

Bath & North East Somerset Council

MEETING: **Planning Committee**

MEETING DATE: **18th February 2026**

AGENDA
ITEM
NUMBER

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RESPONSIBLE OFFICER: Louise Morris - Head of Planning & Building Control

TITLE: **APPLICATIONS FOR PLANNING PERMISSION**

WARDS: ALL

BACKGROUND PAPERS:

AN OPEN PUBLIC ITEM

BACKGROUND PAPERS

List of background papers relating to this report of the Head of Planning about applications/proposals for Planning Permission etc. The papers are available for inspection online at <http://planning.bathnes.gov.uk/PublicAccess/>.

- [1] Application forms, letters or other consultation documents, certificates, notices, correspondence and all drawings submitted by and/or on behalf of applicants, Government Departments, agencies or Bath and North East Somerset Council in connection with each application/proposal referred to in this Report.
- [2] Department work sheets relating to each application/proposal as above.
- [3] Responses on the application/proposals as above and any subsequent relevant correspondence from:
 - (i) Sections and officers of the Council, including:
 - Building Control
 - Environmental Services
 - Transport Development
 - Planning Policy, Environment and Projects, Urban Design (Sustainability)
 - (ii) The Environment Agency
 - (iii) Wessex Water
 - (iv) Bristol Water
 - (v) Health and Safety Executive
 - (vi) British Gas
 - (vii) Historic Buildings and Monuments Commission for England (English Heritage)
 - (viii) The Garden History Society
 - (ix) Royal Fine Arts Commission
 - (x) Department of Environment, Food and Rural Affairs
 - (xi) Nature Conservancy Council
 - (xii) Natural England
 - (xiii) National and local amenity societies
 - (xiv) Other interested organisations
 - (xv) Neighbours, residents and other interested persons
 - (xvi) Any other document or correspondence specifically identified with an application/proposal
- [4] The relevant provisions of Acts of Parliament, Statutory Instruments or Government Circulars, or documents produced by the Council or another statutory body such as the Bath and North East Somerset Local Plan (including waste and minerals policies) adopted October 2007

The following notes are for information only:-

- [1] "Background Papers" are defined in the Local Government (Access to Information) Act 1985 do not include those disclosing "Exempt" or "Confidential Information" within the meaning of that Act. There may be, therefore, other papers relevant to an application which will be relied on in preparing the report to the Committee or a related report, but which legally are not required to be open to public inspection.

- [2] The papers identified or referred to in this List of Background Papers will only include letters, plans and other documents relating to applications/proposals referred to in the report if they have been relied on to a material extent in producing the report.
- [3] Although not necessary for meeting the requirements of the above Act, other letters and documents of the above kinds received after the preparation of this report and reported to and taken into account by the Committee will also be available for inspection.
- [4] Copies of documents/plans etc. can be supplied for a reasonable fee if the copyright on the particular item is not thereby infringed or if the copyright is owned by Bath and North East Somerset Council or any other local authority.

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02	25/04650/FUL 28 January 2026	Kandoo Property Ltd 16 Alderley Road, Southdown, Bath, Bath And North East Somerset, BA2 1LB Change of use from dwellinghouse (C3) to small house in multiple occupation (C4) including partial conversion of existing garage.	Southdown	Nadin Qutaina	PERMIT
03	25/04242/FUL 6 January 2026	Mr P Roper The Coach House , Midford Road, Midford, Bath, Bath And North East Somerset Demolition of existing two-storey dwelling, and replacement with a contemporary two-storey self-build dwelling.	Bathavon South	Ed Allsop	Delegate to PERMIT

REPORT OF THE HEAD OF PLANNING ON APPLICATIONS FOR DEVELOPMENT

Item No: 01
Application No: 25/04124/FUL
Site Location: 26 Wedgwood Road Whiteway Bath Bath And North East Somerset
BA2 1NX



Ward: Twerton

Parish: N/A

LB Grade: N/A

Ward Members: Councillor Tim Ball Councillor Sarah Moore

Application Type: Full Application

Proposal: Change of use from single dwelling (C3) to 7 bedroom hmo.

Constraints: Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, SSSI - Impact Risk Zones,

Applicant: Kbr Developments Ltd

Expiry Date: 18th December 2025

Case Officer: Angus Harris

To view the case click on the link [here](#).

REPORT

The application refers to the residential property 26 Wedgwood Road, Whiteway, BA2 1NX.

Planning permission is sought for the Change of use from single dwelling (C3) to 7 bedroom hmo.

Relevant Planning History:

There is no relevant planning history on this site.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Consultation Responses :

Councillor Sarah Moore:

I would like to object to this application for an HMO. I believe this does not pass the concentration test as we already have HMOs at numbers 3, 18, 20, 28, 32, 33, 34, 35 and 36 Wedgwood, which I believe would all fall within the 100 m radius. If the planning officer is minded to approve this application, I would request it is referred to the planning committee.

Representations Received :

7no objections have been received, summarised into the following:

- There is a large number of HMOs in this local area,
- This results in the loss of a family home, whilst Councils and Government are saying there are already not enough,
- Turing this into a 7-bedroom HMO is a massive overdevelopment of the site,
- The communal area is tiny for 7 adults to live there,
- The existing parking situation is appalling and the proposal will add further to this problem,
- People parking directly on corners making it dangerous.
- Putting restrictions on HMO car usage does not work,
- We havent got the infrastructure to support more and the school is in danger of closeing as the family's are being pushed out,

1no support has been received:

I live next to this property and received this planning application. It's been empty for some time now. Outside is overgrown so I am glad it's coming back into use. The house next door is also students and i've never had a problem with them so not entirely sure what the issue is. Always say hello. Polite and chatty. Never an issue I'm just glad the home is going back into use.

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan

and will be given full weight in the determination of planning applications. The Development Plan for Bath and North East Somerset comprises:

- o Bath & North East Somerset Core Strategy (July 2014)
- o Bath & North East Somerset Placemaking Plan (July 2017)
- o Bath & North East Somerset Local Plan Partial Update (2023)
- o West of England Joint Waste Core Strategy (2011)
- o Made Neighbourhood Plans

CORE STRATEGY:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

B4: The World Heritage Site and its Setting

CP6: Environmental Quality

SD1: Presumption in favour of sustainable development

PLACEMAKING PLAN:

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

B1: Bath Spatial Strategy

D1: General urban design principles

D2: Local character and distinctiveness

D3: Urban fabric

D4: Streets and spaces

D5: Building design

D6: Amenity

HE1: Historic environment

LOCAL PLAN PARTIAL UPDATE:

The Local Plan Partial Update for Bath and North East Somerset Council was adopted on 19th January 2023. The Local Plan Partial Update has introduced a number of new policies and updated some of the policies contained with the Core Strategy and Placemaking Plan. The following policies of the Local Plan Partial Update are relevant to this proposal:

DW1: District Wide Spatial Strategy

H2: Houses in multiple occupation

ST7: Transport requirements for managing development

SUPPLEMENTARY PLANNING DOCUMENTS:

The following Supplementary Planning Documents (SPDs) are relevant to the determination of this application:

Transport and Development Supplementary Planning Document (January 2023)

The City of Bath World Heritage Site Setting Supplementary Planning Document (August 2021)

The Houses in Multiple Occupation in Bath Supplementary Planning Document (January 2022)

NATIONAL POLICY:

The National Planning Policy Framework (NPPF) was published in July 2021 and is a material consideration. Due consideration has been given to the provisions of the National Planning Practice Guidance (NPPG).

LOW CARBON AND SUSTAINABLE CREDENTIALS

The policies contained within the development plan are aimed at ensuring development is sustainable and that the impacts on climate change are minimised and, where necessary, mitigated. A number of policies specifically relate to measures aimed at minimising carbon emissions and impacts on climate change. The application has been assessed against the policies as identified and these have been fully taken into account in the recommendation made.

OFFICER ASSESSMENT

PRINCIPLE OF DEVELOPMENT:

The application is seeking to convert a residential dwelling to a 7-bedroom HMO (Sui Generis). The property is located within an area subject to an Article 4 Direction restricting the conversion of residential properties into HMOs. The main planning considerations in respect of an application of this nature are as follows:

- the principle of the proposed change of use from a dwelling house to an HMO.
- the impact on the character and appearance of the Bath world heritage site,
- impact to residential amenity
- internal standards
- impact on parking and highways

Principle of the proposed change of use from a dwelling house to an HMO.

Policy H2 of the Placemaking Plan provides the following criteria to be considered when determining an application for change of use to an HMO;

- i) Where there is high concentration of existing HMO's, further changes of use to HMO use will not be supported as they will be contrary to supporting a balanced community.
- ii) The HMO use is incompatible with the character and amenity of established adjacent uses.
- iii) The HMO use significantly harms the amenity of adjoining residents through a loss of privacy, visual and noise intrusion.

- iv) The HMO use creates a severe transport impact.
- v) The HMO use results in the unacceptable loss of accommodation in a locality, in terms of mix, size and type.
- vi) The development prejudices the continued commercial use of ground/lower floors.

The SPD includes the following criteria which advises change of use will not be permitted where:

Criterion 1: It would result in any residential property (C3 use) being 'sandwiched' between two HMOs; or

Criterion 2: Test: HMO properties represent more than 10% of households within a 100-metre radius of the application property.

Following a GIS search, the conversion of this property into an HMO would not result in 'sandwiching' between other HMO certified properties and therefore complies with Criterion 1.

Looking at Criterion 2, the change of use of the property to an HMO does not represent more than 10% of households. Several comments have been received which highlight the number of existing HMOs within this street. The density calculation is taken within a 100m radius and is not an exclusive calculation of the street.

In this instance based on Council data at the time of this application, the conversion of this property would result in 12 of 122 residential properties within a 100 metre radius of the site being HMOs, equating to 9.8%.

Policy CP10 supports housing mix in line with national policy, where a mix of housing types and households are encouraged in the interest of community cohesion. This is supported by HMO policy H2 and the SPD, which aim to direct new HMO development to areas of lower concentration.

Internal alterations to the building will not require planning permission however all HMOs need to be licensed.

Policy H2 of the Local Plan Partial Update also outlines the following criteria, where a new HMO is required to achieve an Energy Performance Certificate (EPC) of rating 'C'. The applicant has submitted the EPC for the property, demonstrating compliance with this criteria.

DESIGN, CHARACTER AND APPEARANCE:

Policy D1, D2, D3 and D5 of the Placemaking Plan have regard to the character and appearance of a development and its impact on the character and appearance of the host building and wider area. Development proposals will be supported, if amongst other things they contribute positively to and do not harm local character and distinctiveness. Development will only be supported where, amongst other things, it responds to the local context in terms of appearance, materials, siting, spacing and layout and the appearance of extensions respect and complement their host building.

The conversion of the property involved some limited alterations to the exterior of the dwelling, which includes the replacement of doors and windows at the ground and first floor levels.

As such, the proposal accords with policy CP6 of the Core Strategy, policies D1, D2, D3, D4 and D5 of the Placemaking Plan and part 12 of the NPPF.

RESIDENTIAL AMENITY:

Policy D6 sets out to ensure developments provide an appropriate level of amenity space for new and future occupiers, relative to their use and avoiding harm to private amenity in terms of privacy, light and outlook/overlooking.

Policy H2 requires that HMOs provide a good standard of accommodation for occupiers. The HMO Supplementary Planning Document (SPD) details the minimum space standards required for bedrooms and shared facilities. The proposed use of the property as a HMO would involve the use of 5 bedrooms, all of which (shown on the proposed floor plans) would meet the minimum space standards required for a C4 HMO.

The objection comments raise that the dwelling is not suitable to support 7no bedrooms, providing insufficient communal and amenity spaces for the future occupiers. The B&NES HMO SPD sets out minimum requirements for bedrooms sizes and internal communal spaces based on bedrooms numbers.

A 7-bed property must provide a minimum of 22 sqm of total communal living spaces, of which 9.5sqm is kitchen space. Single bedrooms must have a minimum Gross Internal Floor Area (GIA) of 6.51 sqm, and double bedrooms or twin bedrooms must have a minimum GIA of at least 10.22 sqm.

The proposed plans show 26 sqm of communal space provided which appears capable of providing the required kitchen space within. The drawings do not distinguish between single and double bedrooms, but all bedrooms measure larger than the 6.51sqm minimum.

As such, the proposal is found to be compliant with the HMO SPD and Policy H2 of the Local Plan in this regard.

It is appreciated that C3 dwellinghouses are occupied by single households which typically have co-ordinated routines, lifestyles, visitors and patterns of movement. Conversely, HMOs are occupied by unrelated individuals, each possibly acting as a separate household, with their own friends, lifestyles, and patterns and times of movements.

The comings and goings of the occupiers of an HMO are likely to be less regimented and may occur at earlier and later times in the day than a C3 family home. Such a change of use can therefore result in increased comings and goings, noise and other disturbance compared to a C3 use. Notwithstanding this, individually HMOs are not generally considered to result in demonstrable harm to residential amenity as it is only a concentration of HMOs that creates significant effect. As set out above, such a concentration is not found to exist in this location.

Given the design, scale, massing and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, smell, traffic or other disturbance. The proposal accords with policy D6 of the Placemaking Plan and part 12 of the NPPF.

HIGHWAYS SAFETY AND PARKING:

Policy ST7 of the Local Plan Partial Update has regard to transport requirements for managing development. It sets out the policy framework for considering the requirements and the implications of development for the highway, transport systems and their users. The Transport and Development Supplementary Planning Document expands upon policy ST7 and includes the parking standards for development.

The objection comments highlight that the local area already experiences difficulties with parking and some instances of cars parking dangerously. The application site does not benefit from off-street parking so there is no option for providing new driveway or garage parking.

The B&NES Transport and Development Supplementary Planning Document (SPD) sets out the minimum and maximum standards for vehicle and bicycle parking. For vehicles, there is no minimum requirement so the applications lack of new off-street parking is not contrary with Policy ST7 of the Local Plan or the SPD.

The application is within Zone B (Outer Bath) and for a 4-bed dwelling or larger, a minimum of 4no bicycle parking spaces are required.

Updated plans showing the bicycle and refuse storage have been provided. The rear garden currently has no side or rear access and can only be access through the dwelling. To utilise the bicycle storage, it is acknowledged that these will need to be brought through the dwelling. Whilst this would be less favourable than an accessible bicycle storage at the front of the property, the front gardens are open communal spaces so this would not be an option.

The proposal accords with policy ST7 of the Local Plan Partial Update, the Transport and Development Supplementary Planning Document (2023), and part 9 of the NPPF.

PUBLIC SECTOR EQUALITY DUTY:

In reaching its decision on a planning application the Council is required to have regard to the duties contained in section 149 of the Equality Act 2010, known collectively as the public sector equality duty.

Section 149 provides that the Council must have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

Protected characteristics include disability.

It is not considered that the proposal would prejudice individuals with protected characteristics.

SCHEME OF DELEGATION:

Following receipt of an objection and call -in request by the local ward Councillor which is contrary with the Officer recommendation, this application has been referred to the Chair of the Planning Committee, who has commented as follows:

Thank you for your report on the HMO application for 26 Wedgwood Road. Given the substantial size of the property and its close proximity to the 10% threshold for HMOs permitted under current policy, I believe it is crucial for this application to be considered by the committee. Councillor Moore has expressed concerns that this threshold may have already been exceeded, and it is essential that we investigate this matter thoroughly at the committee level.

I appreciate your attention to this and look forward to addressing it further.

As such, this application will be brought forward to the Planning Committee.

CONCLUSION:

It is therefore considered that the proposal complies with the relevant planning policies as outlined above and the proposal is recommended for approval.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission.

2 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list.

Reason: To define the terms and extent of the permission.

3 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until the bicycle storage has been provided in accordance with the details which have been approved by the Local Planning Authority. The storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles to promote sustainable transport use in accordance with Policy ST7 of the Bath and North East Somerset Local Plan.

PLANS LIST:

1 This decision relates to the following plans:

Drawing	23 Oct 2025		BLOCK PLAN
Drawing	23 Oct 2025		BLOCK PLAN PROPOSED
Drawing	29 Oct 2025	A-01	EXISTING GROUND FLOOR PLAN
Drawing	29 Oct 2025	A-02	EXISTING FIRST FLOOR PLAN
Drawing	29 Oct 2025	A-03	PROPOSED GROUND FLOOR
Drawing	29 Oct 2025	A-04	PROPOSED 1ST FLOOR PLAN
Revised Drawing	29 Jan 2026		BIN AND BICYCLE STORAGE
Revised Drawing	29 Jan 2026		ELEVATIONS AS EXISTING AND PROPOSED
OS Extract	23 Oct 2025		SITE LOCATION PLAN

2 Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 39 of the National Planning Policy Framework.

3 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.

4 Community Infrastructure Levy - General Note for all Development

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

Do not commence development until you been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

Community Infrastructure Levy - Exemptions and Reliefs Claims

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil. If you have any queries about CIL please email cil@BATHNES.GOV.UK

5 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.

Item No: 02
Application No: 25/04650/FUL
Site Location: 16 Alderley Road Southdown Bath Bath And North East Somerset
BA2 1LB



Ward: Southdown **Parish:** N/A **LB Grade:** N/A
Ward Members: Councillor Paul Crossley Councillor Dine Romero

Application Type: Full Application

Proposal: Change of use from dwellinghouse (C3) to small house in multiple occupation (C4) including partial conversion of existing garage.

Constraints: Article 4 HMO, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, HMO Stage 1 Test Area (Stage 2 Test Req), MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, SSSI - Impact Risk Zones,

Applicant: Kandoo Property Ltd

Expiry Date: 28th January 2026

Case Officer: Nadin Qutaina

To view the case click on the link [here](#).

REPORT

REASON FOR REPORTING TO COMMITTEE

Councillor Dine Romero has requested that this application be referred to the committee should permission be recommended, her comments are provided in the representations section below. In accordance with the scheme of delegation, the application was referred to the chair of the planning committee who decided that the application should be determined by the planning committee.

SITE DESCRIPTION

The application refers to a mid-terrace, two-storey dwelling located in Sothdown, Bath. The site falls within the World Heritage Site but not within a Conservation Area.

Planning permission is sought for the change of use from a 5-bedroom dwellinghouse (C3) to small house in multiple occupation (C4) of 6 bedrooms (6 tenants) including partial conversion of existing garage.

Relevant Planning History:

None.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Representations Responses :

Two objections received:

- 'Live next door to property and intend to sell so do not want this to impede my sale. There has been a number of issue with the drainage on this property affecting mine with Wessex water. Have had sewage from garden into mine. With HMO this will cause problems unless addressed.

Parking an issue on street - there is off street but not enough spaces with hmo property.'

- 'Too many family homes in this part of Bath have already been lost to become HMOs.'

One support comment was received.

Councillor Dine Romero has requested that this application be referred to the committee should permission be recommended. The reason for the call-in relates to the principle of changing a much-needed family home into an HMO and the potential impact this may have on the local community. In addition to the loss of the garage to form the additional bedroom, and the pressure this will have on the narrow cul-de-sac from additional cars.

POLICIES/LEGISLATION

The Development Plan for Bath and North East Somerset comprises:

- o Bath & North East Somerset Core Strategy (July 2014)
- o Bath & North East Somerset Placemaking Plan (July 2017)
- o Bath & North East Somerset Local Plan Partial Update (2023)

- o West of England Joint Waste Core Strategy (2011)
- o Made Neighbourhood Plans

CORE STRATEGY:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

B4: The World Heritage Site and its setting

CP6: Environmental quality

SD1: Presumption in favour of sustainable development

PLACEMAKING PLAN:

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

D1: General urban design principles

D2: Local character and distinctiveness

D3: Urban fabric

D4: Streets and spaces

D6: Amenity

LOCAL PLAN PARTIAL UPDATE:

The Local Plan Partial Update for Bath and North East Somerset Council was adopted on 19th January 2023. The Local Plan Partial Update has introduced several new policies and updated some of the policies contained with the Core Strategy and Placemaking Plan. The following policies of the Local Plan Partial Update are relevant to this proposal:

DW1: District wide spatial strategy

D5: Building design

H2: Houses in multiple occupation

SUPPLEMENTARY PLANNING DOCUMENTS:

The following Supplementary Planning Documents (SPDs) are relevant in the determination of this application:

The City of Bath World Heritage Site Setting Supplementary Planning Document (August 2021) is also relevant in the determination of this planning application.

The Houses in Multiple Occupation in Bath Supplementary Planning Document (January 2022) is also relevant in the determination of this planning application.

Planning Obligations Supplementary Planning Document (January 2023) is also relevant in the determination of this planning application.

Transport and Development Supplementary Planning Document (January 2023)

NATIONAL POLICY:

The National Planning Policy Framework (NPPF) is a material consideration. Due consideration has been given to the provisions of the National Planning Practice Guidance (NPPG).

LOW CARBON AND SUSTAINABLE CREDENTIALS

The policies contained within the development plan are aimed at ensuring development is sustainable and that the impacts on climate change are minimised and, where necessary, mitigated. A number of policies specifically relate to measures aimed at minimising carbon emissions and impacts on climate change. The application has been assessed against the policies as identified and these have been fully taken into account in the recommendation made.

OFFICER ASSESSMENT

The main issues to consider are:

- Principle of Change of Use
- Design, Character And Appearance
- World Heritage Site
- Residential Amenity
- Highways Safety And Parking

PRINCIPLE OF CHANGE OF USE:

Policy H2 of the Local Plan Partial Updates concerns 'Houses in Multiple Occupation' (HMOs). It states that proposals for changes of use to HMOs will be refused if:

- i. The site is within an area with a high concentration of existing HMOs (having regard to the Houses in Multiple Occupation Supplementary Planning Document, or successor document) as they will be contrary to supporting a balanced community;

The Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD) expands on LPPU Policy H2. This has 2 criteria. If the proposal fails either it is deemed to be contrary to this guidance and by default Policy H2 and will be refused planning permission.

Criterion 1:

This criterion concerns the sandwiching of residential properties between HMOs and aims to prevent the potential for negative impacts upon existing dwellings through this. It also aims to ensure that there is balance at street level. If the proposal would result in the sandwiching of a single dwelling house (C3 use class) between two HMOs it is considered to fail this criterion.

Council records show that no sandwiching would occur as a result of the proposed change of use. The proposal therefore complies with this criterion.

Criterion 2:

This specifies that proposals will be unacceptable where HMO properties represent 10% or more of households within a 100 metre radius of application property, or the application property tips the concentration to 10% or more.

In this instance, data held by the Council indicates that there is a total of 118 residential properties within a 100m radius of the site. At present it is understood that 6 of these properties is an HMO which amounts to 5.1%. The change of use of 16 Alderley Road would bring this number to 7 which would be a concentration of 5.9%. The proposal therefore complies with this criterion.

ii. The HMO is incompatible with the character and amenity of established adjacent uses;

The adjacent uses are mostly residential, and so the HMO residential use would be compatible. Policy CP10 supports a housing mix in line with national policy, where a mix of housing types and households are encouraged in the interest of community cohesion. This is supported by HMO Policy H2 of the LPPU and the SPD, which aims to direct new HMO development to areas of lower concentration. Therefore, the proposal meets this criterion.

iii. The HMO significantly harms the amenity of adjoining residents through a loss of privacy, visual and noise intrusion;

The proposal is considered to comply with this criterion. This is further expanded on in the Residential Amenity section of this report.

iv. The HMO creates a severe transport impact;

The proposal is considered to comply with this criterion. This is further expanded on in the Highways Safety and Parking section of this report.

v. The HMO does not provide a good standard of accommodation for occupiers;

The HMO SPD provides standards for living accommodation. The applicant intends to use the property as a six-bedroom HMO, with all rooms being single occupancy. Single occupant bedrooms must have a minimum gross internal floor area (GIA) of 6.51sqm. The smallest bedroom in the proposal has a GIA of 6.7sqm. Communal living space of at least 20sqm should be provided. The proposal contains 32.4sqm of communal living space and there is also a generous garden area. Kitchen space of at least 9sqm should be provided and the proposal contains 19.4sqm kitchen/dining open space. The proposal is considered to comply with this criterion.

vi. The HMO property does not achieve an Energy Performance Certificate "C" rating (subject to exemptions);

The property currently has an energy rating of 67 (Band D). It is proposed that improvement works will be carried out during RIBA Work Stage 05 (Construction) to upgrade the EPC rating from a high 'D' to 'C', which is considered achievable. Upon completion of the works, an as-built specification will be submitted and a new EPC produced. This requirement will be secured by condition.

vii. The HMO use results in the unacceptable loss of accommodation in a locality, in terms of mix, size and type;

The proposal would result in a 5.9% of HMOs within a 100m radius. As such, the HMO would not result in an unacceptable loss of accommodation in this respect.

viii. The development prejudices the continued commercial use of ground/lower floors.

The proposed HMO does not impact commercial uses as the existing use is residential only.

Overall, the proposal is considered to comply with policy H2 of the Local Plan Partial Update, and the Houses in Multiple Occupation Supplementary Planning Document.

DESIGN, CHARACTER AND APPEARANCE

Policy D1, D2, D3 and D5 of the Placemaking Plan have regard to the character and appearance of a development and its impact on the character and appearance of the host building and wider area. Development proposals will be supported, if amongst other things they contribute positively to and do not harm local character and distinctiveness. Development will only be supported where, amongst other things, it responds to the local context in terms of appearance, materials, siting, spacing and layout and the appearance of extensions respect and complement their host building.

The proposal includes converting the existing garage into a new bedroom, along with a new shower room and a store. This involves replacing the garage door on the front elevation with a new window that is proportionate to the existing openings.

Similar applications were approved in 2018 at No. 18 on the same road (ref: 18/03125/FUL) for the change of use from a 4 bed dwellinghouse to a 6 bed house in multiple occupation (HMO) incorporating the conversion of the existing garage into a study.

There would be no impact on the design, character, or appearance of the property or the surrounding area. The use of the property as a House in Multiple Occupation (HMO) would not, in itself, result in any visual harm. The proposal is therefore considered to preserve the character and appearance of the area in accordance with relevant local and national planning policies.

The proposal by reason of its design, siting, scale, massing, layout and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area. The proposal accords with policy CP6 of the Core Strategy and policies D1, D2, D3, D4 and D5 of the Placemaking Plan and part 12 of the NPPF.

WORLD HERITAGE SITE:

The proposed development is within two World Heritage Sites and therefore consideration must be given to the effect the proposal might have on the settings of these World Heritage Sites.

In this instance, due to the size, location and appearance of the proposed development it is not considered that it will result in harm to the outstanding universal values of the wider World Heritage Site. The proposal accords with policy B4 of the Core Strategy and Policy HE1 of the Placemaking Plan and Part 16 of the NPPF.

RESIDENTIAL AMENITY:

Policy D6 sets out to ensure developments provide an appropriate level of amenity space for new and future occupiers, relative to their use and avoiding harm to private amenity in terms of privacy, light and outlook/overlooking.

The proposed change of use to a six-bedroom HMO is considered acceptable in terms of residential amenity. The internal layout provides adequate space for each occupant, with all bedrooms being single occupancy and access to shared facilities including kitchen, dining area, garden and living areas. The property retains sufficient outlook and natural light for all habitable rooms.

The conversion of the garage to a bedroom and the addition of a shower room will not result in any significant loss of amenity for neighbouring properties. There is no evidence of harm through overlooking, loss of privacy, or overbearing impact. Furthermore, the proposal does not introduce any external alterations that would adversely affect the character of the area or the streetscape.

The proposal is therefore considered to maintain an acceptable level of amenity for both existing and future occupants, as well as neighbouring properties.

Given the design, scale, massing and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, smell, traffic or other disturbance. The proposal accords with policy D6 of the Placemaking Plan and part 12 of the NPPF.

HIGHWAYS SAFETY AND PARKING:

Policy ST7 of the Local Plan Partial Update has regard to transport requirements for managing development. It sets out the policy framework for considering the requirements and the implications of development for the highway, transport systems and their users. The Transport and Development Supplementary Planning Document expands upon policy ST7 and includes the parking standards for development.

The site has an existing on-site parking space for one vehicle, but there is hardstanding at the front of the property that provides two further spaces. Whilst these are not long

enough currently to accommodate vehicles without them extending over the footway, it is proposed to demolish an existing planter at the front of the property to extend the length of this parking area which brings the total number of off-street spaces 3. In addition, the proposal includes a store for four bicycles and two outdoor cycle stands. According to B&NES Transport and Development Supplementary Planning Document, the parking standard for C4 Houses in Multiple Occupation (HMOs) in Zone B is 1.5 spaces per three-bedroom dwelling or larger, which is rounded down to 1, that makes the space provided enough for the proposal.

As part of the evidence base informing the recently adopted Transport & Development Supplementary Planning Document (SPD), which includes parking standards, the Highway Authority conducted a comprehensive review of the potential parking impacts associated with Houses in Multiple Occupation (HMOs). The findings indicated: "The results from the surveys suggest an average of 4.5 bedrooms per HMO, with an average of 0.9 cars per HMO. This compares to a range of car ownership across B&NES, from 0.61 cars per household in Bath City Centre to 1.65 in more rural areas. These findings support a 2007 study by the Department for Communities and Local Government (now the Ministry of Housing, Communities & Local Government), which concluded that HMOs do not result in a net increase in parking demand compared to a family home." This evidence suggests that HMO proposals do not typically lead to a significant increase in car parking demand. In this case, it is considered that a planning refusal based on potential parking impact would not be sustainable.

The proposal includes appropriate and sufficient onsite bicycle parking for the number of bedrooms proposed (4 spaces per four-bed dwelling or greater) which will be secured by a compliance condition. There is sufficient space for waste and recycling storage within the curtilage of the property.

The means of access and parking arrangements are acceptable and maintain highway safety standards. The property benefits from three off-street parking space and provision for secure cycle storage, including a store for four bicycles and two outdoor cycle stands. The site is located within an accessible area of Bath with good public transport links, and the adopted parking standards do not require additional off-street spaces for a small HMO of this scale. Therefore, the proposal is considered acceptable in terms of parking provision, sustainable transport options.

The proposal accords with policy ST7 of the Local Plan Partial Update, the Transport and Development Supplementary Planning Document, and part 9 of the NPPF.

PUBLIC SECTOR EQUALITIES DUTY:

The Public Sector Equalities Duty requires public authorities to have regard to section 149 of the Equality Act 2010. The proposal does not raise any particular concern in respect of those people with protected characteristics.

OTHER MATTERS:

Concerns raised by third parties regarding the potential impact on the sale of a neighbouring property are not a material planning consideration and cannot be taken into account in the determination of this application. Issues relating to drainage and previous problems with Wessex Water fall under separate legislation and are managed by the relevant statutory undertaker. The proposed change of use does not inherently increase the risk of drainage failure, and any future issues would need to be addressed through Wessex Water and Building Regulations rather than the planning process.

CONCLUSION:

It is therefore considered that the proposal complies with the relevant planning policies as outlined above and the proposal is recommended for approval.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission.

2 EPC Certificate (Pre-occupation)

Prior to the first occupation of the House in Multiple Occupation hereby approved, an Energy Performance Certificate showing that the property has an EPC rating of C, B or A shall be submitted to the local planning authority and approved in writing.

Reason: To ensure the property has a EPC Rating of C, B or A in accordance with the Bath and North East Somerset Houses in Multiple Occupation Supplementary Planning Document, and Policies H2 and CP1 of the Local Plan Partial Update.

3 The garage as shown in drawing 'EXISTING AND PROPOSED ELEVATIONS AND SITE PLAN REV C' received 1st April 2025 shall be retained for secure bicycle storage for at least 4 bicycles. If a replacement structure is required, details of a suitable equivalent shall be submitted for approval to the planning authority prior to installation and the approved structure shall be installed and permanently retained thereafter.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with policy ST7 of the Bath and North East Somerset Local Plan Partial Update and the Transport and Development Supplementary Planning Document.

4 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list.

Reason: To define the terms and extent of the permission.

PLANS LIST:

1 0228-3-305C	EXISTING SITE PLAN
0228-3-306C	PROPOSED SITE PLAN
0228-3-310C	EXISTING GROUND AND FIRST FLOOR PLAN
0228-3-315C	PROPOSED GROUND AND FIRST FLOOR PLAN
0228-3-325C	PROPOSED ELEVATIONS
0228-3-301B	SITE LOCATION PLAN
0228-3-321B	EXISTING ELEVATION
0228-3-320B	EXISTING ELEVATIONS
0228-3-311B	EXISTING ROOF PLAN
0228-3-318B	PROPOSED ROOF PLAN

2 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.

3 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.

4 Community Infrastructure Levy - General Note for all Development

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

Do not commence development until you been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

Community Infrastructure Levy - Exemptions and Reliefs Claims

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil. If you have any queries about CIL please email cil@BATHNES.GOV.UK

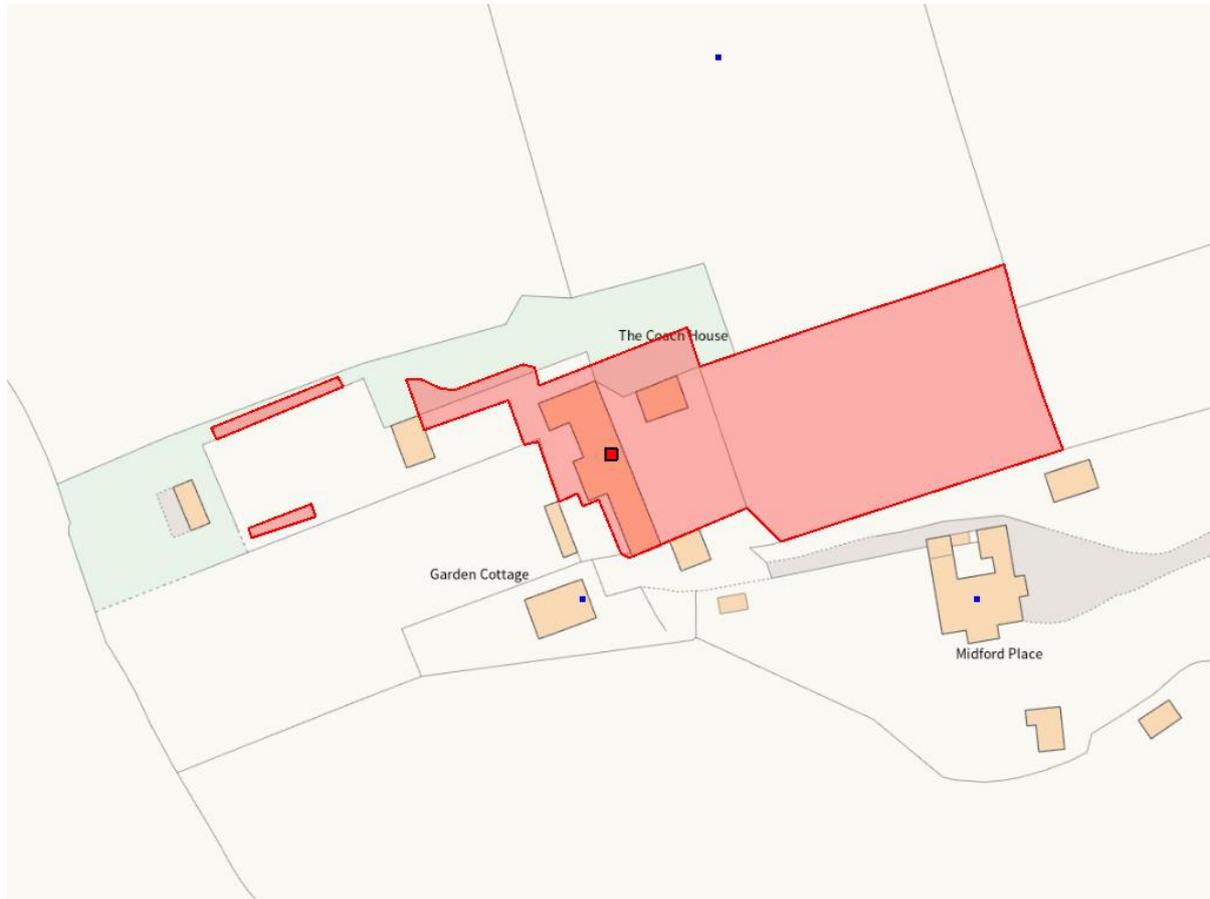
5 Responding to Climate Change (Informative):

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.

6 Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 39 of the National Planning Policy Framework.

Item No: 03
Application No: 25/04242/FUL
Site Location: The Coach House Midford Road Midford Bath Bath And North East Somerset



Ward: Bathavon South **Parish:** South Stoke **LB Grade:** N/A

Ward Members: Councillor Matt McCabe Councillor Fiona Gourley

Application Type: Full Application

Proposal: Demolition of existing two-storey dwelling, and replacement with a contemporary two-storey self-build dwelling.

Constraints: Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, Strategic Nature Areas Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,

Applicant: Mr P Roper

Expiry Date: 6th January 2026

Case Officer: Ed Allsop

To view the case click on the link [here](#).

REPORT

In line with the adopted Scheme of Delegation, this application is required to go to committee because the applicant is a Councillor.

Planning permission is sought for the demolition of an existing two-storey dwelling, and replacement with a contemporary two-storey self-build dwelling. The site is located within the indicative setting of the Bath World Heritage Site, is within the Area of Outstanding Natural Beauty (AONB), the Green Belt and the setting of a listed building, Midford Place (Grade II, 1984).

Relevant Planning History:

None.

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Consultation responses:

South Stoke Parish Council: 'No comment to make on the application'.

Historic Environment: No objection, subject to conditions.

Landscape (AONB): No objection, subject to conditions.

Ecology: No objection, subject to conditions.

Sustainable construction: No objection, subject to conditions.

Representations:

1 no. comment has been received which provides general commentary on the application.

POLICIES/LEGISLATION

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The Core Strategy now forms part of the statutory Development Plan and will be given full weight in the determination of planning applications. The Development Plan for Bath and North East Somerset comprises:

- o Bath & North East Somerset Core Strategy (July 2014)
- o Bath & North East Somerset Placemaking Plan (July 2017)
- o West of England Joint Waste Core Strategy (2011)
- o Bath & North East Somerset saved Local Plan policies (2007) not replaced by the Core Strategy or the Placemaking Plan:
 - Policy GDS.1 Site allocations and development requirements (policy framework)
 - Policy GDS.1/K2: South West Keynsham (site)
 - Policy GDS.1/NR2: Radstock Railway Land (site)
 - Policy GDS.1/V3: Paulton Printing Factory (site)
 - Policy GDS.1/V8: Former Radford Retail System's Site, Chew Stoke (site)
- o Made Neighbourhood Plans

Core Strategy:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

- B1: Bath Spatial Strategy
- B4: Bath World Heritage Site and its Setting
- CP5: Flood Risk Management
- CP6: Environmental Quality
- DW1: District Wide Spatial Strategy
- SD1: Presumption in favour of sustainable development
- CP8: Green Belt

Placemaking Plan:

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

- D1: General urban design principles
- D2: Local character and distinctiveness
- D.3: Urban fabric
- D.4: Streets and spaces
- D.5: Building design
- D.6: Amenity
- D.8: Lighting
- HE1: Historic Environment
- ST7: Transport requirements for managing development
- GB1: Visual amenities of the Green Belt
- NE2: Conserving and enhancing the landscape and landscape character
- NE1: Development and green infrastructure
- NE3: Sites, habitats and species
- NE3A: Biodiversity Net Gain
- NE5: Ecological networks and nature recovery
- SCR6: Sustainable construction policy for new build residential development

Local Plan Partial Update (LPPU):

On the 19th January 2023, Bath and North East Somerset Council updated a number of local planning policies through the introduction of the Local Plan Partial Update (LPPU).

National Policy:

The National Planning Policy Framework (NPPF) was published in July 2021 and is a material consideration. Due consideration has been given to the provisions of the Planning Practice Guidance (PPG).

Listed Buildings:

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation and setting of listed buildings.

Public Sector Equality Duty:

In reaching its decision on a planning application the Council is required to have regard to the duties contained in section 149 of the Equality Act 2010, known collectively as the public sector equality duty Section 149 provides that the Council must have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular, to the need to—

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

Due to the nature of the proposals, the development would not have any negative effects upon those with protected characteristics.

LOW CARBON AND SUSTAINABLE CREDENTIALS

The policies contained within the development plan are aimed at ensuring development is sustainable and that the impacts on climate change are minimised and, where necessary, mitigated. A number of policies specifically relate to measures aimed at minimising carbon emissions and impacts on climate change. The application has been assessed against the policies as identified and these have been fully taken into account in the recommendation made.

OFFICER ASSESSMENT

Principle of development (Green Belt):

The principle of replacing an existing dwelling in the Green Belt is acceptable under paragraph 154 d) of the NPPF. This is provided that the new building is in the same use and not materially larger than the one it replaces. Officers can confirm the use would remain the same (residential) and that the new building would not appear materially larger.

Therefore, officers consider the proposals to meet the NPPF Green Belt test and the works are appropriate development in the Green Belt.

Local Plan policy GB1 seeks to preserve the visual amenities of the Green Belt. Officers consider the proposals would enable this, because of the size, scale, massing and materials being acceptable. This is also corroborated by the scheme being found acceptable in landscape terms.

A simple summary of the changes between the two buildings is provided below:

- The existing building, and car port, have a total volume of 1,903m³
- The proposed building would have a total volume of 2,083m³ (approx. 9% increase)
- The existing building, and car port, have a floor area of 398m²
- The proposed building would have a floor area of 520m² (approx. 30% increase)

The new building will result in a 30% increase in floor area and 9% increase in volume. Whilst numerically, this is larger than the existing, this is not determinative when assessing whether something is materially larger. Other considerations should be taken into account such as visual and spatial impacts. The new building is partly cut into the slope of the site and does not exceed the ridge height of the existing building. The proposed elevation drawings show the existing building outlined in green. It is reasonable to conclude from a review of these plans that the new building is not materially larger both visually, spatially and physically compared to the existing scenario.

In addition to this, officers are also aware that it is also possible to typically extend an existing building in the Green Belt by up to approximately 33% under paragraph 154 c of the NPPF and policy GB3 of the Plan. Therefore, the proposed volume and floor area increase compared to the existing building, is found acceptable.

Therefore, the proposals are considered to comply with paragraph 154 d) of the NPPF and Local Plan policies CP8 and GB1.

Landscape:

The site lies within a sensitive landscape, being within the Green Belt, within the Cotswolds National Landscape and being part of the designated landscape setting of settlements under Policy NE2A but is in general visually well-contained.

Policy NE2 aims to protect, conserve and enhance the character and quality of the landscape. The LPA has a duty under Section 85 of the Countryside and Rights of Way Act 2000 to seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. New development will only be permitted where it conserves or enhances local landscape character, landscape features and local distinctiveness and conserves or enhances important views particularly those to significant landmarks and features and take opportunities to create new local views and vistas.

Development that would result in adverse impact to the landscape setting of settlements that cannot be adequately mitigated will not be permitted.

The conclusions of the LVA that overall, the proposed development would have a reduced visibility in the landscape compared with the existing building, would be visually well integrated and would be minimally intrusive in the surrounding landscape are accepted, subject to the provision of the outlined landscape design and mitigation measures. These have been secured via condition.

The works are considered to conserve the landscape, considering the existing stable buildings that exist on site. The proposals would not cause harm the landscape setting of the wider area and no mitigation is required. Therefore, the proposals comply with policy NE2 of the Placemaking Plan and LPPU for Bath and North East Somerset (2017).

Character, appearance, setting of listed building:

There is no in-principle objection to the demolition of The Coach House and its replacement from a heritage perspective. The proposed new dwelling is well-considered in its design and response to its context and setting and overall should not cause any harm to the significance of Midford Place through impact on its setting.

The existing building is not a non-designated heritage asset, nor is its curtilage listed.

The Coach House is in the setting of Midford Place (Grade II, 1984) - the setting of a heritage asset being defined as "The surroundings in which a heritage asset is experienced..." and while the significance of Midford Place is predicated on its architectural and historic interest, its immediate setting of its position within a small rural estate makes some contribution, albeit modest. There are limited views of Midford Place from the Coach House (and vice versa) but each is aware of the other's presence. The rolling landscape to the south/southwest can be appreciated from the upper floors of both Midford House and The Coach House, although it is unlikely that either property can be experienced from this landscape due to the topography and distances from where they might be glimpsed.

In considering the reuse of the existing stone, it was decided that it was variable in terms of age and quality, and therefore not appropriate for use on the new building. It was decided that Purbeck Stone would be similar in tone to Bath Stone but more durable, and has been used in Bath. The indicative images in the D&A appear to show dry walling construction - no visible pointing - which while not prevalent in Bath, would be considered acceptable in this context. The lower floor of the development would be largely obscured by the topography of the landscape and vegetation in views of the site, and it is the tonality of the stonework that is the key consideration. Subject to a sample panel being secured through a condition, the proposed stone and construction would be acceptable.

Metalwork shutters are proposed to veil some of the first-floor windows, and canopies over glazing on the west elevation will help to reduce any glint and glare on this elevation which overlooks the landscape. The use of standing seam zinc for the roof/s of the house should help the building be recessive in the landscape - indeed more so than the existing building - and not detract focus from Midford Place. Wildflower green roofs are proposed for the garage and rampart, helping the building bed into the green setting.

The proposed works by reason of their design, siting, scale, massing, layout and materials is acceptable and contributes and responds to the local context and maintains the character and appearance of the surrounding area and would preserve the setting of the listed building. The proposal accords with policy CP6 of the adopted Core Strategy (2014) and policies D1, D2, D3, D4, D5 and HE1 of the Placemaking Plan and LPPU for Bath and North East Somerset (2017) and part 12 and 16 the NPPF.

World Heritage Site Setting:

The proposed development is within the Bath World Heritage Site setting; therefore, consideration must be given to the effect the proposal might have on the outstanding universal value of the World Heritage Site and its setting. In this instance, due to the size, location, and appearance of the proposed development it is not considered that it will result in harm to the outstanding universal value or the setting of the World Heritage Site. The proposal accords with policy B4 of the Core Strategy, policy HE1 of the Placemaking Plan, and part 16 of the NPPF.

Residential amenity:

The replacement building is not considered to result in any harm to neighbouring occupiers in terms of overlooking or overbearing impacts, because the building will not be within influencing distance of another property, by reason of the dwelling's semi-rural siting.

Policy D.6 sets out to ensure developments provide an appropriate level of amenity space for new and future occupiers, relative to their use and avoiding harm to private amenity in terms of privacy, light and outlook/overlooking. Given the design, scale, massing and siting of the proposed development the proposal would not cause significant harm to the amenities of any occupiers or adjacent occupiers through loss of light, overshadowing, overbearing impact, loss of privacy, noise, smell, traffic or other disturbance. The proposal accords with policy D6 of the Placemaking Plan for Bath and North East Somerset (2017) and part 12 of the NPPF.

Ecology:

A "Protected Species Report" has been submitted (Ethos, October 2025) which includes preliminary bat survey building inspection of the affected structures and concludes that the buildings to be demolished support negligible bat roosting potential. This assessment is accepted.

The report also provides some information about the surrounding garden showing that it is formal and highly maintained with relatively low habitat value. There is sufficient information to provide confidence that the scheme will not harm habitats of higher importance, and the risk of protected species or other wildlife being concealed in the areas affected by works is sufficiently low that further specialist survey and assessment is not justified in this case. The risk of encountering wildlife in the building or the surrounding area cannot be completely eliminated so precautionary working methods should be used during demolition and construction which can be secured by condition.

The proposed landscape scheme and planting mixes that include native calcareous grassland and wildflower seed mix, native species mixes for attenuation pond and wet grassland, and mixed native species hedgerows, trees and shrub planting, will offer additional habitat value, as also identified by the ecological report. This is welcome and supported. The future maintenance of these areas will also influence their habitat value and the wildlife species diversity in the grassland. There are records of plants of botanical interest in the surrounding fields and there is a Site of Nature Conservation Interest (SNCI) in close proximity (field approx. 50m to the north west), designated for its species-rich calcareous grassland with botanical value. This information indicates the soils in this area and on the site are likely to be well-suited to creating or restoring species-rich (wildflower-rich) grassland. Where it can be achieved within this site, a slightly relaxed mowing regime would be recommended (less frequent cuts, and/or raised cut height, with cuttings removed). This would help to retain a low soil fertility and enable wild flowers to set seed each year, retaining and potentially increasing grassland and wildflower species diversity and habitat value over time.

Lighting and light spill:

Glazing on the northern, eastern and southern elevations, overlooking adjacent fields, is not substantial therefore does not present a likelihood of giving rise to excessive light spill and across the adjacent landscape on those elevations.

The proposal introduces extensive new glazing on the ground and first floors of the western elevation overlooking the gardens and orchard area. The risk of excessive light spill onto the wider countryside beyond is somewhat limited by the distance of the building from the site boundary, however sensitive lighting design for both external and internal lighting would still be important, to ensure excessive light spill beyond the residential curtilage is avoided, both from within the building and from external lighting in the gardens, and to minimise excessive light spill onto vegetation within the site where it would provide habitat value for nocturnal wildlife such as bats.

The mixed native species hedgerow to the west of the site, running north-south alongside the public footpath, is ecologically important and provides suitable connective habitat for use by a range of wildlife including bats. This feature in particular should be protected from excessive light spill to avoid harm to its suitability for and use by bats and other wildlife. Light spill from internal lighting can be minimised by use of recessed light fittings and downward directional lighting positioned away from the windows; recessed glazing / roof overhang; features that provide screening effect (eg the balustrade could be designed to enable it to provide additional screening); coated and/or low transmissivity glazing; and use of automated black-out blinds. Warm white colour temperature will also help to reduce ecological impacts of lighting. The scheme is considered capable of lighting design that would avoid excessive light spill beyond the residential curtilage - details can be secured by condition and should include details of a sensitive lighting design strategy, with minimal external lighting and design and features that provide a high standard of light spill containment for internal as well as external lighting.

Biodiversity Net Gain:

The application is exempt from BNG because it is a self-build dwelling, this will be secured via legal agreement.

Sustainable construction:

It is proposed to meet the requirements of policy SCR6:

o The predicted space heating demand of 29.7kWh/m² /year meets the policy requirement of <30kWh/m²/year.

o The predicted total energy use of 16.5kWh/m²/year meets the policy requirement of <40kWh/m²/year.

o The predicted renewable energy generation of 24kWh/m²/year meets the policy requirement of at least matching the total energy use,

The proposal to install a ground source heat pump to provide hot water and heating, the inclusion of MVHR and battery storage included for the PV are all supported.

However, the above values cannot be confirmed as the energy modelling data has not been submitted for review. Sustainability officers have advised that the PHPP modelling can be submitted via condition (pre-commencement).

Conclusion:

The proposals represent an appropriate form of development in the Green Belt and have been found policy compliant in landscape, heritage, ecology and sustainability disciplines. Therefore, officers are recommending that the planning application be approved, subject to the conditions attached and legal agreement of secure the property as self-build.

RECOMMENDATION

Delegate to PERMIT

CONDITIONS

0 A.) Await the the submission of a s106 Unilateral Undertaking to secure the property as a self-build dwelling;

B.) Subject to the prior completion of the above agreement, authorise the Head of Planning to PERMIT subject to Conditions (or such conditions as may be appropriate):

1 Standard Time Limit (Compliance)

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permission.

2 Materials - Submission of Schedule and Samples (Bespoke Trigger)

No construction of the external walls of the development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of

the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The schedule shall include:

1. Detailed specification of the proposed materials (Type, size, colour, brand, quarry location, etc.);
2. Photographs of all of the proposed materials;
3. An annotated drawing showing the parts of the development using each material.
4. Physical samples of all external walling and roofing materials

The development shall thereafter be carried out only in accordance with the approved details.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with policy CP6 of the Bath and North East Somerset Core Strategy, policies D1, D2, D5 and HE1 of the Bath and North East Somerset Placemaking Plan.

3 Landscape Design Proposals (Bespoke Trigger)

No development beyond slab level shall take place until full details of both hard and soft landscape proposals and programme of implementation have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

1. Proposed finished levels or contours
2. Means of enclosure
3. Car parking layouts
4. Other vehicle and pedestrian access and circulation areas
5. Hard surfacing materials
6. Minor artefacts and structures (eg outdoor furniture, play equipment, refuse or other storage units, signs, lighting)
7. Proposed and existing functional services above and below ground (eg drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc)
8. Retained historic landscape features and proposals for restoration, where relevant

Soft landscape details shall be consistent with the Biodiversity Net Gain Assessment/ Biodiversity Gain Plan/ Ecological Report/ Bat Mitigation and shall include:

1. Planting plans
2. Written specifications (including cultivation and other operations associated with plant and grass establishment)
3. Schedules of plants, noting species, planting sizes and proposed numbers / densities

This includes all landscape mitigation measures, including those located outside of the red line, as demonstrated in the landscape strategy and landscape plan 349_GLA_XX_00_DR_L_1001 REV P01.

Reason: To ensure that the landscape works are implemented and maintained to ensure the continued provision of amenity and environmental quality and to ensure appropriate biodiversity net gain is secured in accordance with Policies D1 and D2 of the Bath and North East Somerset Placemaking Plan and NE2, NE3, and NE3a of the Bath and North East Somerset Local Plan Partial Update.

4 Wildlife Protection and Enhancement measures (compliance condition)

The development hereby approved shall be carried out only in accordance with the recommendations, wildlife protection measures, and provision of additional features (bird and bat 3 boxes), as described in Section 5 of the approved Protected Species Report v4 dated October 2025 by Ethos. All measures shall be adhered to, retained and maintained thereafter for the purpose of wildlife conservation.

Reason: to avoid harm to ecology including protected species and to provide additional benefits for wildlife in compliance with policies NE3 and NE5 of the Placemaking Plan.

5 Precautionary Working Methods for the protection of wildlife (Compliance condition):

Works must proceed only in accordance with the following measures for the protection of bats and birds:

- a careful visual check for signs of active bird nests and bats shall be made of the interior and exterior of the buildings and their roofs, and any crevices and concealed spaces, and of any shrubs, trees or other vegetation with potential to conceal wildlife, immediately prior to any works affecting these areas
- nests in use or under construction shall be protected undisturbed until the young have fledged
- works to the roofs of the buildings and any areas with concealed spaces or crevices shall be carried out using 'soft strip' methods, by hand, lifting materials (not sliding) to remove them, and checking beneath each one
- the site manager and site workers shall be briefed on the above requirements and appropriate ecologically sensitive methods
- If bats, nesting birds or other sensitive wildlife are encountered, works in that area shall cease and a suitably experienced professional ecologist shall be contacted for advice before proceeding.

Reason: to avoid harm to protected species (bats and nesting birds) and other wildlife in compliance with conditions NE3 and NE5 of the Placemaking Plan.

6 External & Internal Lighting (Bespoke Trigger - requires approval of details prior to installation of new lighting)

No new external or internal lighting shall be installed without a sensitive lighting strategy and full details of proposed lighting design being first submitted to and approved in writing by the Local Planning Authority. These details shall include:

1. proposed lamps and lamp models, with manufacturer's specifications; proposed lamp positions; numbers and heights, with details also to be shown on a plan;

2. details of lighting controls; proposed hours, frequency and duration of use;

3. details of all measures and features to contain light spill, and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to limit use of lights when not required; and to avoid harm to bat activity and other wildlife.

The lighting shall be installed, maintained and operated thereafter only in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policies NE3 and D8 of the Bath and North East Somerset Local Plan

7 Policy SCR6: Sustainable Construction (pre-commencement)

Prior to commencement of the development, the applicant shall submit the full PHPP data to the Local Planning Authority for approval. The development shall be carried out in accordance with the approved details thereafter.

Reason: To ensure that the approved development complies with Policies SCR6 of the Placemaking Plan.

8 Plans List (Compliance)

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list.

Reason: To define the terms and extent of the permission.

PLANS LIST:

1 This application relates to the following plans:

LANDSCAPE GENERAL ARRANGEMENT PLAN - 49_GLA_XX_00_DR_L_1001 REV P01

EXISTING ELEVATIONS - AP(0)010

EXISTING SECTIONS- AP(0)015

EXISTING SITE PLAN - AP(0)02

PROPOSED ELEVATIONS- AP(0)030 C

PROPOSED ELEVATIONS -AP(0)035 C

PROPOSED SITE SECTIONS- AP(0)040 A

PROPOSED SITE SECTIONS- AP(0)045 A

EXISTING FLOOR PLANS- AP(0)05

PROPOSED SITE PLAN- AP(0)20 C

PROPOSED FLOOR PLANS -AP(0)25 D

LOCATION PLAN - AP(0)01 B

2 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.

3 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.

4 Community Infrastructure Levy - General Note for all Development

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent (permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

Do not commence development until you been notified in writing by the Council that you have complied with CIL; failure to comply with the regulations can result in surcharges, interest and additional payments being added and will result in the forfeiture of any instalment payment periods and other reliefs which may have been granted.

Community Infrastructure Levy - Exemptions and Reliefs Claims

The CIL regulations are non-discretionary in respect of exemption claims. If you are intending to claim a relief or exemption from CIL (such as a "self-build relief") it is important that you understand and follow the correct procedure **before** commencing **any** development on site. You must apply for any relief and have it approved in writing by the Council then notify the Council of the intended start date **before** you start work on site. Once development has commenced you will be unable to claim any reliefs retrospectively and CIL will become payable in full along with any surcharges and mandatory interest charges. If you commence development after making an exemption or relief claim but before the claim is approved, the claim will be forfeited and cannot be reinstated.

Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: www.bathnes.gov.uk/cil. If you have any queries about CIL please email cil@BATHNES.GOV.UK

5 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.

6 Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 39 of the National Planning Policy Framework.