

BATH AND NORTH EAST SOMERSET COUNCIL

Planning Committee

15th April 2026

**UPDATE REPORT AND OBSERVATIONS RECEIVED SINCE THE
PREPARATION OF THE MAIN AGENDA**

ITEMS FOR PLANNING PERMISSION

| Item No. | Application No. | Address |
|-----------------|------------------------|--|
| 1 | 25/03757/EFUL | Eastern Sports Field Sports Training Village University Of Bath Campus Claverton Down Bath Bath And North East Somerset |

Update to Page 51 of the Committee Agenda

Replace paragraph 5 of “7. HERITAGE ASSETS” section with the following paragraph:

Consideration must therefore be given to the effect the proposal might have on the attributes of the Outstanding Universal Value of the World Heritage Site and its setting. There are duties placed on the Council under; Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant planning permission for development which affects a listed building or its setting, that the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and, Section 72 (1) of the same Act to pay special attention to the preservation or enhancement of the character and appearance of the Conservation Area. For the avoidance of doubt, the site is not within the Conservation Area and therefore, the duty with regard to Conservation Area does not apply.

Additional information submitted

A letter was submitted on 10th April 2026 following the publication of the Committee Report from Define., who are the Planning Agent acting on behalf of the University.

The purpose of the letter is to set out the University's position with regard to how the proposals will operate alongside their existing accommodation portfolio and the matter of "follow on" accommodation pursuant to SB19 (j). The letter is available to view in full on the Council's website. However, as this is a material consideration, it is necessary to assess this information in the context of the development.

The letter sets out in detail the University's accommodation strategy. It states that "discussions with students, staff, residents, and the Council have identified that the most appropriate location to house first years is within the University's Campus". This is largely so that these new students have easy access to support during their transition to university life. As has already been set out in the Committee Report, a number of first year students are housed within the city centre due to a lack of onsite accommodation and this, according to the letter, is one of the driving forces behind the application. It is reiterated that, through enabling more first year students to live on campus, this has the benefit of freeing up city centre accommodation for second and third year students. Whilst the University only has control of property it owns in the city centre, and of course cannot control where students choose to live, the onsite accommodation would enable more of their city centre estate to be freed up for returning students. Although difficult to measure, this may have the benefit of reducing some of the pressures on Bath's private rental market and specifically HMOs.

The letter also reiterates the growth figures and intake numbers which are set out within the Planning Statement. Page 77 of the Committee Report sets out these figures, but for absolute clarity, they are repeated here. The intake of first year undergraduates in 2024/2025 was around 5,728 students. By 2028/2029, this is expected to have increased by around 421 students. The number of bedspaces will be in excess of this number for the early years and for those years, the University are likely to be able to offer bedspaces to returning students and post-graduates. This is a crucial point. Whilst the development will, of course, help to facilitate growth of the University, the University can grow without the development; there are no planning restrictions on the number of first-year students that can make up a yearly intake. The development will allow this growth to happen more sustainably and help to limit impact upon the city.

The letter also examines the wider context and notes that Bath Spa University is not currently anticipating a substantial increase in first year intake in the coming years. Their Partnership Approach means that a greater number of students attending this University live outside of the city, helping to reduce demand on in-city accommodation. Whilst this is of some relevance, this is outside the control of the applicant and officers have given this limited weight in the planning assessment.

The submitted letter is helpful in expanding upon the points set out in the Planning Statement and Committee Report and Committee Members are advised to consider it as part of the application. It is clear that there is some challenge in meeting the requirements of SB19(j), in that the University are unable to "force" students to live on campus, or in PBSA within the city and it is within the gift of students to choose to live in HMOs. The policy requires that the University demonstrate how it expects "the consequent follow-on accommodation needs to be met" and how "this is compatible

with the overall sustainable development of the city". The University have clearly set out their position on this matter in compliance with the policy. Whilst a number of matters are, and always will be, out of their control, officers are satisfied with the explanation put forward. Council policy clearly dictates that on-campus accommodation will be prioritised and this forms part of the city-wide spatial strategy (B1). It is therefore considered that the proposal would be compatible with the overall sustainable development of the city, as set out in the Committee Report.

Additional third-party objections

Further objection comments have been received, following the publication of the Committee Report. Officers have reviewed and assessed the comment. Many of the matters raised have been addressed in the Committee Report, however some matters require clarification by officers.

Concerns have been raised regarding the brightness of car headlights and their potential impact on bats. It should be noted that both the East Car Park and its extension have planning permission for use as car parks, meaning that headlight illumination is already a feature of the existing environment in this area. The movement of headlights is temporary in that cars are not stationary with headlights on for a prolonged period of time. Furthermore, the overall number of parking spaces will decrease as a result of the proposed development. Officers are satisfied that this issue does not affect the overall assessment in relation to lighting.

Comments have been received which state that the Habitats Regulations Assessment does not mention Bechstein's Bats which have been recorded in the area. The HRA is considered appropriate for bat species associated with the SAC and has been assessed and agreed with Natural England.

It has been raised that the conflict with SB19 as set out in the officer report (lack of 10m buffer by the car park) is not a minor or acceptable departure, as the allocation is not intended to accommodate unlimited growth. The Committee Report clearly sets out that officers consider the scheme complies with the development plan as a whole and have nothing further to add. However, the Committee must come to their own conclusion.

Concerns are raised with regard to the padel tennis courts and specifically the following:

1. Who is the manufacturer?
2. What are the technical specifications?
3. Will they be indoor or outdoor?
4. What are the proposed hours of use?
5. What measures and proposed to mitigate noise.

The manufacturer is not a planning consideration, and the University are not restricted to who will construct the courts on site. The specifications in terms of measurements are set out on the plans; the materials are secured by way of

Condition 14. The courts will be covered by a canopy, and this is confirmed in the report. The proposed hours or use are secured by way of Condition 17. Noise matters are addressed in the “Residential Amenity” section of the report.

Third party comments have raised that the University of Bath site is likely to be used as a Park and Ride (P&R) for the Bath Recreation Ground during rugby matches and that this will result in additional movements to and from the site that have not been factored into the transport assessment and Active Travel measures secured. The use of the site as a P&R to accommodate Rugby related traffic will occur on match days, which are largely contained to the weekends when the university car parks are quieter. Whilst this will result in additional vehicular movements to the site, this is not as a result of the scheme before the Planning Committee. A specific P&R bus service would likely to be provided for Rugby related traffic given the service being provided. The Travel Plan, which is secured by way of condition, will need to be updated to include the P&R scheme if it comes to fruition and officers are satisfied that this does not materially impact the conclusions with regard to highways as set out in the Committee Report.

| Item No. | Application No. | Address |
|-----------------|------------------------|---|
| 5 | 25/04761/FUL | 17 Foxcombe Road Newbridge Bath Bath And North East Somerset BA1 3ED |

Update to pages 177 and 180 of the Committee Agenda

Update to wording about Section 72 conservation area duty. The word ‘surrounding’ is removed to read:

Page 177 - In addition, there is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the Conservation Area.

Page 180 - There is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the conservation area.

Update to page 188 of the Committee Agenda

Update to paragraph under ‘8.CONCLUSION’ heading to read:

“Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. It is considered that the application is in conflict with Policy H5 and is not in accordance with the development plan overall. As such, officer recommendation is to refuse the application.”

| Item No. | Application No. | Address |
|-----------------|------------------------|--|
| 6 | 25/02196/OUT | Parcel 5378 Hallatrow Road Paulton Bristol Bath And North East Somerset |

Update regarding Habitat Regulation Assessment:

The LPA have completed an HRA. Following an Appropriate Assessment in accordance with the Regulations, the competent authority has ascertained that the project would not have an adverse effect on the Bath and Bradford on Avon Bats SAC either alone or in combination with other plans or projects.

It is a requirement for Natural England to confirm acceptance of the HRA which is at this stage pending.

Recommendation: Delegate to PERMIT subject to s106 completion, conditions and NE confirmation of the HRA.

Condition 19 updated as follows:

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
4. Details of features including but not limited to (as applicable): bat and bird boxes (as integral features or externally fitted); hedgehog homes; wildlife access points within fencing; and details of all other proposed features to provide additional benefit for wildlife. Details shall be shown to scale on all relevant plans and drawings and shall include proposed models and materials; numbers, positions, heights and fixings, and proposed long term maintenance

The landscape scheme shall thereafter be implemented, maintained and retained in accordance with approved details.

Reason: To ensure that the landscape works and features to provide additional benefit for wildlife are installed 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.

| Item No. | Application No. | Address |
|-----------------|------------------------|---|
| 7 | 25/03500/FUL | 15 Milsom Street City Centre Bath Bath And North East Somerset BA1 1DE |

Update to Page 223 of the Committee Agenda

At Page 223 under "CONSERVATION AREA:" Update to wording about Section 72 conservation area duty. The word 'surrounding' is removed to read:

There is a duty placed on the Council by virtue of sections 72(1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in determining a planning application with respect to any building or other land in a conservation area "special attention shall be paid to the desirability of preserving or enhancing the character or appearance" of the conservation area.

| Item No. | Application No. | Address |
|-----------------|------------------------|--|
| 9 | 25/02727/VAR | 17-18 Milsom Street City Centre Bath Bath And North East Somerset BA1 1DE |

Update to Page 240 of the Committee Agenda

At Page 240 under “LEGISLATION:” and at Page 241 under “CONSERVATOIN AREA” update to wording about Section 72 conservation area duty. The word ‘surrounding’ is removed to read:

“There is a duty placed on the Council by virtue of sections 72(1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in determining a planning application with respect to any building or other land in a conservation area "special attention shall be paid to the desirability of preserving or enhancing the character or appearance" of the conservation area.”

Update to Page 242 of the Committee Agenda

At Page 242 under “CONCLUSION” an update to the wording about Section 73 and Section 38(6):

“The variation of plans will continue to provide 4 new residential units and allow the re-use of the upper floors of the buildings and improve thermal efficiency of the building. Section 73 allows only variations to the conditions attached to a planning permission and is more limited than when considering an application for full planning permission. Notwithstanding this, section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the decision of whether or not to grant planning permission must be made in accordance with the current development plan and material considerations rather than those at the time of the original permission. In this case the decision accords with the relevant planning policies as outlined above and the proposal is recommended for approval.”