

Bath & North East Somerset Council

MEETING: **Development Control Committee**

MEETING DATE: **26 October 2011**

AGENDA
ITEM
NUMBER

RESPONSIBLE OFFICER: Lisa Bartlett, Development Control Manager,
Planning and Transport Development (Telephone:
01225 477281)

TITLE: **NEW PLANNING APPEALS, DECISIONS RECEIVED AND DATES OF
FORTHCOMING HEARINGS/INQUIRIES**

WARD: ALL

BACKGROUND PAPERS: None

AN OPEN PUBLIC ITEM

APPEALS LODGED

App. Ref: 11/02734/FUL
Location: The Jays 19 Meadway Temple Cloud Bristol
Proposal: Erection of a dwelling.
Decision: REFUSE
Decision Date: 26 August 2011
Decision Level: Delegated
Appeal Lodged: 7 September 2011

App. Ref: 11/02075/FUL
Location: 5 Church Square Midsomer Norton Radstock BA3 2HX
Proposal: Erection of a utility room with balcony over and a front porch with lead
canopy and removal of all cement render, repair of stonework with
matching local stone and repointing with lime mortar.
Decision: REFUSE
Decision Date: 1 July 2011
Decision Level: Delegated
Appeal Lodged: 13 September 2011

App. Ref: 11/02077/LBA
Location: 5 Church Square Midsomer Norton Radstock BA3 2HX
Proposal: External alterations for the erection of a utility room with balcony over and
a front porch with lead canopy and removal of all cement render, repair of
stonework with matching local stone and repointing with lime mortar.
Decision: REFUSE
Decision Date: 1 July 2011

Decision Level: Delegated
Appeal Lodged: 13 September 2011

App. Ref: 11/01660/FUL
Location: Woodville Guest House 4 Marlborough Lane Kingsmead Bath
Proposal: Provision of off road parking in front of dwelling, enlargement of rear dormer, rear kitchen window, kitchen door and roof lantern and erection of a single storey rear extension
Decision: REFUSE
Decision Date: 24 June 2011
Decision Level: Delegated
Appeal Lodged: 19 September 2011

App. Ref: 11/01925/FUL
Location: Stonecroft Keel's Hill Peasedown St. John Bath
Proposal: Erection of a barn/granny annexe following demolition of existing cattery buildings (Revised proposal)
Decision: PERMIT
Decision Date: 16 June 2011
Decision Level: Delegated
Appeal Lodged: 19 September 2011

App. Ref: 11/01318/LBA
Location: 27 Milsom Place City Centre Bath BA1 1BZ
Proposal: Proposed alterations including replacement of all existing external signage and provision of new external lighting, menu boxes, retractable awnings and umbrella and internal alterations.
Decision: REFUSE
Decision Date: 6 July 2011
Decision Level: Delegated
Appeal Lodged: 22 September 2011

App. Ref: 11/00811/FUL
Location: Parcel 4645 Access Road To Quarry Upper Weston Bath
Proposal: Installation of new telecommunications base station incorporating a 12.3m high lightweight & slim-line lattice mast with cabinets at ground level enclosed by a closed boarded fence and three rows of planting to it's perimeter at Council land, adjacent Primrose Hill Reservoir, track off Weston Park West, Weston, Bath, BA1 4BB
Decision: REFUSE
Decision Date: 31 May 2011
Decision Level: Delegated
Appeal Lodged: 26 September 2011

App. Ref: 11/01939/FUL
Location: Church View Packhorse Lane South Stoke Bath BA2 7DW
Proposal: Excavation to form parking area, rebuilding wall and recladding garage.
Decision: REFUSE
Decision Date: 29 June 2011
Decision Level: Delegated
Appeal Lodged: 26 September 2011

App. Ref: 11/02498/LBA
Location: 4 Brookleaze Buildings Larkhall Bath JBA1 6RA
Proposal: Internal and external alterations to raise height of existing rear lean-to, erection of rear glazed extension, formation of openings in kitchen wall, provision of new bathroom to first floor, provision of new windows into existing or enlarged openings and cleaning front elevation to property
Decision: REFUSE
Decision Date: 17 August 2011
Decision Level: Delegated
Appeal Lodged: 28 September 2011

App. Ref: 11/01144/OUT
Location: 62 High Street Twerton Bath Bath And North East Somerset BA2 1DD
Proposal: Erection of 1no dwelling following demolition of existing garage at land rear of 62 High Street, Twerton
Decision: REFUSE
Decision Date: 7 July 2011
Decision Level: Delegated
Appeal Lodged: 30 September 2011

App. Ref: 11/02546/FUL
Location: 1 Hayes Place Holloway Widcombe Bath BA2 4QW
Proposal: Removal of part wall and external staircase and formation of a parking space at 1A Hayes place
Decision: REFUSE
Decision Date: 25 August 2011
Decision Level: Delegated
Appeal Lodged: 3 October 2011

App. Ref: 11/02681/FUL
Location: 1 Hayes Place Holloway Widcombe Bath BA2 4QW
Proposal: Change of use of first floor from storage use to office
Decision: REFUSE
Decision Date: 17 August 2011
Decision Level: Delegated
Appeal Lodged: 3 October 2011

App. Ref: 11/03382/FUL
Location: 7 Uplands Road Saltford Bristol BS31 3JQ
Proposal: Erection of two storey front extension, roof extension and front dormer (Revised resubmission).
Decision: REFUSE
Decision Date: 22 September 2011
Decision Level: Delegated
Appeal Lodged: 4 October 2011

App. Ref: 11/02109/FUL
Location: 70 Russet Way Peasedown St. John Bath BA2 8SX
Proposal: Erection of a self-contained 3 bedroom dwellinghouse.
Decision: REFUSE
Decision Date: 10 August 2011
Decision Level: Chair Referral
Appeal Lodged: 5 October 2011

App. Ref: 11/02095/AR
Location: Knights Estate Agents, 2 Northumberland Buildings, Bath, BA1 2JB
Proposal: Display of 1no. cut-out letter sign, 1no. swing sign and 1no. brass plaque.
Decision: SPLIT
Decision Date: 2 August 2011
Decision Level: Delegated
Appeal Lodged: 6 October 2011

App. Ref: 11/01941/FUL
Location: Rowan House High Street Freshford Bath
Proposal: Provision of waste pipe to external wall
Decision: REFUSE
Decision Date: 15 September 2011
Decision Level: Delegated
Appeal Lodged: 7 October 2011

App. Ref: 11/01942/LBA
Location: Rowan House High Street Freshford Bath
Proposal: Internal and external alterations for the provision of new waste pipe
Decision: REFUSE
Decision Date: 15 September 2011
Decision Level: Delegated
Appeal Lodged: 7 October 2011

APPEAL DECISIONS

App. Ref: APP/F0114/A/11/2150139

Location: Springhill House, White Ox Mead, Peasedown

Proposal: Erection of a stable block following removal of existing stable block.

Decision: Refused

Decision Date: 02/02/11

Decision Level: Delegated

Appeal Decision: Dismissed

Summary:

The Inspector considered that the main issues were (1) whether the proposal constitutes inappropriate development in the Green Belt, (2) its effect on the openness of the Green Belt and on the character and appearance of the area, and (3) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

It was considered that whilst the proposed stable block would replace an existing one, the proposal would not amount to a small stable in the context of the advice in PPG2, as the replacement, comprising three stables, a tack room and two storerooms, would be a substantially larger building than the existing, particularly in terms of its length and the additional bulk of the storerooms on either end.

It was accepted by the Inspector that it may be desirable for the appellants to have a stable each for three of their horses on the site, and that under certain circumstances it may be essential for welfare reasons. However, the inclusion of space for the indoor storage of feed and hay would result in a building considerably larger than that required solely for stabling. The Inspector was not persuaded that it is essential for the keeping of the appellants' horses on their land for this storage element to be in the building.

Therefore the Inspector concluded that the proposed stable block would erode the openness of the Green Belt, by reason not only of its floor area, but also its overall bulk. Although it would be screened from views from the north it would be visible from the south and east from the road. It would appear more prominent because of its siting at an angle in relation to the boundary hedge and its greater proximity to the road compared with the existing. The effect of the proposal on openness would cause additional harm to the Green Belt.

The arguments presented about the condition of the stables and the advice from the British Horse Society did not sufficiently and clearly outweigh the harm identified so as to amount to a very special circumstances case.

App. Ref: APP/F0114/D/11/2157075

Location: 20 Walden Road, Keynsham, Bristol, BS31 1QW

Proposal: Erection of a single storey front extension.

Decision: Refused

Decision Date: 10th June 2011

Decision Level: Delegated

Appeal Decision: Allowed

Summary:

The Inspector considered that the main issue is the effect of the proposed development on the character and appearance of the host dwelling and surrounding area.

He noted that the host building was set within a modern development, along a street with a staggered street pattern and that whilst front extensions of the kind proposed are not in evidence on the immediately adjoining properties, front protrusions, forming part of the original design, are not uncommon.

Regard was had to the negotiations with Council Planning Officer's to reach this design and the Inspector agreed that the shallow hipped roof would be visually preferable to the arrangement originally proposed. He considered that, in view of its design, modest size and proportions, the extension would have a limited and not unacceptable effect on the appearance of the host dwelling.

Finally it was considered that due to the staggered nature of the respective properties along this part of the street's frontage, the protrusion on No 18 would effectively screen the proposal from most oblique viewpoints from the north. Viewed from the south, the extension would be set unobtrusively against No 18 Walden Road's southern side wall, and the decorative tree in the appeal property's front garden would provide effective additional screening for much of the year.

He concluded that since the depth of the extension would be relatively restricted, the perception of space between the dwelling and the street would be substantially maintained. For these reasons, the extension would not in his opinion be prominent, in view of the acceptability of its design, the extension would not prove visually harmful.

In addition he considered the concerns raised over the setting of a precedent for future development. He stated that precedent, in itself, which is of some local concern, is rarely an appropriate reason to refuse planning permission, particularly, as found, the proposal is acceptable on its merits.

App. Ref:	11/00672/FUL
Location:	25 Sunnymead, Midsomer Norton, BA3 2TA
Proposal:	Erection of a new dwelling
Decision:	REFUSE
Decision Date:	9th April 2011
Decision Level:	Delegated
Appeal Decision:	Dismissed

Summary:

The appellant applied for the erection of a new dwelling to the rear of 25 Sunnymead (11/00672/FUL). The application was refused as the siting of the proposed dwelling would result in unsatisfactory living accommodation for prospective occupiers due to overshadowing from the vegetation to the rear, loss of privacy to the occupiers of the existing dwelling and the design and siting of the dwelling failed to reflect the existing pattern of development.

The Inspector noted that the trees to the rear of the site are outside the control of the appellant and exert a significant impact on the bottom of the garden in terms of its overshadowing. Due to the size and location of the amenity space, it would be case in shadow for most of the day and in qualitative terms would be unsuitable. He also stated that tandem development is absent

from the surrounding area which has a spacious and well-designed layout. As a result of the proposal, the site would display clear signs of overdevelopment and sense of spacious damaged, which would harm local visual amenity. He concluded that with appropriate screening it would be possible to mitigate the loss of privacy to the occupiers of the existing dwelling.

App. Ref: 10/03517/FUL
Location: 6 Grosvenor Place, Lambridge, Bath
Proposal: Erection of a studio dwelling following demolition of existing storage building on land to rear of 6 Grosvenor Place.
Decision: REFUSE
Decision Date: 25th February 2011
Decision Level: Delegated
Appeal Decision: **Dismissed**

Summary:

The appellant applied for the erection of a studio dwelling to the rear of 6 Grosvenor Place (10/03517/FUL). The application was refused as the siting and design would result in limited outlook to future occupiers, the size and siting would alter the character of the garden of 6 Grosvenor Place, which would have an adverse setting on the listed buildings and this part of the Conservation Area and the lack of private parking provision would be likely to lead to on street parking.

The Inspector noted that the existing façade is a prominent and attractive feature of the street scene and the proposed building would look like an oversized shed. Whilst it was noted that the façade is important the introduction of a utilitarian house would be out of place. When the site is cleared and the garden created it would clearly be a residential intrusion into what appears to be part of the rear gardens of the terrace, and this would harm the setting of the listed terrace and the character and appearance of the surrounding Conservation Area.

He considered the use of rooflights and large French doors, together with the open plan nature of the proposed dwelling would not lead to a poor outlook or lack of natural light sufficient to harm the amenities of occupiers. He considered off-street parking should be provided but as one could be provided close by this would overcome this reason for refusal.
