SOUTH STOKE PARISH COUNCIL

Minutes of the Planning Meeting held on 7th April 2014 at 6:00 p.m.
in the Parish Hall

Present: Mr. M. Devenish (Chairman) **Mr. T. Geake**
Mr. G. Davis (Clerk) **Mr. R. Hellard**
Mrs. S. Dustin **Mr. C. Winpenny**

1. 989 14/00798/LBA – Stable Cottage, Packhorse Lane, South Stoke, Bath BA2 7DW
Internal and external alterations to include replacement and re-positioning of gas boiler, creation of new vent positions to replace existing

The Council wishes only to **COMMENT** on this proposal:-
South Stoke Parish Council recognises the benefit of removing the existing flue on the Churchyard wall Although we notice that the existing satellite dish is somewhat obtrusive. The colour of the new flue should be approved by the Conservation Officer, being grey / buff or dark grey / black, in order that it is as discrete as possible.

2. 990 14/00839/EMINW – Fosseway Environment Park, Fosseway, Englishcombe, Bath BA2 8PD
Proposed erection of residual waste facility including a materials recovery facility, anaerobic digestion plant, reception building, weighbridge, outdoor storage areas and other ancillary development. (Outline application with access to be determined all other matters reserved).

The decision reached by the Parish Council was to **Object in Principle** to this application.
The Parish Council notes that this is an outline application to determine access. The access proposed is quite modest and is entirely inadequate for the proposed development, when assessed alongside the current unlawful uses.

The confirmed 'Joint Waste Core Strategy' envisages the location of a Residual Waste Treatment Plant on the Former Fullers Earthworks Site but the report of the Planning Inspector, which gave credence to the inclusion of this plan in BANES' Core Strategy, made specific reference to the need to take into account the substantial constraints which apply to that site. This application pays insufficient regard to its highly sensitive location.

Government Policy on the possibility of any form of new development which might affect the Green Belt, the Setting of the World Heritage City & the Cotswold AONB is clearly defined in the NPPF/NPPG. Any development in such areas is deemed "inappropriate" unless the harm caused by it is outweighed by the Public Benefits which might arise if 'very special circumstances' were proved to exist. Since the previously existing buildings and hard standing could provide adequate space for the facilities required by the JWCS, no such exception to established policy could possibly be necessary.
In addition the Parish Council notes that the area of land, where the Planning Status is disputed, is without doubt, former mining land and therefore has a 'use class', which is "Sui-Generis". Once the mining use is redundant it must by statute return to its former "Agricultural" status.

The Planning status of the site remains unresolved. The Applicant claims that B2 use is defined over the entire site area. BANES and the three immediately affected Parishes, together with Bath Preservation Trust, are strongly of the opinion that B2 use can only exist on the area of land which includes the original processing buildings and their original hard standing. This has been the subject of debate since the Public Inquiry in 2001/02 and through various enforcement actions and appeals. However clarity on this issue remains elusive.

South Parish Council therefore concludes that it would be impossible to decide this application until these matters are resolved. This application should therefore be **REFUSED** as it is both premature and inappropriate, or the Applicant should be advised that it is 'premature' and encouraged to withdraw it until such time as the outstanding appeal against enforcement proceedings is decided.

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