

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
23rd October 2024
DECISIONS

Item No:	001	
Application No:	24/01160/FUL	
Site Location:	11 Richmond Road, Beacon Hill, Bath, Bath And North East Somerset	
Ward: Lansdown	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of 1no 3 bed dwelling on land to the rear of 11 Richmond Road.	
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, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, SSSI - Impact Risk Zones,	
Applicant:	Mr & Mrs Melbourne	
Expiry Date:	29th August 2024	
Case Officer:	Ed Allsop	

DECISION REFUSE

1 The first floor windows on the east elevation, by reason of their siting, would result in a harmful level of overlooking to the occupiers of Maple House. Therefore, the proposals are contrary to policies D6 and D7 (3d) of the Bath and North East Somerset Placemaking Plan (2017) and Part 12 of the NPPF.

2 The flat roof design and large extent of glazing would not respond positively to the character and appearance of the area. The size, scale and overall footprint of the dwelling would also result in overdevelopment of the site. Therefore, the proposals are contrary to policies D1, D2, D5 and D7 (3a) of the Bath and North East Somerset Placemaking Plan (2017) and Part 12 of the NPPF.

PLANS LIST:

This decision relates to the following plans:

Tree protection plan- 13th June 2024
Foul drainage route T4- P2
Proposed site plan- P3
Section T4- 3021 P1
Site section B highways plan- 3016 P2
Existing BNG habitat plan

Proposed BNG habitat plan
Location plan as existing
Block plan as existing
Site plan as existing
Site section A as existing
Site section B as existing
Location plan as proposed
Block plan as proposed
Site plan as pro- driveway layout
Ground floor plan as proposed
Lower ground floor plan as proposed
North and south elevations as proposed
East and west elevations as proposed
West and south elevations (lower level) as proposed
Site section A as proposed
Site section B as proposed

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.

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.

Biodiversity Net Gain - Exempt/Not required

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

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