

# Bath & North East Somerset Council

MEETING: **Development Management Committee**

MEETING DATE: **21st September 2016**

AGENDA  
ITEM  
NUMBER

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RESPONSIBLE OFFICER: Mark Reynolds – Group Manager (Development Management) (Telephone: 01225 477079)

TITLE: **SITE VISIT AGENDA**

WARDS: ALL

BACKGROUND PAPERS:

**AN OPEN PUBLIC ITEM**

## BACKGROUND PAPERS

List of background papers relating to this report of the Group Manager, Development Management about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
  - (i) Sections and officers of the Council, including:
    - Building Control
    - Environmental Services
    - Transport Development
    - Planning Policy, Environment and Projects, Urban Design (Sustainability)
  - (ii) The Environment Agency
  - (iii) Wessex Water
  - (iv) Bristol Water
  - (v) Health and Safety Executive
  - (vi) British Gas
  - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
  - (viii) The Garden History Society
  - (ix) Royal Fine Arts Commission
  - (x) Department of Environment, Food and Rural Affairs
  - (xi) Nature Conservancy Council
  - (xii) Natural England
  - (xiii) National and local amenity societies
  - (xiv) Other interested organisations
  - (xv) Neighbours, residents and other interested persons
  - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

### **The following notes are for information only:-**

- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers relevant to an application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

## INDEX

ITEM NO.	APPLICATION NO. & TARGET DATE:	APPLICANTS NAME/SITE ADDRESS and PROPOSAL	WARD:	OFFICER:	REC:
001	16/02530/FUL 16 July 2016	Mr & Mrs Chris and Josephine Vercoe 23 Lymore Avenue, Twerton, Bath, Bath And North East Somerset, BA2 1BA Demolition of existing single storey rear extension and erection of side and rear, single storey extension	Westmoreland	Jessica Robinson	PERMIT

## REPORT OF THE GROUP MANAGER, DEVELOPMENT MANAGEMENT ON APPLICATIONS FOR DEVELOPMENT

**Item No:** 001  
**Application No:** 16/02530/FUL  
**Site Location:** 23 Lymore Avenue Twerton Bath Bath And North East Somerset BA2 1BA



**Ward:** Westmoreland      **Parish:** N/A      **LB Grade:** N/A  
**Ward Members:** Councillor Colin Blackburn Councillor June Player  
**Application Type:** Full Application

<b>Proposal:</b>	Demolition of existing single storey rear extension and erection of side and rear, single storey extension
<b>Constraints:</b>	Affordable Housing, Agric Land Class 3b,4,5, Article 4, Forest of Avon, HMO Stage 2 test required, Hotspring Protection, MOD Safeguarded Areas, SSSI - Impact Risk Zones, World Heritage Site,
<b>Applicant:</b>	Mr & Mrs Chris and Josephine Vercoe
<b>Expiry Date:</b>	16th July 2016
<b>Case Officer:</b>	Jessica Robinson

## REPORT

At the last meeting of the Committee this planning application was deferred for a site visit to allow Members to fully assess the site and potential impacts upon neighbouring properties amenity.

### Reason for reporting application to Committee

Cllr June Player has requested that this application is considered by Committee if it is recommended that the application be granted permission. The Chair of Committee has agreed to this request as she considers the issue relating to the impact on neighbour's residential amenity is controversial.

The application relates to the erection of a single storey extension to the side and rear of the existing dwellinghouse following the demolition of the existing single storey rear extension.

The property is a mid-terrace dwelling and located within an established residential street fronting a highway.

The application site also falls within the World Heritage Site.

### Relevant History

None located.

## SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Highway Development Officer: I refer to the above consultation received 29th June 2016 and confirm that Highway Development Control wishes to make no comment on the above planning application.

Cllr June Player has requested this application be called to committee should the officer be minded to approve this application as it will be detrimental to the neighbouring properties and area in general and will be contrary to saved Policies D.2 and T.24 of the Bath and North East Somerset Local Plan including minerals and waste policies, Adopted October 2007.

Although already a House of Multiple Occupancy, to introduce an extra bedroom in this property, which already is a student let for FIVE, will obviously put added pressure as regards parking as there is no proposed on-site parking provision. Therefore it will NOT

avoid an increase in on-street parking in the vicinity and so WILL detract from Highway Safety and Residential Amenity - Policy T.24 (vii).

As regards Residential Amenity for the next neighbours it will definitely have a negative impact on them. It will cause extra noise, smell and overlooking and so impact on their quality of life especially when using their garden. It will therefore be contrary to Policy D. 2 (f).

I am also concerned that this will be overdevelopment of this site.

4 letter of objection have been received detailing concerns regarding:

- o The already poor car parking situation will be worsened
- o Noise issues from the proposed development
- o The lack of need for a 6 bedroom HMO in this location
- o Dust and inconvenience as a result of the development
- o Only for financial gain and will result in a destruction of family community

## **POLICIES/LEGISLATION**

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Council's Development Plan now comprises:

Core Strategy  
Saved Policies in the B&NES Local Plan (2007)  
Joint Waste Core Strategy

The following policies of the Core Strategy are relevant to the determination of this application:

CP6 Environmental Quality  
B4 The World Heritage Site and its Setting

The following saved policies of the Bath and North East Local Plan, including minerals and waste policies, adopted October 2007 are also relevant to the determination of this application.

D.2: General design and public realm considerations  
D.4: Townscape considerations  
NE.5 Forest of Avon

At the Council's Cabinet meeting on 2nd December 2015 the draft Placemaking Plan was approved for consultation purposes and also approved for Development Management purposes. However, currently the Plan has limited weight in the determination of planning applications.

D.1 General Urban Design Principals  
D.2 Local character and distinctiveness  
D.3 Urban Fabric

- D.5 Building design
- D.6 Amenity
- ST.1 Promoting Sustainable Travel
- ST.7 Transport access and development management

#### National Policy

The National Planning Policy Framework adopted March 2012

National Planning Practice Guidance 2014

Houses in Multiple Occupation in Bath (HMO) SPD 2013 - this document is not applicable to this application as the property is already an established HMO and there is no change of use involved.

#### **OFFICER ASSESSMENT**

The key issues relate to the impact on the character and appearance of the dwelling and locality, and the amenities of the neighbouring properties.

The alterations will be located to the side and rear of the existing dwellinghouse and comprise a single story structure with a flat roof.

The proposed extension will extend out from the existing side wall of the property to in fill a courtyard area between the existing kitchen/bathroom and the boundary wall. The existing bathroom structure will be demolished and a single story, flat roof structure will replace this and extend out a further approx. 2.5 metres. The proposed development will comprise Bath stone ashlar walls, white UPVC windows/doors and a single membrane roof.

It is considered that the proposed extension is subservient to the main dwelling, and it is considered to respect the character of the property. The propose materials/finishes are considered to be in keeping with the original dwellinghouse. Furthermore, it is considered that the proposed extension will not be detrimental to the streetscene or character of the locality.

The proposed extension will include no windows to either side elevation. There will be 1 no. window and 1 no. door to the rear elevation. Due to the distance and location of surrounding dwellings it is considered there would not be an unacceptable loss of privacy or overlooking.

Due to the single storey nature and flat roof construction of the proposed extension the proposed development is not considered to appear overbearing or cause a detrimental loss of light to neighbouring dwellings.

It is considered that the increase on 1 no. bedroom to the rear of the property will not materially increase the noise generated from the property. As such this is considered to not impede the residential amenities of neighbouring dwellings.

Furthermore it is considered that the increase of this HMO from 5 no. bedrooms to 6 no. bedrooms is not a material change of use requiring express planning permission as the property is already classed as a HMO. Also, under the Use Class Order (GDPO 2015) a

property such as this can be inhabited by up to 6 no. non related inhabitants without planning permission from the Council.

In regards to the highways objections made by local residents; it is taken into consideration that the Highways Officer has made no objection or comment in regards to this application. It is therefore considered that there would not be a material increase in the potential use or safety of the highway.

## **RECOMMENDATION**

PERMIT

## **CONDITIONS**

### **1 Standard Time Limit (Compliance)**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission

### **2 Plans List (Compliance)**

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

## **PLANS LIST:**

PLANS LIST:

- 01 EXISTING GROUND FLOOR PLAN, ELEVATIONS
- 02A COMBINED PLANS

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted/revised proposals was taken and consent was granted.