material in considering whether to grant listed building consent for any works. The Council's development plan comprises:

- Bath & North East Somerset Adopted Core Strategy
- Saved policies in the Bath and North East Somerset Local Plan (2007)
- West of England Joint Waste Core Strategy (2011)
- Adopted Neighbourhood Plans

The following policies of the Adopted Core Strategy are relevant to the determination of the application:

- CP6 - Environmental quality

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of the application.

- BH.2 - Listed buildings and their settings

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of applications.

OFFICER ASSESSMENT

The scheme entails minor external alterations to the Cottage and its conservatory, as well as the recently converted Garden Studio.

In relation to the main building, the proposal seeks to replace existing timber panelling to the 1990's conservatory with rubble stone walling, to provide new windows and to insert rooflights in the south and east elevations. The existing kitchen door to the south elevation would be widened to accommodate French doors to match existing doors to the living room and one of the existing door openings to north elevation would be infilled with recessed rubble stone walling.

The alterations to the Studio entail provision of an additional rooflight and swapping of the position of the approved door and window at the south-west corner of the building.

The Cottage appears to have been considerably altered as part of the 1990's conversion and its significance mainly lies in its contribution to the group value of the former farm outbuildings. The existing conservatory was erected under planning permission that was granted in 1997, however it was not completed in accordance with the approved plans and is erected in pseudo-oriental style (instead of glazed oak frames), which appears at odds and detracts from the host building and the wider surroundings. The proposed replacement rubble stone walling and removal of incongruous painted panels and rooflights would offer significant improvement to the appearance of this historic building. The changes to fenestration and openings are considered acceptable, taking into account the variety of window/door styles.

The minor changes to the positioning of the approved windows and doors in the Garden Studio are not considered to have appreciable effect on the appearance of the building or its historic fabric. As such, there would be no harm to its character or significance.

There is a duty under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent for any works, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Here it is considered that the alterations to the protected building are consistent with the aims and requirements of the primary legislation and planning policy and accompanying guidance.

RECOMMENDATION

CONSENT

CONDITIONS

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

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

2 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:

OS Extract	04 Mar 2016	SITE LOCATION PLAN
Drawing	04 Mar 2016	BLOCK PLAN
Drawing	04 Mar 2016	ELEVATIONS AS EXISTING
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