

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Control Committee**

**Date**

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

**ITEM**

**ITEMS FOR PLANNING PERMISSION**

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
001	14/05836/FUL	Land rear of Yearten House Water Street East Harptree

**Accuracy of plans**

At the committees site visit concern was raised in respect of the accuracy of the roof plan of Yearten House. The importance of this, being the relationship of the heights of the new dwellings in relation to existing dwellings.

The agent has confirmed that the ridge height of Yearten House is 126.02, as based on the topographic survey conducted on the site. The Section X-X on the plans shows the correct ridge height.

Therefore it is confirmed that the ridgeline of the proposed new dwelling on plot 4 is 1.25m above the ridgeline of Yearten House.

The plans as submitted are correct in respect of the ridgeline heights.

**Affordable housing**

In the light of the change in affordable housing provision in relation to small sites discussions have taken place with the agent who has confirmed that their client is content to offer the 2-bedroom house on this site as a discounted market unit, with the full details of this to be agreed through S106 negotiations.

This provision is in line with the requirements of the Councils Housing Officer.

**Updated information in respect of the badger sett.**

The applicants ecological consultants, Clarkson Woods, have been out on site on two separate occasions in the past fortnight and have confirmed that their evidence strongly suggests that the badger sett is subsidiary, not a main sett. Their work has included placing cameras and sand pads on-site, which have picked up no badger activity. They are conducting one further visit this week, and the outcome of this will be reported verbally if there is any change to this assessment.

The Councils Ecologist has recommended a condition in this respect and it is considered appropriate for the condition to be retained.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
03	15/02931/FUL	43 Upper Oldfield Park Oldfield Park Bath

### **Local Representations**

Additional letters of representation have been received since publishing the main report: 27 additional letters of objection, 57 additional letters of support. In total there are now 29 letters of objection to this application and 82 letters of support.

Officers have considered the contents of all the representation and are of the view that the issues are already satisfactorily covered within the main report.

The salient points of objection are summarised as follows (note that full copies of all objections are retained on the public file):

- No material change to the overall scale and bulk
- The oversized roof form with various extrusions remain, and which do not represent a high quality design
- The scheme remains incongruous and harmful to the Conservation Area
- No affordable housing
- Non-conformity to the original plans
- Size of the windows causing reflection into the houses on Junction Road
- Committee report was published before the consultation period had expired.

The salient points of support are summarised as follows (note that full copies of all objections are retained on the public file):

- The building fits well in the street, Conservation Area and World Heritage Site.
- Improves the area.
- Design is a realistic, modern interpretation of local architecture

- Its form and proportions is a 21st Century version of the neighbouring Victorian buildings.
- Provision of much needed housing.
- It sits sympathetically with the neighbouring buildings.
- The loss of 14 new homes is unacceptable given it is a brownfield site and in line with the Core Strategy.

### **Consultation Period**

Comments/criticism has been received in respect of the 'consultation period' and the date on which the Case Officer's committee report was published. To clarify any confusion, this application has been subject to two periods of consultation, the first being the statutory consultation period, the second being the publication of the departure notice. The application has been considered in accordance with the provisions of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee report was published on the 18<sup>th</sup> August after the expiration of the Statutory Consultation Period which was on the 3<sup>rd</sup> August.

The lack of affordable housing provision/contributions for reasons of viability make the application contrary to Policy CP9 of the Core Strategy and therefore the application has been advertised as a departure in line with the statutory requirements set out in the Development Management Procedure Order. The consultation period for the departure notice expired on the 20<sup>th</sup> August, additional comments have been received and considered however these do not alter the recommendation presented in the main report.

The statutory requirements of the Development Management Procedure Order mean that a decision cannot be issued until all consultation periods have passed, in this instance the consultation periods have now ended and the Committee is in a position whereby a decision can be made.

### **S106 Document**

A draft Section 106 Unilateral Undertaking to secure the City Car Club parking provision has been prepared. Subject to the outcome of the Committee meeting and subject to any further comment from officers and the applicant the Undertaking could be completed.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
04	14/01379/FUL	Rough Ground And Buildings, Queen Charlton Lane, Queen Charlton

### **SUMMARY OF CONSULTATIONS/REPRESENTATIONS**

One additional letter of objection has been received since the Committee report was published. This letter raises no new issues.

7 Letters of objection have now been received in total.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
08	15/02830/FUL	Rectory Lodge, Old Bath Road, Combe Hay, Bath, Bath And North East Somerset

### **SUMMARY OF CONSULTATIONS/REPRESENTATIONS**

The following comments have been received from Combe Hay Parish Council since the Committee Report was published:

*Combe Hay Parish Council at its meeting on 13 August resolved to support the application, which appears identical to the previous application, which it also supported. It recommended that the application be considered by the Development Management Committee and is now pleased to note that this will happen.*