

BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

Date 11.03.2020

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

ITEMS FOR PLANNING PERMISSION

Item No.	Application No	Address
001	19/02276/FUL	Bath City Football Club High Street Twerton Bath BA2 1DB

Third Parties

Two additional objection comments have been received. No new planning issues are raised, but one provides photographs of on-street parking around the site before, during and after football matches.

Three additional support comments have been received, including a comment from First West of England Ltd. They have indicated that they would look to work with stakeholders to help make public transport take a much bigger role in transporting people to and from matches. However, no specific proposals have been put forward. No other new planning issues have been raised.

Highways and Parking

A response to the Highways Officer's comments has been provided by the applicant's consultants, PJA. The Highways Officer has now had opportunity to review this document and has made the following supplementary comments:

Further to the formal highways advice provided in response to this application, I write to offer comment on the PJA post submission response issued by email on 27 February 2020. These comments should be read as supplemental to previous highways advice. They do not replace it.

PJA highlight current policy including:

NPPF para 109 which states that: *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*: and

POLICY ST7: Transport Requirements for Managing Development in which clauses 4a, b & c require:

- 4a *“An appropriate level of on-site servicing and vehicle parking and cycle parking should be provided in accordance with the parking standards as set out in Schedule 2 – Parking Standards”;*
- 4b *“There should be no increase in on-street parking in the vicinity of the site which would affect highway safety and/or residential amenity” and*
- 4c *“To ensure that parking standards are applied using a flexible approach departures from the prescribed minimum and maximum parking standards are able to be sought where specific circumstances can be demonstrated. Any reduction in minimum residential parking standards will require the completion of an accessibility assessment which will form the basis for any discount from the prescribed standard”.*

In response to 4a the application does not provide for the parking requirements of the new elements of the scheme which do not exist on site at the present time. The full standards for the Affordable Flats and Co-living units would be 31 spaces to which could be applied an accessibility discount that would reduce this to 23. Whilst an accessibility discount is accepted the applicant is proposing zero provision for these and thus the application fails to comply with ST7 Clause 4a.

Any parking associated with the Affordable and co-living units will be expected to take place on nearby streets and as such the proposal will fail to comply with ST7 4b. In addition the proposal reduces the level of on-site provision currently available within the Twerton Park and ‘rear of shops’ car parking areas. As such this will displace the difference between current and proposed provision also, presumably to nearby streets, again contrary to ST7 4b.

Whilst the standards accept use of an accessibility discount the use of 100% discount is not. As such the application will also fail to comply with ST7 4c.

The applicants parking surveys cover a limited number of streets in the local area and it is well known that parking by football club supporters takes place over a wider area than surveyed. Photographic evidence submitted by objectors cover the wider geographic area and, whilst the survey could not be considered fully independent (neither could the applicants’), I have no reason to doubt it.

The applicant claims that any on-street parking that does take place does not give rise to highway safety issues as there is no evidence in highway accident records of parking related accidents in the surrounding streets. This is not surprising as the road accident records only record incidents involving personal injury. What might be expected here would be minor bumps and scrapes between vehicles because of inconsiderate parking, hazards to pedestrians and inconvenience to residents. In any event the test of policy ST7 4b is whether the application would affect **highway safety** and/or **residential amenity**.

The applicants suggestion that the reduced Twerton Park car park could accommodate more vehicles than indicated by marked spaces by block parking is alarming. This would mean that the main pedestrian accesses to the ground would be congested by additional parked vehicles. This is clearly unacceptable and against the interests of public safety.

Finally, the applicant states that current parking policy is out of date as it fails to recognise the Climate Emergency. Whether or not that is the case, it is still current policy which needs to be satisfied for the application to be acceptable.

02

19/01854/OUT

Hartwells, Newbridge Rd, Bath

Please note that it is recommended that Condition 17 be amended to read as follows:

17) In the event that the commercial unit hereby approved is used for a purpose falling within Use Class A3 of the Uses Classes Order 1987 (as amended) that use shall not commence until an acoustic survey and odour survey have first been submitted to and approved in writing by the local planning authority. The use shall thereafter operate in accordance with the details so approved.

Reason: To protect future residents from unreasonable adverse impact from noise and odour in accordance with Policy D6 of the Bath & North East Somerset Placemaking Plan.

Condition 17 has been amended because as originally drafted (in the main report) the requirement to submission noise and odour information unnecessarily referred to use class A1 use as well as A3.

03

19/03734/FUL

Combe Grove, Brassknocker Hill

1) Additional new drawings were received and uploaded onto the file on the 4th March 2020 to indicate:

- Proposed bin and laundry store elevations (ref. 085-518 P1). The store enclosure measures W8m x L:10m x H:2m and is to be constructed of oak waney edge cladding to the north and east elevations, and dead hedging to the south and western elevations;
- Comparison plan of existing and proposed car park (ref. 085-018 P1)
- Existing plan of the car park (ref. 085-017 P1)

2) As stated in the report, there is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects a listed building or it's setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this instance, it is not considered that the proposals would directly affect the listed buildings or their setting.

The indirect effects are discussed in the body of the report (see Other Considerations).

08 & 09

19/05508/LBA
& 19/05507/FUL

Old House, Northend
Batheaston

2 Report errors:

Proposal section of report relating to 19/05508/LBA incorrectly refers to a 5-bar gate design being applied to the front face of the solid gate; this relates to previous application 19/01229/LBA that was withdrawn.

Policies/legislation section of same report incorrectly includes reference to requirements under S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is confirmed that the application site is NOT within a conservation area.

The applicant's agent confirmed on 2nd March widths of vehicular entrance as follows;

*Original width of vehicular entrance i.e. prior to works: 3.96m

Existing (following works): 5.7m

Proposed: 5m (reduced by 0.7m following vehicle tracking)

*Since confirmation of widths, as set out above, the applicant's agent observed (4th March) that given the original posts were inward of the actual wall opening the opening width would have been greater than the actual gate width. The applicant's agent highlights this because the actual increase in the proposed width of opening may be less than the 1m increase confirmed above.

The applicant's agent understands that the original gates were authorised following notification from the former owner to the former planning authority (Wansdyke) prior to their fixing. The Officer has been unable to verify this.

The applicant's agent has drawn the officer's attention to vertical boarded gates at Valley View, St Catherine Lane (located a mile or so north of Old House). The planning history confirms that the gates at Valley View were granted consent under 11/01860/FUL. However, the circumstances at Valley View differ from Old House as follows; Valley View is not a listed building whereas Old House is. The delegated report for Valley View notes that; (1) the parking area and gates will be screened from the wider valley by existing vegetation in the garden; (2) the existing parking for the property is on the public highway, outside the property; (3) the proposed parking area will result in an improvement in the existing situation as it will remove parking from the public highway. At Old House the parking area and gates are not screened from the wider valley – the application site is open and exposed. Old House has always had off street parking within the site and therefore such improvement would not result in this case. As such the example given is not considered comparable.