

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Planning Committee**

**Date**

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

**ITEMS FOR PLANNING PERMISSION**

| <b>Item No.</b> | <b>Application No.</b> | <b>Address</b>   |
|-----------------|------------------------|--|
| Site visit 001  | 19/04772/FUL           | Holborne Park<br>Former Ministry of Defence<br>Offices, Warminster Road,<br>Bathwick, Bath |

**Additional representations**

An additional letter of objection has been received from the Bath Preservation Trust. The main points raised are:

- The piecemeal, disjointed submission of multiple planning application does not suitably account for the overall coherence of the Holburne Park site and its contextual setting within the World Heritage Site.
- The proposals exacerbate the existing overdevelopment of an already dense residential site.
- The poor quality of the drawings are insufficient to make a proper assessment of the landscape and visual impact of the development.
- The failure to provide affordable housing does nothing to address the housing crisis locally.
- Loss of the designated school site to residential development resulted in a failed potential to integrate public community facilities into the development's design.

The letter raises no significant new matters which have not already been considered in the committee report.

| <b>Item No.</b> | <b>Application No.</b> | <b>Address</b>                                       |
|-----------------|------------------------|--|
| 03              | 20/01337/FUL           | Lambrook Barn, Deadmill Lane, Lower Swainswick, Bath |

### **Plan Update**

Plan no. SMH/28/19/18 – 02 (Existing House Elevations and Gym Survey) was superseded and replaced with plan SMH/28/19/18 - 02a on 26<sup>th</sup> June 2020. The front and rear elevations were incorrectly labelled on the original drawing. The Agent has corrected this on the updated plan.

| <b>Item No.</b> | <b>Application No.</b> | <b>Address</b>                               |
|-----------------|------------------------|--|
| 04              | 20/01078/FUL           | Land North of 9B Tennis Court Avenue Paulton |

Further information has been submitted by Cllr Hardman

Photographs indicating use of the garage and works being carried out on site have been forwarded to the Case Officer from interested parties.

1-The photographs indicate the garage in use not being obsolete as stated by the applicant.

Officer comment: This matter is addressed below.

2-Photographs of some ground works being carried out on the site.

Officer comment: These works appear to be drainage works and should permission not be granted for this development then further works on the site may need to be investigated.

Amendments to the committee report:

Typing error in section Summary of consultations/representations

Cllr Liz Hardman -Objection

Paragraphs in report amended as follows:

Residential Amenity

All *the habitable room windows* are located on the front and rear elevations (E and W) and the rear windows are at a distance of 15m from the site boundary with the closest property to the East. *There is one high level window on the northern elevation serving a bathroom with a ground floor window on the southern elevation serving a toilet therefore it is not considered the neighbours would suffer a severe loss of amenity through loss of privacy.* Whilst loss of view over the site has been raised as an objection this matter would not warrant refusal of the application.

## Highways

Given the nature of the proposal Highways DC (HDC) has been consulted. Within the response received it is noted that the proposed three-bedroom dwelling requires the provision of two off-street car parking spaces. The submitted plans indicate that four off-street car parking space will be retained on the front forecourt. The submitted application indicates that the site was sold off separately to number 21 Tennis Court Road (Hope Terrace) and is not owned by the occupiers of this property. The applicant purchased this land on 5th February 2020 the applicant has sole use of land and garage, but this will obviously cease when/if the development is carried out. This sale of land has resulted in the property fronting Tennis Court Road no longer having available parking. *The site is now in separate ownership and at present the site is used by the owners of the site who lives locally as confirmed by the agent. The garage has been shown by submitted photos by interested parties to be used for some storage and parking, the garage is not obsolete. However, the agent has confirmed the owner does sometimes park his van on the site, but this will stop once the site is developed if planning permission is granted. As the site is privately owned its use is at the discretion of the owner and does not provide general parking facilities for local residents.*

*The submitted site plan indicates that a pedestrian right of way is to be provided along the southern boundary of the site allowing rear access to the new property if planning permission is granted and 21 Tennis Court Road (Hope Terrace).*

This matter has been raised by residents and the impact on traffic and parking has been a matter of concern to interested parties. As such the loss of these two garages and the use of the forecourt in association with the new dwelling cannot be seen to impact negatively on the parking provisions within the immediate area in principle. The submitted plans indicate the retention of the parking forecourt to serve the new dwelling and it is not envisaged that development of this site would necessarily restrict or inhibit access to adjacent properties. The proposal includes adequate car parking for a three bedroomed house.

As shown on the submitted plans the means of access and parking arrangements are considered acceptable and to maintain highway safety standards. The proposal accords with policy ST7 of the Placemaking Plan for Bath and North East Somerset (2017) and part 9 of the NPPF subject to compliance with conditions.

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|-----------------|------------------------|---|
| 005             | 20/01690/VAR           | Liberal Democrats<br>31 James Street West |

**Consultation Comment from BaNES Drainage & Flooding:**

No objection

Full Comment: The area in front of the house is at medium risk of surface water flooding. It may be wise to site any motors for the lift mechanism above any likely flood levels.

Consultation comments received do not relate directly to the variation sought ie. internal and external alteration to the rear of the premises.

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For clarity, this application is being considered under section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to vary Conditions 6 and 7 of approval 20/00099/LBA. Section 16 of the Act does not apply and references to it in the main report should be disregarded. Nevertheless, members are advised that, in considering whether to grant the variation, special regard should still be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.