

BATH AND NORTH EAST SOMERSET COUNCIL

Development Management Committee

Date 16th December 2015

OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN AGENDA

Members may be aware that at the Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and this consultation will take place between 16th December 2015 and 3rd February 2016. The Plan was also approved for Development Management purposes but Members are advised that currently the Plan has limited weight in the determination of planning applications. With regard to planning application, if necessary, Members will be advised on a case by case basis what weight to give the Plan.

ITEMS FOR PLANNING PERMISSION

Item No.	Application No.	Address
001	15/03402/FUL	Sydenham Terrace, Combe Down,Bath

Following the previous Development Management Committee in November, a parking/traffic note has been submitted in relation to the application outlining the availability of parking within the vicinity of the site. In order to ascertain the availability of on-street parking in the area, a parking beat survey was undertaken on 8th December 2015 over the period 06:30 to 19:30.

The Highways Officer has made the following comments on the findings: The survey covered nine separate zones on Tynning Road as well as sections of Church Road, which forms a junction with Tynning Road to the south. A number of zones were deemed unsuitable for parking due to a combination of inadequate road widths and unavailable parking. Four of the nine zones were deemed possible for use for parking, two of these on Church Road and two on Tynning Road, which would be considered far more convenient for residents of the proposed development. The survey concluded that there were at least 5 empty parking spaces available at all times within a 250m or so walk of the site. In the early morning and evenings, the period when peak parking demand is expected to occur, at least 11 unoccupied parking spaces were recorded.

Highways acknowledge that there will be space available at all times throughout the day either on Tynning Road or Church Road to accommodate 2 no. additional vehicles, though not all are considered convenient relative to the location of the site. Also, the parking/traffic note suggests that the development is only expected to demand 1 no. parking space or, at most, 2 parked cars (based on Neighbourhood Statistics data for the area). It is acknowledged that there may even be no demand for parking due to the sites sustainable location.

While concerns remain regarding vehicles parking along narrow streets and obstructing the flow of traffic, the Highways Officer now raises no objection to the development on the grounds of sites sustainable location and the availability of parking in the vicinity at all times. It is also acknowledged that the possible addition of 1 or 2 vehicles parked in the vicinity will not have a detrimental impact on the operation of the local road network.

Item No.	Application No.	Address
003	15/03632/LBA	The Old Parsonage, Main Street, Farrington Gurney

The proposal was included as an item at the November 18 Committee meeting and was deferred to the Dec 16 Committee at the request of Cllr Les Kew. The case officer accompanied the Cllrs at the site meeting to provide further clarification regarding the officer concerns and the rationale of the recommendation to refuse the applications. The Cllrs expressed their agreement with the case officer's concerns and the advice to the applicant to withdraw the current applications and seek pre-application advice and guidance from the LPA to attempt to find a solution.

Historic England have provided clarification regarding their initial consultation response which is provided below:

We have been sent further information by the applicant concerning the above site and have been asked to visit the site. The information takes the form of photographs from various points around the main house. I visited the property on the 9 December 2015.

Our previous advice on this application was sent on 26 August 2015 without the benefit of a site visit. It is apparent that there are a number of points of clarification that should be made to our original advice.

Historic England Advice

Our previous letter stated; *"the extensionin addition to the harm caused*

by the new opening into the principal building.” We wish to point out that this is incorrect, as the proposed new opening has been omitted from this current application. The proposed scheme should only be judged on the extension to the side elevation.

The earlier advice also stated; “While the now rear elevation of the house is also of high significance, we would advise that this area has more scope for extension due to the existing outbuildings and its courtyard nature”. We accept that this statement could be open to misinterpretation. Having visited the site, we are of the view that there is little opportunity to provide additional accommodation on the courtyard elevation of the principle building apart from to the southern side in the area where single storey extensions are already present. We are also aware that this part of the site has been altered by the addition of visitor accommodation, making any further additions to this area difficult to achieve without re-planning the present guest accommodation.

Our final point of clarification is over the degree of harm that this proposal will have on the significance of the listed building. In our original response we stated there would be “*considerable harm caused to the striking and symmetrical western elevation*” of the listed building. However, we are aware that this letter also stated that we had not visited the site. From our recent site visit, our view is that the proposal will have some harm, in terms of the impact on the side elevation of the main house but less harm to the symmetrical balance of the main facade. The harm to the symmetrical balance of the western elevation will be partially mitigated by the presence of the existing planting (evergreen) and boundary walls to the front garden, that block most views towards the southern end of the house where the proposed extension will be located. There will be some clear views of the proposal from the main road but these will be from the southwest where the extension will be read against the backdrop of the rendered gable end wall of the main house, the existing lean-to roofline of the single storey extension and the high garden wall. Thus through the set back to the proposed development, its main impact will be on the side elevation. This side elevation is not as significant, in our opinion, as the principle elevations to the east and west.

In conclusion, we believe that there will be some harm caused to the character and setting of the listed building but that this could be offset by judicious changes to the design of the development and balancing the harm against any public benefits that may be achieved. We, therefore, recommend that this proposal be judged against Paragraph 134 of the National Planning Policy Framework.

Recommendation

We would urge you to address the above issues, and recommend that the

application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. However, if you would like further advice, please contact us to explain your request. We are happy to attend any meetings that may be required in the future.

Officer Assessment

The concerns of the officer remain the same which is that the proposed location for the new, single storey extension would cause significant harm to the balance and symmetry of the principal elevation of the building. The proposed design is also inappropriate for the building and would cause harm. There is scope for an extension to the rear of the building within the courtyard that, subject to detail, is likely to cause less harm.

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004	15/03574/FUL	The Old Parsonage, Main Street, Farrington Gurney

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Item No.	Application No.	Address
04	15/03511/EOUT	Playing Field, Granville Road, Lansdown, Bath

Economic Development have advised that in line with the Council's Planning Obligations SPD a Site Specific Targeted Recruitment and Training in Construction Obligation should be applied with the following outcomes and contributions:

Residential	
Work placements	14
Apprenticeship starts	2
New jobs advertised through DWP	2
Contribution £	£6,250

Non-residential / commercial sq ft range (Primary School)	
	1000 5000
Work placements	8
Contribution	£1,200

They note that it is a requirement of the developer to provide a method statement following a template and guidance produced in partnership with the B&NES Learning Partnership that will outline the delivery of the TR&T target outcomes. The developer will also be required to participate and contribute to a TR&T Management Board supported by the B&NES Learning Partnership that will have the overall responsibility of delivering the outcomes. The first Management Board should be set up within three months of permission being granted and the method statement should be written within three months of the first management board.

It is recommended that this obligation and financial contribution is added to the s.106 Heads of Terms

Item No.	Application No.	Address
08	15/03325/FUL	Castle Farm, Midford Road

One further letter of objection has been received from the Bath Preservation Trust objecting to the application for the following reasons;

No justification has been submitted for the development.

Concern is raised that inappropriate siting of the dwelling could cause harm to the openness of the green belt and area of outstanding natural beauty. The site is in an elevated position and is isolated from surrounding development.

In the previous appeal the inspector commented that the permission for the temporary dwelling is not an endorsement for a permanent dwelling. The application fails to provide adequate justification of very special circumstances.

The desire to waive the need for audited accounts made by the applicant is based on the HMRC waiver for tax purposes for an enterprise of this size. The HMRC waiver is not sufficient reason however in planning circumstances.

If, contrary to the above, the proposal is deemed to be adequately justified on the basis of viability and need, we would strongly urge the LPA to place significant emphasis on the appropriate siting of the dwelling (we note the revised location further back on the site), to insist upon a full landscaping plan, and also to ensure that the dwelling is modestly sized and one storey only to reduce the impact and intrusion such a dwelling could have on long views to this hillside and therefore the AONB and setting of the World Heritage Site.

Officer Assessment

As stated in the case officers report paragraph 89 of the NPPF allows for the construction of building for agriculture and forestry. The applicant has demonstrated that there is a need for a worker to live on site so the development is considered to comply with paragraph 89 of the NPPF. The case for very special circumstances does not need to be made.

The proposed building would not be easily visible to the surrounding area and in the wider context will be viewed adjacent to the existing barn. This is an outline application with all matters reserved so the siting, scale and landscaping will be considered at reserve matters stage.

The submitted comments do not raise any new issues and the officer recommendation will remain to permit the application.