

BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 14th December 2016

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

ITEMS FOR PLANNING PERMISSION

ITEM

Item No.	Application No.	Address
1	16/00850/OUT	Land Parcel 7200 Bath Road, Keynsham

Relevant planning history

A screening opinion was submitted prior to the application and it was confirmed that it was not considered that the development would constitute EIA development.

14/05417/SCREEN - Request for screening opinion in relation to proposed residential and associated development for circa 250 dwellings, including provision of a new primary school, on approximately 12.7 hectares on land at East Keynsham. 15/12/204 – Not EIA development

Ecological issues

The committee report confirms that the scheme is ecologically acceptable subject to S106 requirements and planning conditions. For clarity, it is confirmed that the likelihood of a significant effect on the SAC has been excluded pursuant to the Habitats Regulations.

Representations

One further representation has been received from the planning consultant acting on behalf of the owner of the parcel of land noted as 'retained vegetation'. This requests that a condition is included on any outline planning permission to ensure that the reserved matters application comes forward with an access as illustrated on the concept plan to allow for the future development of this site.

This is not however considered necessary and an additional condition has not been included. Any reserved matters application will be considered alongside the placemaking principles of the Core Strategy and the Master Plan which

are considered as robust mechanisms to ensure that the any development relates appropriate to the surrounding land and development.

Item No.	Application No.	Address
2	16/03306/OUT	Milland House, Rock Road Keynsham

Conditions 8 and 9 relate to hard and soft landscaping details. As this will be covered by any reserved matters application, these are considered unnecessary. It is therefore recommended that they are not attached to any outline planning permission.

Plans

Addition of plan to plans list as this was erroneously omitted from the committee report;

- Proposed First and Second Floor Plans - 502 K

Item No.	Application No.	Address
6	16/04250/FUL	Land East of Alma Cottage, Charlcombe Lane, Charlcombe, Bath

A further objection has been received via email (no postal address given), the content of which is summarised below:

- Reiterates highway safety concerns in regards to the access.
- The equestrian use of the site has not been proven. The field was used for keeping ponies over 10 years ago. Subsequent to the pony use the buildings were used for storage.
- Road safety considerations should not be subordinated because of a dubious belief regarding the status of the access.
- The access is merely an access into a field which has only ever been rarely and irregularly used.
- There has been virtually no usage of the access for over ten years.
- The Highways Officer's comments suggest he has concerns in regards to highway safety but does not voice them because of the believed status of the access.
- Officers should provide members with a full analysis of the road safety consequences should this development be permitted.
- Members should visit the site to view the access before making a final decision.

The Highways Officer has provided the following additional comments; these do not supersede the formal highway consultation response that was previously provided:

Charlcombe Lane is a single track lane, with passing spaces. The speed limit at this section of the lane is 20mph, and speeds are reduced due to the constrained width and geometry. Traffic flows have been observed to be light, although the route is busier in the typical peak travel periods. Forward visibility approaching the access location is considered to be adequate; however, the visibility when emerging from the access is limited due to the presence of walls either side. A motorist would have to slowly emerge from the access to ensure that there is no potential for a collision to occur. There are several other access points within the immediate vicinity of the site that have visibility constrained to a similar level, and a review of the local road traffic accident history has shown that there is no significant evidence of this type of access resulting in personal injury accidents.

It is acknowledged that the existing access is not ideal. However, there is no evidence to suggest that there is a high risk of an accident occurring and it is considered that, much as at similarly constrained access points in the vicinity, a careful motorist would be able to use the access safely.

It is clear that this is an established access into the field which would also have been used to access the application site when it was last in use. This is a material consideration. Neither the Local Planning Authority nor the Local Highway Authority can preclude the access from being used in association with the use of the application site and the adjoining field. There is also evidence to suggest that there is an extant equestrian use which could resume at any time. Taking these factors into account it is considered that, on balance, the access is acceptable.

The applicant has provided photographic evidence to demonstrate that the site was used for keeping horses. Whilst these photos are undated, they do not appear recent and may well have been taken some time ago. No evidence has come forward demonstrating that the site was not in equestrian use nor that a change of use has occurred since the applicant ceased keeping horses in the stables. It would therefore appear from the available evidence that the previous use was equestrian and this is a material consideration.

Item No.	Application No.	Address
8	16/03885/LBA	Shakespeare Monument, Great Dell, Royal Victoria Park, Bath

Following advice received from Historic England and observations about best conservation practice, the applicant has chosen to withdraw the above listed building application.