

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Development Management Committee**

**Date 5<sup>th</sup> June 2019**

**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>
Site Visit 1	18/04535/FUL	49 - 50 Meadow Park Bathford Bath BA1 7PY

It is proposed to amend the wording of condition 1 and add an additional condition in regard to the sections of the boundary fence that are shown as being raised.

Condition 1 is proposed to be amended to:

Within 1 month of the date of the decision, a written schedule of works (including drawings) shall be submitted to the local planning authority detailing the methods by which the additional boundary fencing and planters shown on drawing MPB49 101A and MPB49 102A dated as received 20th March 2019 shall be installed and secured.

Reason: In the interests of residential amenity.

Condition 2:

The additional boundary fencing and planters identified within the agreed written schedule of works and shown on drawings MPB49 101A and MPB49 102A dated as received 20th March 2019 shall be installed within 2 months of receipt by the applicant of written confirmation of the agreed schedule from the local planning authority and thereafter shall be permanently retained on site.

Reason: In the interests of residential amenity.

Written comment dated 27<sup>th</sup> May 2019 has been received from Cllr Sarah Warren stating:

“Kevin Guy and I, newly elected ward councillors, are clearly new to Mr Khan’s planning application for decking to the rear of his home, but having visited the property last week, I can confirm that we endorse the planning

officers' recommendations to install planters on the middle level of the decking adjacent to the fence, and to raise the height of the same section of fence, and Mr Khan's plan to implement these".

Written comments dated 27<sup>th</sup> May 2019 have been received from the applicant since the last committee meeting detailing the reasons why and how the work was carried out.

The comments also respond to the objection comments received by the local planning authority during the course of the application. This document is available on-line.

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
Site Visit 2	18/05561/FUL	31 High Bannerdown Batheaston Bath BA1 7JZ

Written comments dated 27<sup>th</sup> May 2019 have been received from Cllr Sarah Warren and backed by Cllr Kevin Guy on 31<sup>st</sup> May 2019 as new ward councillors for the Bathavon North Ward.

"As new ward councillors for Bathavon North Ward, I am writing to register the objections of Councillor Kevin Guy and myself to the proposed 2nd floor extension of the bungalow at 31 High Bannerdown. Since being elected earlier this month, we have already heard from residents of five of the neighbouring properties regarding their grave concerns at the precedent that will be set by converting one of the bungalows at the high point of the estate into a two storey house. As this dwelling is the first of the group of bungalows in the estate, they believe that it will be only a matter of time before the bungalows are all converted to two storeys. They are also concerned by the extent to which the proposed dwelling will overlook several neighbouring properties and gardens, by the overall scale of the extension, and by the architectural style that has been chosen, felt to be out of keeping with the rest of the estate.

In the parish as a whole, there is undoubtedly a shortage of bungalows in the housing stock - better suited to older and disabled residents - and it is also important to retain accommodation that is more affordable.

We hope you will take our objection into account when reaching your decision."

<b>Item No.</b>	<b>Application No.</b>	<b>Address</b>
No 2	19/00810/FUL	Pond House Rosemary Lane Freshford Bath Bath and North East Somerset BA2 7UD

Errors have been made in regards to the volume calculations for the above application. These should be as follows:

Previously extended should be  $214/775 = 27\%$  not the 31 % stated in the report.

Previously extended plus the proposed addition should be  $214 + 419 / 775 = 81\%$  not the 90 % as stated in the report.

Previously extended plus proposed addition, plus PD  $214 + 419 + 479/775 = 143\%$  not the 152% as stated in the report.

This does not alter the outcome of the recommendation.

The relevant sections of the report have been updated in full below for your information.

#### *Volume Assessment*

It is noted in the submission that the applicant considers the original volume to be 1455.7m<sup>3</sup> - under the previous application the applicant considered the original volume to be 1503.64m<sup>3</sup>; it is unclear what the change is - however this includes the volume of all of the detached outbuildings which should be disregarded as outlined above. As such the volume of the original building that the addition must be proportionate to would be 775m<sup>3</sup>. This is consistent with what was advised in the previous refusal.

Pond House was previously extended in 1989 through a two storey extension to the north east of the property. Under the previous refusal volume calculations were provided showing this extension to be 319m<sup>3</sup>. Under this application the previous extension is shown to be 214m<sup>3</sup>; it appears this change is because a lean-to was removed. The volume of 214m<sup>3</sup> is taken as correct. This equates to a 27% increase in volume of the original dwelling.

The proposed addition under this application results in a 419m<sup>3</sup> volume increase. The current proposal along with the previous extensions results in a cumulative volume increase of 81%. This is significantly greater than the guidance within the Council's SPD that states that extensions of about a third of the original volume are more likely to be acceptable. The extension is therefore regarded as disproportionate and, by definition inappropriate development within the Green Belt.

### *Certificate of Lawfulness*

The planning statement refers to a recently approved Certificate of Lawfulness as proposed, stating that the proposal allowed under permitted development exceeds the scale of the scheme proposed under this application. The planning statement, whilst not entirely clear, appears to show that the extension approved under the certificate of lawfulness equates to 479m<sup>3</sup>.

It appears the agent is implying that a larger scheme could be achieved under permitted development as a 'fall back' position. However the approved certificate of lawfulness could, if not all at least in the most part, still be implemented alongside the proposed scheme. Also, given that the location of the current proposal is to the side of the existing building and the extension that could be constructed is to the rear, and in a less prominent location, this situation is not an 'either/or' situation and is not considered to be a fall-back position. It is unclear if the applicants do actually intend to build what is approved under the Certificate of Lawfulness, but as an application was approved this is assumed to be the case, and this would result in an even greater cumulative volume increase of 143%.