

BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

13th March 2024

SITE VISIT DECISIONS

Item No:	001	
Application No:	22/05081/FUL	
Site Location:	53 Rockliffe Road, Bathwick, Bath, Bath And North East Somerset	
Ward: Bathwick	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a three-bedroom dwelling with associated landscaping and car parking (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, Flood Zone 2, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Ecological Networks Policy NE5, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,	
Applicant:	Mr and Mrs Ian and Sian Millward	
Expiry Date:	15th March 2024	
Case Officer:	Isabel Daone	

DECISION REFUSE

1 Character, appearance and impact to Conservation Area

The development, by virtue of its height, scale, massing, footprint is out of keeping with the context which will have an adverse impact on the character of the locality. It does not relate well to the frontage buildings and will cause less than substantial harm to the character of the Conservation Area. There are not sufficient public benefits to outweigh this harm. The development is therefore contrary to policy CP6 of the Bath and North East Somerset Core Strategy, policies D2, D7 and HE1 of the Bath and North East Somerset Placemaking Plan and part 16 of the National Planning Policy Framework.

2 Residential amenity

The development, by virtue of its height, scale, massing, and footprint will result in unacceptable levels overbearing and overlooking, thus causing significant harm to the amenities of the neighbouring occupiers, specifically those on Rockliffe Road and Forester Avenue. The development is contrary to policy D6 of the Bath and North East Somerset Placemaking Plan.

3 Green Infrastructure

The development by virtue of its layout and scale does not maximise opportunities for the provision of green infrastructure within the site and is therefore contrary to policy NE1 of the Bath and North East Somerset Local Plan Partial Update.

PLANS LIST:

This decision relates to the following plans:

2145-VAL-XX-XX-A-DR-1930 P04. Proposed Elevations. Received 16th December 2022
2145-VAL-XX-XX-DR-A-1911 P03. Proposed Block Plan. Received 11th May 2023
2145-VAL-XX-XX-DR-A-1931 P03. Proposed Elevations. Received 11th May 2023
2145-VAL-XX-XX-DR-A-1935 P01. Proposed Louvres. Received 11th May 2023
2145-VAL-XX-XX-DR-A-1920 P04. Proposed Floor Plans. Received 11th May 2023
290 PA 01 B. Proposed Garden Layout and Tree Replacement Plan. Received 16th August 2023

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.

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

Responding to Climate Change (Informative):

The council is committed to responding to climate change. You are advised to consider sustainable construction when undertaking the approved development and consider using measures aimed at minimising carbon emissions and impacts on climate change.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. The application is unacceptable for the reasons outlined on this decision notice following debate at Planning Committee and the applicant has not withdrawn the application. In the interests of avoiding unnecessary delays the Local Planning Authority moved forward and issued its decision.

Item No:	002		
Application No:	23/00537/FUL		
Site Location:	14 Woodland Grove, Claverton Down, Bath, Bath And North East Somerset		
Ward:	Bathwick	Parish:	N/A
		LB Grade:	N/A
Application Type:	Full Application		
Proposal:	Erection of first floor extension over existing single-storey accommodation with ground floor entrance lobby		
Constraints:	Article 4 HMO, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, SSSI - Impact Risk Zones,		
Applicant:	Mrs D Johnson		
Expiry Date:	15th March 2024		
Case Officer:	Paige Moseley		

DECISION REFUSE

1 Character and appearance

The dwellings in the street surrounding the development have a distinct degree of spacing between them. The addition of a second storey to the current one-storey element of this scale, massing and form would be detrimental to the spacing and layout of the area.

The dwelling has already been extended previously and the proposed development would add increased footprint and massing which would result in overdevelopment of the host dwelling and site.

The proposed materials would be inappropriate within the setting and would not respect the local materials palette. In particular, the use of metal cladding on a two-storey wall would have an industrial appearance which would be incongruous in the residential setting.

Overall the proposal by reason of its design, scale, massing, and materials is unacceptable and would fail to respond to the local context, or maintain the character and appearance of the surrounding area. Therefore, the proposal fails to accord with policy CP6 of the Core Strategy, policies D1, D2, D3, D4 and D5 of the Placemaking Plan and part 12 of the NPPF.

2 Residential Amenity

The proposed extension, by virtue of its massing, height and proximity to neighbouring gardens, would feel oppressive and result in unacceptable overbearing impact, particularly on neighbouring dwellings in The Avenue. The proposal, by virtue of massing, height, proximity to neighbouring gardens and orientation would result in loss of light to neighbouring dwellings in The Avenue to an unacceptable level. Overall the proposal

would result in significant harm to the amenities of neighbouring dwellings and the proposal therefore conflicts with policy D6 of the Placemaking Plan for Bath and North East Somerset (2017) and part 12 of the NPPF.

PLANS LIST:

This decision relates to the following plans:

13 Dec 2023 2107-P-110 REV B GROUND FLOOR PLAN AS PROPOSED
13 Dec 2023 2107-P-111 REV B FIRST FLOOR PLAN AS PROPOSED
13 Dec 2023 2107-P-112 REV B ROOF PLAN AS PROPOSED
13 Dec 2023 2107-P-132 REV B SOUTH EAST ELEVATION AS PROPOSED
13 Dec 2023 2107-P-133 REV B NORTH EAST ELEVATION AS PROPOSED
13 Dec 2023 S107/P/130/B NORTH WEST ELEVATION AS PROPOSED
08 Jan 2024 2107-P-131 REV C SOUTH WEST ELEVATION AS PROPOSED

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