

**BATH AND NORTH EAST SOMERSET COUNCIL**

**Planning Committee**

**Date: 1<sup>st</sup> June 2022**

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

**ITEMS FOR PLANNING PERMISSION**

Item no.	Application no.	Site Address
01	21/04590/FUL	Homewood Park Hotel Homewood Hinton Charterhouse Bath Bath And North East Somerset BA2 7TB

An additional comment was received from a local resident on 23<sup>rd</sup> May 2022, which is summarised as follows:

*My query concerns existing Building D, also referred to as the kennels.*

*On p. 11 you state that the proposal to extend the Spa by 48% by volume is significantly above the 33% generally thought permissible under exception C. But you go on to say that if you consider the fitness lounge element of the Spa as a replacement building for the kennels (Building D), it could be allowed under exception D. This brings the extension volume down to an acceptable 31%.*

*However, a page earlier, Building D is counted among the buildings to be demolished, totalling 1320m<sup>3</sup>, and is set against a resulting built volume of 1504m<sup>3</sup>, which is the sum of the new guest accommodation and meeting space, not the Spa extension. The volume of the Building D has already been accounted for here.*

*I may be in error, but it would appear that the volume of Building D has been counted twice - towards the guest accommodation and meeting space, and also to bring the Spa extension down to an acceptable limit. Is that the case, and if so can I ask for this to be corrected?*

*Additionally, may I ask why your figures for the overall volume and footprint of the buildings to be demolished are greater than the ones put forward in the application?*

Officers have examined the figures and consider that building D has, in effect, been counted twice. As such, officers have re-assessed the proposals, in regard to Exception D (materially larger).

The current calculations stated that in terms of footprint, the existing is 422m<sup>2</sup> and proposed is 382m<sup>2</sup>. Discounting building Dm the existing is 377m<sup>2</sup> and the proposed 382m<sup>2</sup>. Officers note this is a slight increase, but this is considered to be minimal, amount to 5m<sup>2</sup> and does not constitute a materially larger footprint.

In terms of volume, the existing volume (including building D in the calculations) is 1320m<sup>3</sup> and the proposed 1504m<sup>3</sup>. When excluding building D, the existing volume is 1206m<sup>3</sup> and proposed is 1504m<sup>3</sup>. It is noted that this is an increase in volume could constitute a materially larger volume.

Officers consider that their assessment as not appearing materially larger is still as in the Committee report. This change in calculations does not change the view of officers, that visually the proposals will not appear materially larger due to the proposals infilling existing gaps in the buildings and largely being located on similar footprints.

In regard to the second part of the local resident's query, not all the buildings to be demolished have been included on the plan which shows the footprints and volumes (such as building K, which is a store) and my figures have taken this into account.

Officers are satisfied with the proposals in Green Belt terms.

#### **CONDITION WORDING UPDATE:**

Condition 5 has been re-worded as follows. The word "commencement" has been changed to "completion", with the confirmation of the Ecologist.

{\b Ecological Follow-up Report (Bespoke trigger)}

Within 6 months of completion of the development hereby approved a report produced by a suitably experienced professional ecologist (based on post-completion on-site inspection by the ecologist) confirming in writing and demonstrating, using photographs, full adherence to and completion of all bat and wildlife protection, mitigation and enhancement measures in accordance with approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate compliance with the bat and wildlife protection, mitigation and enhancement measures, to prevent ecological harm and to provide biodiversity gain in accordance with NPPF and Policies NE3 NE5 and D5e of the Bath and North East Somerset Local Plan.

#### **ECOLOGICAL CLARIFICATIONS**

Page 54 contains consideration of the three tests relevant when Natural England decide whether or not to grant a licence to allow the demolition of Building F which supports a small night roost for lesser horseshoe bats. Having considered those tests, officers are satisfied that Natural England would not be unlikely to grant a licence.

As reported on page 56, the Council has completed an appropriate assessment. This concluded that the proposed development would not adversely affect the integrity of the Bath and Bradford-on-Avon Bats Special Area of Conservation, providing mitigate commitments are met. Natural England have agreed to the outcome of the appropriate assessment, subject to conditions which secure the mitigation measures.

#### **PUBLIC SECTOR EQUALITY DUTY**

The Public Sector Equality Duty requires public authorities to have regard to section 149 of the Equality Act 2010.

The impact upon neighbouring residents has been fully assessed. Conditions, recommended as part of the permission, are considered to ensure that the impact to the amenity of nearby occupiers is minimised. The Council has complied with it's Public Sector Equality Duty during the assessment of this planning application.