

BATH AND NORTH EAST SOMERSET COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE

29th June 2016

DECISIONS

| | | |
|--------------------------|---|----------------------|
| Item No: | 01 | |
| Application No: | 14/05692/RES | |
| Site Location: | Parcel 0006, Maynard Terrace, Clutton, Bristol | |
| Ward: Clutton | Parish: Clutton | LB Grade: N/A |
| Application Type: | PI Permission (Approval Reserved Matters) | |
| Proposal: | Approval of Reserved Matters (appearance, landscaping, layout and scale) with regard to outline application 12/01882/OUT for erection of 36no. dwellings and associated infrastructure. | |
| Constraints: | Airport Safeguarding Zones, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Coal - Referral Area, Flood Zone 2, Flood Zone 3, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, | |
| Applicant: | Curo Enterprise Ltd | |
| Expiry Date: | 1st July 2016 | |
| Case Officer: | Suzanne D'Arcy | |

DECISION Delegate to permit subject to any required amendments to ensure that the hedgerow at the frontage of the properties onto Maynard Terrace is not maintained by private home owners/occupiers of the development and it is of a minimum height of 1m and to secure improvements to the materials palette of the development.

| | | |
|--------------------------------|--|----------------------|
| Item No: | 02 | |
| Application No: | 15/05759/FUL | |
| Site Location: | Court Farm , The Street, Compton Martin, Bristol | |
| Ward: Chew Valley South | Parish: Compton Martin | LB Grade: N/A |
| Application Type: | Full Application | |
| Proposal: | Erection of 2no. semi-detached dwelling houses in existing carpark (resubmission). | |
| Constraints: | Airport Safeguarding Zones, Agric Land Class 3b,4,5, Area of Outstanding Natural Beauty, Conservation Area, Greenbelt, Housing Development Boundary, SSSI - Impact Risk Zones, Water Source Areas, | |
| Applicant: | Mr Richard Curry | |
| Expiry Date: | 4th July 2016 | |
| Case Officer: | Emma Watts | |

DECISION PERMIT

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

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

2 No development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

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

3 Prior to the construction of the development infiltration testing and soakaway design in accordance with Building regulations Part H, section 3 (3.30) shall be undertaken to verify that soakaways will be suitable for the development. The soakaways shall be installed prior to the occupation of the development unless the infiltration test results demonstrate that soakaways are not appropriate in accordance with Building regulations Part H, section 3 (3.30). If the infiltration test results demonstrate that soakaways are not appropriate, an alternative method of surface water drainage, which has first been submitted to and approved in writing by the Local Planning Authority, should be installed prior to the occupation of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management in accordance with policy CP5 of the Bath and North East Somerset Core Strategy.

4 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: To retain adequate parking provision for the proposed dwellings.

5 The access, parking and turning areas shall be properly bound and compacted (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety.

6 A Desk Study and Site Reconnaissance (walkover) survey shall be undertaken to develop a conceptual site model and preliminary risk assessment of the site. The Desk Study shall be submitted to and approved in writing by the Local Planning Authority. Should the Desk Study identify the likely presence of contamination on the site, whether or not it originates on the site, then full characterisation (site investigation) shall be undertaken in accordance with a methodology which shall previously have been agreed in

writing by the Local Planning Authority. Where remediation is necessary, it shall be undertaken in accordance with a remediation scheme which is subject to the approval in writing of the Local Planning Authority and a remediation validation report submitted for the approval of the Local Planning Authority.

Reason (common to all): 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.

7 In the event that 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 (common to all): 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.

8 No new external lighting shall be installed without full details of proposed lighting design being first submitted and approved in writing by the LPA; details to include lamp specifications, positions, numbers and heights; and details of all necessary measures to limit use of lights when not required and to prevent light spill onto vegetation and adjacent land; and to avoid harm to bat activity and other wildlife.

Reason: To avoid harm to bats and other wildlife.

9 Notwithstanding the information provided on the submitted Landscaping Plan, no development above damp proof course level of the dwellings shall be carried out until a written method statement for the implementation of the landscaping areas outlined in red on the landscaping plan including a timetable for implementation has been submitted in writing to and approved by the Council. All soft landscape works shall be carried out in accordance with the approved details and timetable for implementation. 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 soft landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that a satisfactory landscaping scheme is implemented and maintained in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan.

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

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

PLANS LIST:

This decision relates to Drawing No.s PL3435 2, PL3435 5A, PL3435 6A, PL3435 7A and PL3435 8A received on the 21st December 2015, and revised Drawing No.s PL3435/3D, PL3435/4D and PL3435/9 received on the 16th May 2016.

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: | 03 | |
| Application No: | 16/01338/FUL | |
| Site Location: | 26 Primrose Hill, Upper Weston, Bath, Bath And North East Somerset | |
| Ward: Weston | Parish: N/A | LB Grade: N/A |
| Application Type: | Full Application | |
| Proposal: | Erection of two storey side extension. | |
| Constraints: | Affordable Housing, Agric Land Class 1,2,3a, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site, | |
| Applicant: | Ms Lindsay Dell | |
| Expiry Date: | 1st June 2016 | |
| Case Officer: | Alice Barnes | |

DECISION PERMIT

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

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

2 No render shall be applied to the external walls until a sample of the proposed render to be used has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policies D.2, D.4 and Bh.6 of the Bath and North East Somerset Local plan.

3 The proposed window on the first floor side elevation shall be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above

the floor of the room in which the window is installed. Thereafter the window shall be permanently retained as such.

Reason: The safeguard the residential amenity of adjoining occupiers from overlooking and loss of privacy in accordance with policy D.2 of the Bath and North East Somerset Local Plan

4 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:

Site location plan
Existing plans 001 rev B
Existing elevations 002 rev B
Proposed lower ground floor and ground floor 003 B
Proposed first floor 004 B
Proposed elevations 005 C
Proposed section and site plan 006 B

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.

| | | |
|-----------------------------|--|----------------------|
| Item No: | 04 | |
| Application No: | 16/01219/FUL | |
| Site Location: | The Cottage, Pipehouse Lane, Freshford, Bath | |
| Ward: Bathavon South | Parish: Freshford | LB Grade: N/A |
| Application Type: | Full Application | |
| Proposal: | Erection of 1no. detached dwelling with access and associated works. | |
| Constraints: | Affordable Housing, Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt, LLFA - Flood Risk Management, MOD Safeguarded Areas, Neighbourhood Plan, SSSI - Impact Risk Zones, | |
| Applicant: | Mr And Mrs C And V Bush | |
| Expiry Date: | 30th June 2016 | |
| Case Officer: | Kate Whitfield | |

DECISION REFUSE

1 The proposal represents inappropriate development in the Green Belt which would be harmful to the openness of the Green Belt and contrary to the purpose of the Green Belt

of protecting the countryside from encroachment. Very special circumstances justifying inappropriate development in the Green Belt do not exist. The proposal is therefore contrary to policy CP8 of the Bath and North East Somerset Core Strategy (2014), saved policy GB.2 of the Bath and North East Somerset Local Plan (2007) and guidance in the National Planning Policy Framework.

2 The proposed development, including the removal of a significant length of the front boundary hedgerow, is deemed to adversely affect the natural beauty of the landscape of the Cotswolds Area of Outstanding Natural Beauty. The proposal is therefore contrary to saved policy NE.2 of the Bath and North East Somerset Local Plan (2007).

3 The site is located outside of the identified housing development boundary for the village of Freshford. The proposals do not provide essential accommodation for rural workers and there are no other special circumstances to justify the development. The proposals are therefore contrary to saved policy HG.6 of the Bath and North East Somerset Local Plan adopted October 2007.

4 The proposed site does not represent an 'infill site' as defined by the Freshford & Limpley Stoke Neighbourhood Plan 2014 - 2039 and therefore the proposal is contrary to the stated Housing Policy within this document.

PLANS LIST:

Existing Block Plan, drawing number CCC-2 dated 14 March 2016
Proposed Floor Plan, drawing number CCC-4 dated 14 March 2016
Proposed South and East Elevations, drawing number CCC-5 dated 14 March 2016
Proposed Sections A-A, drawing number CCC-7 dated 14 March 2016
Proposed Sections B-B, drawing number CCC-8 dated 14 March 2016
Existing and Proposed Location Plan, drawing number CCC-1A dated 30 March 2016
North and West Elevations as Proposed, drawing number CCC-6A dated 30 March 2016
Block Plan as Proposed, drawing number CCC-3A dated 14 April 2016
New Driveway Details as Proposed, drawing number CCC-10 dated 14 April 2016

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. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

| | | |
|--------------------------|---|----------------------|
| Item No: | 05 | |
| Application No: | 16/02046/FUL | |
| Site Location: | Richmond Lodge, Weston Park, Upper Weston, Bath | |
| Ward: Weston | Parish: N/A | LB Grade: N/A |
| Application Type: | Full Application | |

| | |
|----------------------|---|
| Proposal: | Erection of 1no cottage and 2no town houses following demolition of existing dwelling and 2no garages |
| Constraints: | Affordable Housing, Article 4, Conservation Area, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site, |
| Applicant: | Mr Matthew Davies |
| Expiry Date: | 21st June 2016 |
| Case Officer: | Alice Barnes |

DECISION PERMIT

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

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

2 Prior to the construction of the external surfaces a schedule of materials and finishes to be used in the construction of the external surfaces, including roofs, shall be 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: The proposed dwellings will be constructed adjacent to a Grade II listed building within the Conservation Area. Details of materials are required to ensure that the development will preserve the character of the Conservation Area and setting of the nearby listed building in accordance with policy Bh.2 and Bh.6 of the local plan.

3 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:

Site location plan
Ground floor plan RICH2/a
Proposed Mews House elevations RICH4/A
Proposed Mews House Plans RICH5/A
Existing site and block plan RH1a/A
2No. New Town Houses RICH1/A
2No. New Town Houses RICH3/a
Proposed site and block plan RHplan5/C
Street-scene elevation to Weston Lane RICH6/a
Existing street-scene elevation to Weston Lane RICH7/a

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: | 06 | |
| Application No: | 16/01221/FUL | |
| Site Location: | 15 Kenilworth Close, Keynsham, Bristol, Bath And North East Somerset | |
| Ward: Keynsham South | Parish: Keynsham Town Council | LB Grade: N/A |
| Application Type: | Full Application | |
| Proposal: | Erection of 1no two bed dwelling. | |
| Constraints: | Affordable Housing, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, | |
| Applicant: | Mr M Alexander | |
| Expiry Date: | 4th July 2016 | |
| Case Officer: | Emma Watts | |

DECISION PERMIT

1 Standard Time Limit (Compliance)

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 permission

2 Materials (Compliance)

All external walling and roofing materials to be used shall match those of the existing building known as 15 Kenilworth Close in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D.2 and D.4 of the Bath and North East Somerset Local Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

3 Parking (Compliance)

The areas 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: To ensure sufficient parking are retained at all times in the interests of amenity and highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

4 Bound/Compacted Vehicle Access and Parking Area (Pre-occupation)

No occupation of the development shall commence until the vehicular access and parking area have been constructed with a bound and compacted surfacing material (not loose stone or gravel).

Reason: To prevent loose material spilling onto the highway in the interests of highways safety in accordance with Policy T.24 of the Bath and North East Somerset Local Plan.

5 Removal of Permitted Development Rights - No extensions or alterations (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: Any further extensions require detailed consideration by the Local Planning Authority because of the size of the site.

6 Plans List (Compliance)

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

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

PLANS LIST:

This decision relates to the following drawings and information: R1006/2, R1006/4, Cycle Locker Detail and Design and Access Statement received 14/03/2016, R1006/03 Revision A and R1006/05 Revision A received 03/05/2016 and R1006/01 Revision A received 06/06/2016.

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

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: | 07 | |
| Application No: | 16/01046/FUL | |
| Site Location: | Rosewell, Farrington Road, Paulton, Bristol | |
| Ward: Paulton | Parish: Paulton | LB Grade: N/A |

| | |
|--------------------------|---|
| Application Type: | Full Application |
| Proposal: | Erection of 2 storey rear extension and loft conversion (Resubmission of 15/05393/FUL) |
| Constraints: | Affordable Housing, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary, SSSI - Impact Risk Zones, |
| Applicant: | Mr & Mrs Hyde |
| Expiry Date: | 27th May 2016 |
| Case Officer: | Emma Watts |

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 All external walling and roofing materials to be used shall be as stated on the application form received 04/03/2016 or shall match those of the existing building in respect of type, size, colour, pointing, coursing, jointing, profile and texture.

Reason: In the interests of the appearance of the development and the surrounding. To comply with Policy D.4 of the Bath and North East Somerset Local Plan 2007.

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

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

PLANS LIST:

This decision relates to the following drawings: 1115/003/002 received 04/03/2016 and 1115/003-001 Revision D, 1115/003/003 Revision F, 1115/003/004 Revision E, 1115/003/005 Revision D, 1115/003/006 Revision D received 23/05/2016.

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.