

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
25th September 2019
DECISIONS

Item No:	01	
Application No:	19/01596/FUL	
Site Location:	The Cottage, Northfields, Lansdown, Bath	
Ward: Lansdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 3no dwellings following removal of existing properties	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, SSSI - Impact Risk Zones,	
Applicant:	Mr John Baxter	
Expiry Date:	27th September 2019	
Case Officer:	Tessa Hampden	

DECISION REFUSE

1 The development is considered to be of an inappropriate design, and due to the excessive size and scale of the development is considered to represent the overdevelopment of the site. The development would therefore have a detrimental impact upon the character and appearance of this part of the City of Bath Conservation Area. The harm to the Conservation Area is not considered to be outweighed by any public benefits. The development is therefore considered to be contrary to Placemaking Plan policies HE1, BD1, D1,D2, D5,D7 and Core Strategy Policy CP6.

2 The development due to the inappropriate siting and scale of the development will have an unacceptable detrimental impact upon the residential amenity of No.7 Northfields, particularly due to the loss of light. The development is therefore considered to be contrary to policy D6 of the Bath and North East Somerset Placemaking Plan.

3 The development will result in the loss of trees and green spaces which have the potential to be of wildlife value. The development therefore is considered to have an adverse impact upon species, habitats and features of biodiversity value. It has not been demonstrated that this harm is unavoidable. The development is therefore considered to be contrary to Bath and North East Somerset Placemaking Plan policies D5 and NE3.

PLANS LIST:

12 Sep 2019 AP(0)01 G SITE PLAN
12 Sep 2019 AP(0)21 B UNIT 01 ELEVATIONS
12 Sep 2019 AP(0)22 B UNIT 02 ELEVATIONS

12 Sep 2019 AP(0)23 E UNIT 03 ELEVATIONS
23 Aug 2019 10F PROPOSED BASEMENT FLOOR PLANS
23 Aug 2019 11L PROPOSED GROUND FLOOR PLANS
23 Aug 2019 12I PROPOSED FIRST FLOOR PLANS
23 Aug 2019 13H PROPOSED SECOND FLOOR PLANS
19 Jul 2019 AS(0)01 EXISTING SITE LOCATION PLAN
19 Jul 2019 AS(0)02 A EXISTING TOPOGRAPHIC SURVEY
19 Jul 2019 AS(0)03 EXISTING SITE SECTIONS

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before development commences, failure to comply with the regulations can result in surcharges and additional payments. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

Item No:	02
Application No:	19/03166/FUL
Site Location:	13 Entry Hill, Combe Down, Bath, Bath And North East Somerset
Ward: Widcombe And Lyncombe	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of detached dwelling in rear garden of 13 Entry Hill (Resubmission)
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing Zones, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, SSSI - Impact Risk Zones,
Applicant:	Mr Clyde Waite
Expiry Date:	26th September 2019
Case Officer:	Chloe Buckingham

DECISION REFUSE

1 Due to the siting, spacing, layout and design of the proposed development it will result in the over development of the site and will detract from the character and appearance of this part of the Conservation Area and the setting of the grade II listed terrace (199-205 Wellsway) contrary to policy CP6 of the adopted Core Strategy (2014), Policies HE1, D2, D3, D4 and D5 of the Bath and North East Somerset Placemaking Plan (2017) and the provisions of the National Planning Policy Framework (2019).

2 Given the design and siting of the proposed development on a steep incline the proposal is considered to cause significant harm to the amenities of nearby residents by overlooking, loss of privacy and an overbearing impact. The proposal is therefore contrary to policy D6 of the Bath and North East Somerset Placemaking Plan (2017) and the provisions of the National Planning Policy Framework (2019).

3 The scheme does not propose any off-street car parking provision contrary to policy ST7 of the Bath and North East Somerset Placemaking Plan (2017).

PLANS LIST:

This decision relates to plan references;

1394/P2/01 P1, 1394/P2/01 P1, 1394/P2/02 P1, 1394/P2/03 P1, 1394/P2/04 P1, 1394/P2/05 P1, 1394/P2/06 P1 and 1394/P2/LOC P1 received 15th July 2019.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the

application and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all relevant planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	03	
Application No:	19/03455/LBA	
Site Location:	The Pig & Fiddle , 2 Saracen Street, City Centre, Bath	
Ward: Kingsmead	Parish: N/A	LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)	
Proposal:	External alterations to include installation of painted ghost sign to rendered north elevation gable end (Retrospective).	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre Boundary, Policy CP9 Affordable Housing Zones, Policy CR3 Primary Shopping Areas, Policy CR3 Primary Shopping Frontages, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Butcombe Brewing Co.	
Expiry Date:	26th September 2019	
Case Officer:	Emily Smithers	

DECISION REFUSE

1 The painted sign, by reason of its excessive size and prominent location, creates a significant adverse impact on the character and appearance of the streetscene and fails to preserve the significance of the listed building, setting of neighbouring listed buildings or preserve the character of the surrounding conservation area and world heritage site. There are no public benefits as a result of the proposal which would outweigh the harm identified to the significance of the designated heritage assets. The proposal is contrary to policy HE1 of the Bath and North East Somerset Placemaking Plan (2017) and Section 16 of the National Planning Policy Framework.

PLANS LIST:

Drawing 01 Aug 2019 BLOCK PLAN
Drawing 01 Aug 2019 3278-09-04 PROPOSED SIGNAGE GABLE END NORTH
OS Extract 01 Aug 2019 LOCATION PLAN

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the reasons outlined above and the applicant was advised that the application was to be recommended for refusal unless amendments to the scheme were supplied. The applicant was unable to submit revisions in a timely manner, and did not choose to withdraw the application. Having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	04	
Application No:	19/03454/AR	
Site Location:	The Pig & Fiddle , 2 Saracen Street, City Centre, Bath	
Ward: Kingsmead	Parish: N/A	LB Grade: II
Application Type:	Advertisement Consent	
Proposal:	Painted sign to rendered north elevation gable end. (Retrospective)	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B2 Central Area Strategic Policy, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP12 Bath City Centre Boundary, Policy CP9 Affordable Housing Zones, Policy CR3 Primary Shopping Areas, Policy CR3 Primary Shopping Frontages, Listed Building, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Butcombe Brewing Co	
Expiry Date:	26th September 2019	
Case Officer:	Emily Smithers	

DECISION REFUSE

1 The painted sign, by reason of its excessive size and prominent location, creates a significant adverse impact on the character and appearance of the streetscene and visual amenity. It fails to preserve the significance of the subject site, setting of neighbouring listed buildings or preserve the character of the surrounding conservation area and world heritage site. There are no public benefits as a result of the proposal which would outweigh the harm identified to the significance of the designated heritage assets. The proposal is contrary to policies D2, D4, D9 and HE1 of the Bath and North East Somerset Placemaking Plan (2017) and Section 16 of the National Planning Policy Framework.

PLANS LIST:

For the avoidance of doubt, this decision relates to the following drawings;

Drawing 01 Aug 2019 BLOCK PLAN

Drawing 01 Aug 2019 3278-09-04 PROPOSED SIGNAGE GABLE END NORTH

OS Extract 01 Aug 2019 LOCATION PLAN

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the reasons outlined above and the applicant was advised that the application was to be recommended for refusal unless amendments to the scheme were supplied. The applicant was unable to submit revisions in a timely manner, and did not choose to withdraw the application. Having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.