
Statement of Case

LPA Refs: 19/04933/FUL & 19/04934/LBA

Appellant: Fragrance UK (Bath) Ltd

Date: March 2021

Site: Royal National Hospital for Rheumatic Diseases, Upper Borough Walls, Bath BA1 1RL

Full Planning Application Proposal: Change of use from hospital (Use Class D1) to 164 - bedroom hotel (Use Class C1) and 66 sqm of restaurant/café (Use Class A3); to include publicly accessible restaurant, health spa, bar, lounge/meeting spaces at ground and first floor; external alterations to East Wing roof including removal of lift room and flu, demolition and replacement of roof top plant area and extension to existing pitched roof; demolition and replacement of modern infill development to south elevation and new infill development to north elevation of the East Wing internal courtyard and new glazed roof to spa area; removal of modern external staircase to rear of West Wing and replacement infill development and glazed link to new extension; demolition and replacement of 3rd storey extension to West Wing; alterations to the roof of West Wing including new lift shaft and plant screen; erection of 3.5-storey extension to rear of West Wing with glazed link/conservatory space; removal of two trees and replacement tree planting; landscaping and associated works.

Listed Building Consent Proposal: Internal and external alterations associated with proposed conversion to hotel (Use Class C1); demolition and replacement of modern infill extension, new glazed roof and new infill development of northern elevation to internal courtyard of East Wing; alterations to the roof of east and West Wings; removal of external staircase to West Wing and replacement with glazed link to new extension and replacement infill development; abutment of new glazed structure with West Wing chapel south wall; demolition and replacement of 3rd floor extension to West Wing and additional plant screen and lift overrun to West Wing roof; partial demolition of the boundary wall on Parsonage Lane; construction of replacement glass screen to main internal ground floor lobby of West Wing; changes to internal layout and consequential changes to internal partitions and other fabric.

Please note, a technical issue was experienced when submitting the appeal. Following the advice of the Planning Inspectorate Customer Support Team, this is just to confirm that this is the correct appeal submission.

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1.0 Introduction

- 1.1 PlanningSphere are instructed by the freehold owners of the appeal site, Fragrance UK (Bath) Ltd, to submit a planning appeal against the decision of Bath and North East Somerset Council (B&NES Council) to refuse planning permission and listed building consent in respect of a proposal to convert and extend the former Mineral Hospital to a 164-bedroom hotel and associated ancillary facilities.
- 1.2 This statement sets out the appellant's case and includes: relevant background information; a summary description of the proposals; the planning policy context; and the appellant's statement of case including a rebuttal of the reasons for refusal. Where appropriate, the statement references the appeal documentation which has been categorised in the accompanying Core Documents List.
- 1.3 B&NES Council's Planning Committee resolved to refuse planning permission for the 3 No. reasons and the parallel listed building consent application for 1 No. reason as stated in the decision notice dated 25th September 2020 (CD Ref: 3A and 3B). This decision was contrary to the advice of the Council's planning officer as stated in the Committee Reports (CD Ref: 3C, 3D & 3E).
- 1.4 The planning appeal is submitted in parallel with a revised planning application. In the event that the second application is refused by B&NES Council, a request will be made for both appeals to be considered on a co-joined basis.
- 1.5 Additional work undertaken to assist the assessment of the appeal include: drone photographs taken in February 2021 (refer to Appendix C and also CD Ref: 7C); and an updated Daylight and Sunlight Survey Report, which has been revised to align with the refused scheme drawings and has also been informed by additional survey data and information on the internal room layouts of existing adjacent residential properties at Nos.1 and No. 3 Parsonage Lane (Appendix D and also CD Ref: 7D).

2.0 Relevant Background Information

(i) Site and surrounding context

- 2.1 The Mineral Hospital site is located in the Bath city centre, bounded to the north by Upper Borough Walls, to the east by Union Street, and to the west by Bridewell Lane. Parsonage Lane ‘divides’ the site. The site comprises of two main buildings, the “East and West Wings”, which are connected via a bridge at 1st and 2nd storeys over Parsonage Lane. A car park and small garden with four trees, soft and hard landscaping, is located to the rear. Within the curtilage of the site, also to the rear, is the “Lodge”, a two-storey property, temporary cabin and an electricity substation. Annotated drone photographs taken in February 2021, are shown at Appendix C.

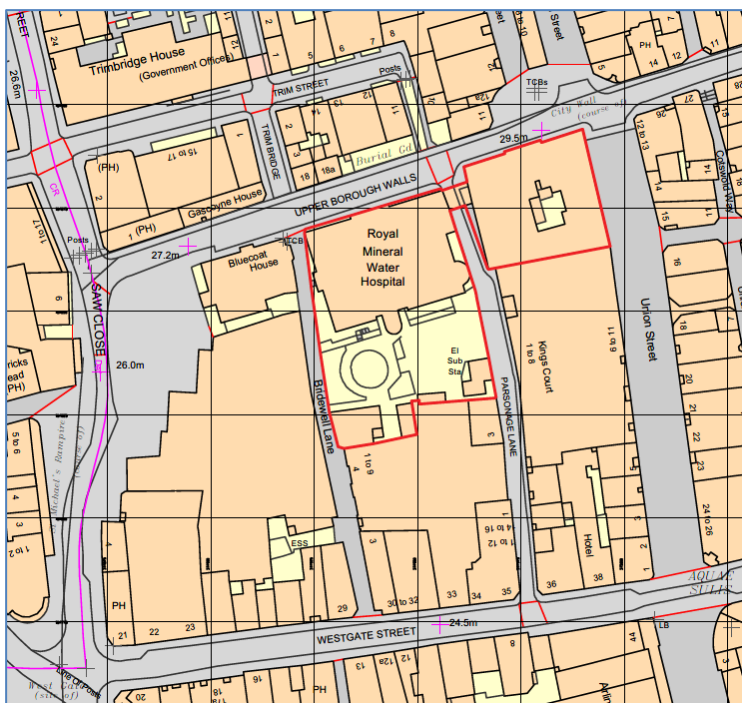


Fig 1. Extract from the Site Location Plan (CD Ref: 4A)

- 2.2 The Royal National Hospital for Rheumatic Diseases or (formerly known as) the Royal Mineral Water Hospital comprises both wings and is a grade II* listed building. The East Wing was designed by John Wood and constructed between 1738-1742. The West Wing is Victorian, built around 1859. A full description of the heritage asset is included in the submitted Heritage Statement (CD Ref: 6BL; 6BM; 6BN; 6BO; 6BP; 6BQ; 6BR; 6BS; 6BT; 6BU; and 6BV – NB. 10 No. volumes). A designated Scheduled Ancient

Monument also lies beneath part of the site, being part of the Roman Baths and site of the Roman Town. The desk-based Archaeology Assessment and Evaluation Report provide further detail information (CD Ref: 5BZ and 5CO).

- 2.3 The site lies within in a sensitive location in the Bath Conservation Area and World Heritage Site with a range of listed and non-listed heritage assets in close proximity. It also falls within the defined Central Area and the Central Shopping Area (NB. the north and east elevations of the East Wing form part of the Primary Shopping Frontage). The private garden and associated greenery to the rear is mentioned in the Bath Character Appraisal.



Fig 2. Extract from the Existing Block Plan

- 2.4 The site is surrounded by a range of uses, including retail, restaurant and café uses, offices (Kings Court), hotel (Z hotel) and residential properties. Residential properties are generally on upper floors. The enclosed Daylight and Sunlight Survey (CD Ref: 6J and letter update 6DH) assesses around 40 windows which serve an estimated 21 residential properties that are proximate to the site.
- 2.5 The site is subject to the County of Avon Act (1982), which protects the underground hot springs in Bath. The site and surrounding area falls within Flood Zone 1 on the

Environment Agency's Flood Map for Planning.

- 2.6 The car park to the rear of the West Wing provides 12 No. car parking spaces and is accessed off Parsonage Lane with a control barrier in place operated by a security swipe card. The car park was used in an ad hoc manner by service vehicles for deliveries and collections, although there is no dedicated loading bay. Parsonage Lane is relatively quiet and is used for servicing (only) of residential properties on the Lane and businesses with frontages on Union Street. Service vehicles also deliver and collect off Upper Borough Walls using the loading bay (available up to 12 noon). There are two disabled parking bays and an ambulance parking bay marked on street in front of the Mineral Hospital. Shared disabled and loading bays are located to the west of the hospital, allowing loading between 24:00 and 12:00 noon and disabled parking between 12:00 noon and 24:00.
- 2.7 The site was vacated by the NHS in December 2019. The hospital was run by approximately 250 staff and with around 260 patients arriving at the hospital on a daily basis. Patients and staff came from a wide catchment area due to the specialist nature of the medical treatment that was provided at the site. The enclosed Transport Statement provides further details of the previous use and associated trips and includes the results of a recent traffic survey (CD Ref. 5BY)
- 2.8 The Heritage Statement of Significance (CD Ref: 6BL; 6BM; 6BN; 6BO; 6BP; 6BR; 6BS; 6BT; 6BU, and 6BV) confirms that the external appearance of the East Wing of the hospital has changed very little over the years. The front elevation of the West Wing, similarly, remains largely unaltered. Serious bomb damage in WWII significantly altered the rear of the West Wing which was substantially rebuilt in the 1960s and with the further addition of the turreted stairwell added to the rear elevation. Other modifications were made in the 1990s. The interior of both wings has been significantly altered over time, with the exception of the main structural walls. Nevertheless, the Statement of Significance confirms that the building has high aesthetic, historic, archaeological, communal and architectural value.

(ii) NHS Disposal

- 2.9 The Mineral Hospital was disposed of by the NHS in early 2017 and purchased from

Versant Ltd. by Fragrance Bath UK. The site was disposed and sold in order to fund replacement medical facilities which are now constructed on the site of the Royal United Hospital in Combe Park, Bath. The replacement facility received planning permission in August 2017 (17/01909/FUL).

2.10 Further background to the sale of the Mineral Hospital buildings is provided in the Marketing Letter provided by Savills (CD Ref: 5CC). Savills advise that:

- It is clear that the main aim of the disposal process was to maximise value. This was so that the RUH NHS Foundation Trust could use the sale proceeds to invest in a new hospital facility (i.e. the Vendor was seeking as high a price as possible).
- As the relocation was due to take place (at that time) by 2018 it is reasonable to assume that when the bids were received the evaluation process would place a significant emphasis not only on price but the conditionality of the offer (including the timescales for when the transaction would complete).
- 16 offers were submitted to purchase the building and 9 were shortlisted, all of which were for hotels as a primary or sole use.
- All other offers, including offers involving residential, hotel and student uses (some including a mix of uses) were materially lower than the 9 shortlisted offers.
- The successful bid was made by Versant UK Ltd. They proposed a hotel with some retail on the ground floor, including a new opening on Union Street to offer retail frontage to a future occupier. However Versant UK Ltd. were unable to secure the necessary funding for their scheme and sold the site on to Fragrance Bath UK.

2.11 It is material to note that the historic plan form of the building has been largely lost due to significant partitioning and internal alterations. The NHS relocation was in order to provide a modern, fit-for-purpose facility which would be better able to meet the needs of patients. Prior to relocation, there was just one ward still in use with less than 20 occupied beds. Modern medicine has developed so that the vast majority of patients were treated as outpatients and there was no longer a need for ward beds.

(iii) Planning history

2.12 Relevant planning history for the application site includes the following decisions:

Reference	Description	Decision
19/04931/FUL Appeal application	Appeal application for the change of use and extension of the former Hospital Building	Refused 25.09.2020
19/04934/LBC Appeal application	Parallel listed building consent application	Refused 25.09.2020
S00221460	Consent to carry out works according to the submitted Written Scheme of Investigation.	Approved 09/07/2019
15/03821/LBA	Internal work to install additional handrail to main staircase.	Approved 30/09/2015
13/03596/LBA	Internal works to redecorate the stairwell and improve the services containment and to carry out various alterations to the existing hospital rooms to meet the current needs of the hospital.	Approved: 18/11/2013
12/03247/LBA	Internal and external alterations to include the replacement of hydrotherapy pool windows on the ground floor Union Street elevation and addition of partitions to one of the first floor wards.	Approved 14/01/2013
12/02429/LBA:	External alterations for the removal of an existing lightening protection system and replacement with a new compliant lightening protection system	Approved 10/01/2013
12/01851/LBA	Internal alterations to 1no. first floor ward to create 3no. consultation rooms and a waiting area and installation of secondary glazing	Approved 07/06/2012
11/03199/LBA	External alterations to the third floor - West Wing	Approved 15/09/2011
09/03400/LBA	Internal alterations for the creation of accessible single sex bathroom accommodation from existing w/c facilities in Violet Prince Ward	Approved 06/11/2009
09/02407/LBA	Internal alterations for the creation of accessible single sex bathroom accommodation from existing w/c facilities	Approved 07/10/2009
08/04808/LBA	Internal alterations to existing day room and WC's to create new office space with the introduction of new metal stud wall and door opening	Approved 17/02/2009
- 08/01707/LBA:	Internal alterations to clean/dirty utility room within the diagnostic on the first floor of the East Wing of the hospital, together with provision of air handling equipment on the roof	Approved 03/07/2008
08/01477/FUL	Provision of air handling equipment on the roof	Approved 20/06/2008
06/03332/LBA	Internal alterations to the High Dependency Unit, Stroke Unit and Young Persons' Neuro Rehabilitation Unit, on the Second Floor and Administration Office on the First Floor.	Approved 15.11.2006
06/02201/LBA	Internal alterations of West Wing, ground floor	Approved 09.08.2006
05/03263/LBA	Alterations and refurbishment of the third-floor West Wing	Approved 14.12.2005

04/01586/LBA	Internal repairs to tunnel links between the hospital and 9-10 & 11 Trim Street. Works include repairs to steel beams, pavement lights, and external paving slabs	Approved 07.07.2004
01/01944/LBA	alterations of external area adjacent the restaurant to provide a conservatory	Approved 26.10.2001
01/01923/FUL	Erection of a conservatory adjacent to restaurant on southern elevation	Approved 26.10.2001
01/00426/FUL	Alterations to car park entrance, including new gates, and construction of two secure enclosures	Approved 27.04.2001
01/00290/LBA	Alterations to new entrance gates in widened opening and two secure storage buildings within car park	Approved 28.03.2001
00/01362/LBA	Internal alterations to the second and third floors to provide parent bedroom accommodation for the child head injury unit	Approved 06.09.2000

Table 1. Planning History

(iv) Schedule Ancient Monument Consent

2.13 Cotswold Archaeology agreed a Written Scheme of Investigation with Historic England who had granted Scheduled Ancient Monument Consent on 9th July 2019 to carry out an archaeological evaluation necessary to assess the extent, depth and nature of archaeological deposits. This was to provide information to underpin decisions on development proposals relating to the redevelopment of the site (Ref: S00221460). The results of the dig are set out in the Archaeological Evaluation Report (DC Ref. 5CO). The AIMS Report (CD Ref. 6F; 6G; 6H; and 6I) provides further details of how the SAM will be safeguarded by the development proposals.

(v) Design development and determination of the appeal application scheme

2.14 The appeal application proposals evolved iteratively over a two-year process of pre-application engagement with the Council and the local community (Refer to Statement of Community Engagement: CD Ref: 5DR); and post-submission design development. The key milestones in the evolution of the appeal scheme are summarised below:

- Pre-application enquiry to BANES Council (18/00018/PADEV) December 2018
- Pre-application enquiry to Historic England (PA00933865) March 2019
- Supplementary Pre-application enquiry to BANES (19/02492/PA05) June 2019
- Application for Schedule Ancient Monument Consent Permitted (S00221460) July 2019
- Public exhibition consultation October 2019

- Registration of formal Planning and LBC Applications 18th November 2019
- Revised plans submission April 2020
- Revised plans submission June 2020
- Further minor submissions June to August 2020
- Committee deferral July 2020
- Committee determination 25th September 2020

2.15 After taking legal advice in response to representations made by objecting third parties, the Council reported the appeal application to the July 2020 meeting of the Council's Planning Committee. The Committee resolved to defer the application for a site visit. This was undertaken on a virtual basis and the applications were subsequently determined at the 25th September 2020 meeting of the Council's Planning Committee. The Committee decided to overturn the officer's recommendation for permission and refused planning permission and listed building consent for the reasons set out in the decision notice (CD Ref: 3A and 3B).

3.0 Description of the Appeal Proposals

(i) Overview / summary description of appeal proposals

3.1 A full description of the proposals is set out in the Design and Access Statement and Addendum (CD Refs: 6K, 6L, 6M, 6N, 6O, 6P, 6V and 6W). It is proposed to demolish three significant C20 structures as part of the development: the external staircase; the third-floor extension on the west wing; and the infill development in the internal courtyard to east wing.

3.2 The key elements of the proposal are summarised below:

- Provision of 164 No. bedrooms.
- Conversion of two existing buildings to hotel use.
- New bedroom extension and conservatory space for leisure/dining/restaurant use.
- Spa facility including spa pool, treatment rooms, water and mud treatments and gym with access via the main entrance to the East Wing off Upper Borough Walls to be available to day spa visitors as well as hotel guests (the East Wing entrance that is currently closed is to be opened up).
- Restaurant and bar in the Chapel at ground floor and basement levels with access to a dining area within the conservatory space, with public access off Parsonage Lane.
- Health spa arrival space and juice bar on the ground floor of the East Wing, accessed via reinstated entrance off Upper Borough Walls.
- Juice bar/café at ground floor of East Wing fronting Upper Borough Walls. No cooking facilities to be offered at this outlet (NB. no requirement for extraction/ventilation equipment).
- Meeting room/residents lounge in the Violet Ward (first floor East Wing) – to be available for external hire.
- Cycle store provided off Parsonage Lane.

3.3 A summary of the key planning metrics of the refused scheme are set out below:

Planning Metrics of Appeal Scheme
Bedrooms in the East and West Wings: 126
Bedrooms in The Lodge: 7

Bedrooms in Proposed Extension: 31
Extension floor area + rooftop plant: 1,338 sqm GIA
Extension floor area + rooftop plant: 1,480 sqm GEA
Proposed footprint (extension): 530 sqm
Proposed volume (extension): 5,689 cubic m
Proposed ridge height (extension): 42.4m AOD
Proposed shoulder height (extension): 38.2m
Separation distance to r/o Brewhouse @ mezz level: 17.4m
Separation distance to r/o Brewhouse @ FF level: 17.4m

Table 2. Planning Metrics

(ii) Summary of roof level alterations

3.4 The proposed roof level alterations to the existing building are summarised below:

- Replacement of 3rd storey extension to West Wing with modern cladding/materials and realignment of fenestration with lower floors/reduction in size of windows.
- Reduction in height of lift overrun on West Wing roof and adjacent new lift shaft at same level.
- Removal of flue and lift overrun on East Wing and extension of pitch roof element.
- Replacement of roof top plant room on East Wing.
- Small dormers/louvres introduced to pitch roof element on West Wing roof.

(iii) Summary of Rear Extension

3.5 The overall concept for the extension proposal has been to develop a building which is of a high-quality contemporary design that reflects the scale, massing, height and grain of the surrounding development and is subservient and sympathetic to the Mineral Hospital West Wing building. The Design and Access Statement and Addendum provides further clarification on the design concept, the contextual analysis and design development that has guided the development of the design.

3.6 The extension was subject to extensive post-submission discussions with the LPA and Historic England, with a number of revisions and refinements including a reduction in footprint, scale and mass. The external landscape proposals were further developed to include a water feature in the garden design.

- 3.7 The detailed design features, which include some traditional materials (Bath stone and Bath split stone) seek to integrate the building into its historic and urban context.
- 3.8 Fenestration, particularly on the south facing elevation towards residential occupiers to the south, has been carefully designed using louvred features, to design out any overlooking as well as perceived overlooking.



Fig 3. Extract from Proposed Extension Elevation / Section South Facing



Fig 4. Extract from Proposed Extension Elevation / Section East Facing

- 3.9 The materials were also reconsidered as part of the negotiations with the LPA and Historic England with the final officer-level agreed scheme including darker, more subservient roof materials along with a reduction in the size of the windows.

3.10 The key elements of the extension proposal are summarised as follows:

- 3.5 storey extension to the rear (plus roof top plant area) and glazed link to the West Wing creating conservatory space for relaxation and dining.
- Fire escape glazed link bridge connection at first floor only from the West Wing.
- Private garden retained and re-landscaped for use as a quiet space for hotel guests and visitors to the hotel restaurant and spa.
- Retention of significant trees visible in the public realm on Bridewell Lane (removal of two trees) and 5 No. new trees to replace loss of 2 No. trees.



Fig 5. Extract from CGI View from Bridewell Lane towards the West



Fig 6. Extract from CGI View looking North East

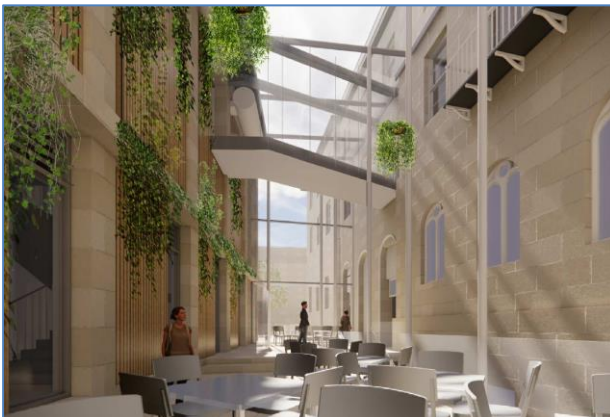


Fig 7. Extract from CGI View from internal courtyard

(iv) Summary of external alterations

3.11 The external alterations focus on removing redundant plant, fixtures and fittings and improving the overall appearance of the facades. The Heritage Statement clarifies that the greatest heritage significance arguably relates to the elevations, particularly those north facing elevations to Upper Borough Walls, which have remained unaltered through time. The proposals will retain these important elevations. The RHND lettering fixed to the building will also be retained as an important historic feature. Other external alterations are summarised below:

- Re-opening the entrance to the East Wing on Upper Borough Walls;
- Reinstatement of basement windows fronting Upper Borough Walls
- Partial demolition of the boundary wall on Parsonage Lane (re-use of material for construction of wall to obscure sub-station)
- New gate opening and railings and hoist to lightwell to the West Wing on Parsonage Lane
- Demolition of the modern external rear staircase extension on West Wing

(v) Summary of internal alterations

3.12 The proposed internal alterations are summarised below:

- Improvements to the inner courtyard on East Wing including the demolition and replacement of modern infill development with light-weight structure.
- New glazed roof to basement spa area
- The removal of all modern internal partitioning, fixtures and fittings and detrimental redundant structures
- Pod style bedrooms in Kings Ward to reveal vaulted ceilings
- Large bedroom suites in the Nash Ward (or Little Violet Ward) to allow barrel vaulted ceilings to be revealed
- Replacement glazing to arches on ground floor entrance hall to West Wing (removal of infill fabric)

- 3.13 Much of the internal fabric and historic features within the building have been lost over time. The majority of surviving historic fabric will be retained. The Heritage Statement of Significance (SoS) and DAS identify the structural walls as comprising the majority of the remaining historic internal fabric. A limited number of openings and widenings of existing openings are necessary to convert the building. The enclosed Heritage Impact Assessment sets out a comprehensive list of internal changes and their effect on significance.
- 3.14 Some significant spaces will be retained in their original plan form in the building including a number of the historic wards, the Chapel and cellar beneath, main staircase and entrance/hallway space in the West Wing, garden area to the rear, Violet Ward (first floor) and the internal courtyard (East Wing). Arrival facilities, restaurant, bar and spa, and meeting rooms will occupy some of these significant spaces which will be accessible to the public as well as guests of the hotel.
- 3.15 The majority of modern partitioning, fixtures and fittings will be removed and replaced to provide bedrooms and ancillary spaces on upper floors. Those internal features of significance that do remain in the building will be retained and celebrated including:
- Chapel interior and vaults.
 - West Wing entrance and staircase space.
 - A possible antecedent structure of the 1705 'Play House' in the East Wing – Basement.
 - Roman mosaic displayed in the West Wing Basement and second Roman mosaic displayed within the restaurant space/other publicly accessible area in the building.
 - Vaulted basement room with large fireplace (East Wing).
 - Underground tunnels.
 - Violet Ward (to be a meeting room/lounge and available for public hire).
 - East Wing top floor barrel vaulted ceilings and corbels and significant ceiling roses and cornices.
- 3.16 Further details of the remaining historic decoration, joinery and other internal architectural features have been investigated and are summarised in the Ornamental Audit.

(vi) Trees and Landscaping

3.17 There will be a loss of 1 No. grade C trees and 1 No. B grade tree and the retention of 2 No. C grade trees. Replacement planting to include 4 No. specimen trees is proposed and 1 No. mature specimen tree, to mitigate for these losses.

3.18 It is proposed to re-landscape the garden to the rear with new hard and soft landscaping . The garden will incorporate a water feature, seating, replacement planting and stone paving through the conservatory space from Parsonage Lane to Bridewell Lane frontages.



Fig 8. Extract from proposed landscaping proposals

(vii) Parking and Access

- 3.19 The hotel is proposed as a “car free” development, therefore no parking will be available to staff. The site is in a highly accessible location. It is proposed that private cars and taxis will use the loading bay on Upper Borough Walls (up to 12 noon). 12 cycle parking stands will provide secure provision for hotel staff. Guests will be offered cycle parking in the staff enclosure, although it is not anticipated that guests will arrive by bike. A Travel Plan will monitor the demand for cycle parking from both guests and staff and the current cycle store modified to provide additional stands in future.
- 3.20 The Transport Statement (CD Ref: 5BY) sets out a servicing strategy for the proposed hotel which will be similar to the current arrangements. All servicing will take place from Upper Borough Walls. Trolleys will be used to transport linen to and from the building to Upper Borough Walls where larger vehicles are used (as happens currently). Refuse will be stored in the undercroft/basement of the West Wing and brought to the surface with a hoist operated in the light well to the east elevation of the West Wing along Parsonage Lane and wheeled up to Upper Borough Walls on collection days.
- 3.21 Guests requiring disabled parking will use the 2 No. existing public access disabled parking bays adjacent to the hotel (one available from 12:00-24:00) on Upper Borough Walls as well as several other on-street disabled parking bays in the immediate vicinity of the site.
- 3.22 It is proposed to apply to the Highway Authority to re-allocate the ambulance bay in front of the hotel which is no longer needed. An effective servicing strategy could potentially be secured without this re-allocation; however, this additional facility will assist with the smooth running of the hotel and public highway, require fewer vehicles to use Parsonage Lane and provide an additional resource for other business in the area.

(viii) Building Construction

- 3.23 The Structural Report provides further information about what is currently known about the building structure and the overall approach to construction. The report sets out the strategy for construction and confirms that the building can be designed in such a way that it will not require foundation strengthening to the existing building. Intrusion into the

historic fabric will be avoided wherever possible and the report concludes that the proposals are sympathetic to the historic fabric. The new extension foundations are designed in response to archaeological investigations and the overall strategy agreed with Historic England and SWHT, the details of which are set out in the enclosed in the AIMS report.

(ix) Sustainable Construction

3.24 The new extension will be designed to meet (and exceed) the requirements of the development plan policy relating to energy efficiency. New plant is proposed to be installed in the existing buildings and this along with the energy efficient refurbishment ensures that overall the scheme can achieve (and exceed) the required reduction in regulated CO₂ emissions. At least 22% reduction in CO₂ emissions for the extension will be achieved through the use of renewable energy (Air Source Heat Pumps) and a fabric first approach for the new build (rear extension). The existing building will result in a 40% reduction due to retrofitting measures. The Sustainable Construction Checklist and Energy Report (provides further details.

(x) Historic Interpretation Strategy

3.25 The Heritage Impact Assessment (CD Ref: 6BL; 6BM; 6BN; 6BO; 6BP; 6BR; 6BS; 6BT; 6BU, and 6BV) considers that a Historic Interpretation Strategy could provide significant public benefits to help outweigh the harm to heritage assets associated with the conversion to a hotel. The strategy could comprise:

- An interior design brief which reflects the rich history of the building – to be used in the appointment of the hotel's interior design consultant
- Financial assistance (secured for a third party) to facilitate on-going historic interpretation of the hospital's history off site and/or as part of an on-line resource
- On-site improvement and celebration of key historic assets including the roman mosaics and other artefacts
- Digital infrastructure inside the hotel to provide links to on-line information on the history of the building, important paintings and other artefacts currently on loan elsewhere

- Details of public access to the building including up to 5 no. heritage open days
- Named Heritage Liaison Officer/Coordinator at the hotel to facilitate the open days and liaison with history groups and organisations going forward.

4.0 Planning Policy Context

(i) Development Plan

- 4.1 The Development Plan for the BANES administrative area comprises the adopted Core Strategy (2014) and the Placemaking Plan (2017). Other relevant Supplementary Planning Documents and Guidance and the National Planning Policy Framework are also material considerations.
- 4.2 The application site lies within the defined urban area of Bath and is subject to Conservation Area and World Heritage Site designations. Part of the site is designated as a Scheduled Ancient Monument and the entire site washed over by the Bath Hot Springs Protection Zone.

(ii) BANES Core Strategy

- 4.3 Applicable BANES Core Strategy (2014) policies include:

- Policy DW1 - District Wide Spatial Strategy
- Policy SD1 - Sustainable Development
- Policy B1 - Bath Spatial Strategy
- Policy B4 - World Heritage Site and its setting
- Policy CP1 – Retrofitting Existing Buildings
- Policy CP6 - Environmental Quality
- Policy CP2 - Sustainable Construction
- Policy CP3 - Renewable Energy
- Policy CP6 - Environmental Quality
- Policy CP12 – Centres and Retailing
- Policy CP13 - Infrastructure Provision

(iii) Placemaking Plan

- 4.4 Applicable Placemaking Plan (2017) policies include:

- Policy BD1 – Bath Design Policy

- Policy B1 – Bath Spatial Strategy
- Policy B2 – Bath Central Area and Strategic Policy
- Policies D1, D2, D3, D4, D5 - General design policies
- Policy D6 - Amenity
- Policy HE1 – Historic environment
- Policy NE2A – Landscape setting
- Policy NE6 – Trees and woodland
- Policy SCR1 – On-site renewal energy requirements
- Policy PCS2 – Noise and vibration
- Policy PCS8 – Bath Hot Springs
- Policy LCR1 – Safeguarding local community facilities
- Policy D8 – Lighting
- Policy SU1 – Sustainable drainage
- Policy ST7 – Transport requirements for managing development

4.5 D6 sets out the requirements for development in respect of the amenity of existing and future occupiers. The key requirements which are directly relevant to the redevelopment of the Mineral Hospital relate to neighbouring occupiers, in particular residential occupiers in the surrounding area are that the development should:

- Allow existing and proposed development to achieve appropriate levels of privacy, outlook and natural light*
- Not cause significant harm to the amenities of existing or proposed occupiers of, or visitors to, residential or other sensitive premises by reason of loss of light, increased noise, smell, overlooking, traffic or other disturbances.*

4.6 The Placemaking Plan 'strategic design values' which should guide development are to:

- Reinforce a sense of composition and balance
- Design innovation & Details/ Characteristics
- Celebrate Bath's Independent Spirit
- Promote Craftsmanship
- Be Life Enabling
- Looking responsibly to the future

(iv) B&NES Local Plan Review

4.7 The Council published a Regulation 18 'options consultation' version of its Local Plan Partial Review in January 2021. The partial update is not a new Local Plan, it is an update of the Core Strategy & Placemaking Plan (together comprising the adopted Local Plan for B&NES). The update will not change the plan period, the spatial strategy or the overall housing requirement of the adopted Core Strategy and Placemaking Plan.

(v) National Planning Policy Framework (NPPF)

4.8 The NPPF was last updated in February 2019. Relevant sections include:

- Achieving Sustainable Development: Section 2
- The Presumption in Favour of Sustainable Development: Paragraphs 11-14
- Core Planning Principles: 17
- Decision Taking: Section 4
- Conservation of the Natural Environment: Section 15
- Conservation of the Historic Environment: Section 16
- Implementation: Annex 1

4.9 Paragraph 175, states:

"...When determining planning applications, local planning authorities should apply the following principles:

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused..."*

4.10 Paragraph 202 states that:

"...local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies".

4.11 Paragraph 196 states that:

“...where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

(v) National Planning Practice Guidance

- 4.12 The national Planning Practice Guidance (PPG) was first published in March 2014 and has been updated over time to reflect the latest Government guidance supplementing national planning policy. The last update was made in May 2020. The PPG is a material consideration for all planning decisions.

(vi) National Design Guide (MHCLG: October 2019)

- 4.13 The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

- 4.14 Para 8 emphasises that:

The underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities. This includes people who use a place for various purposes such as:

- *to live, work, shop, for leisure and recreation, and to move around between these activities; and*
- *those who visit or pass through.*

It also includes people at different stages of life and with different abilities – children, young people, adults, families and older people, both able-bodied and disabled.

- 4.15 Para 35 states that:

*Well-designed places have individual characteristics which work together to create its physical **Character**. The ten characteristics help to nurture and sustain a sense of **Community**. They work to positively address environmental issues affecting **Climate**. They all contribute towards the cross-cutting themes for good design set out in the National Planning Policy Framework.*

- 4.16 The ten characteristics (referenced in para 36) and set out in Part 2 are:

- *Context – enhances the surroundings.*
- *Identity – attractive and distinctive.*
- *Built form – a coherent pattern of development.*

- *Movement – accessible and easy to move around.*
- *Nature – enhanced and optimised.*
- *Public spaces – safe, social and inclusive.*
- *Uses – mixed and integrated.*
- *Homes and buildings – functional, healthy and sustainable.*
- *Resources – efficient and resilient.*
- *Lifespan – made to last.*

4.17 Para 169 explains that the ten characteristics in the National Design Guide are based on the objectives for design set out in Chapter 12: Achieving well-designed places of the National Planning Policy Framework.

(vii) Applicable Supplementary Planning Documents and other Guidance

4.18 Applicable BANES Council SPDs and guidance include:

- Bath City Wide Character Appraisal SPD (2005)
- City of Bath World Heritage Site Setting SPD (2013)
- Planning Obligations SPD (2015)
- Public Realm and Movement Strategy
- Bath Building Heights Strategy (2010) – NB. this document does not have SPD status
- Sustainable Construction and Retrofitting SPD 2013
- Sustainable Construction Checklist SPD 2018
- Conservation Advisory Note – Cleaning of Bath Stone

(viii) Applicable legislation

4.19 The Planning (Listed Buildings and Conservation Areas) Act (1990) Act of Parliament places a duty upon the Local Planning Authority to afford due consideration to the preservation of listed buildings and their settings under Section 66(1), and Conservation Areas under Section 72(2), in determining planning applications.

(ix) Historic England Guidance Notes

- 4.20 Guidance produced by Historic England relevant to the redevelopment of historic buildings are also relevant, including Good Practice Guidance Note No.3 'Making Changes to Heritage Assets' and 'Managing Significance in Decision-Taking in the Historic Environment': Good Practice Guidance Note 2.

5.0 Statement of Case

5.1 This section of the statement sets out: the matters that are agreed; a rebuttal against planning (3 No.) and listed building consent (1 No.) refusal reasons; and comments on the Council's suggested planning obligations and conditions.

(i) Agreed Matters

5.2 The following matters have been agreed with the planning officer and/or the statutory consultees and have not been scoped into the formal refusal reasons attached to the refusal of planning permission and listed building consent.

5.3 **Principle of Development:** the principle of the proposed change of use of the former hospital to a hotel (Class C1) has been accepted by Council officers, as stated in the Committee Report. The proposed use has not been scoped into the 3 No. refusal reasons and is therefore, by omission, is not an issue that has been contested by the Council. It should be noted that the health services provided at the former hospital facility have been replaced in a new purpose-built facility at the Royal United Hospital campus in Bath. The appeal site is located in the Bath City Centre as defined in the Local Plan. Paragraph 86 of the NPPF advises that main town centre uses should be located in town centres. On this basis the principle of the proposed hotel use is full in accordance with the development plan and national planning policy.

5.4 **Works to the Listed Building:** the scope of the proposed conversion, remodelling of the C20 top floor of the West Wing, and associated internal alteration and intervention to the existing principal listed building has been agreed by the Council and Historic England. For the avoidance of doubt, these matters have not been scoped into Reason 2 of the appeal planning application or Reason 1 of the parallel listed building consent application.

5.5 **Fixtures and Fittings:** Council officers have acknowledged that the Historical Interpretation Strategy includes an accurate inventory of all the artwork that has been removed from the hospital and where it is now housed.

- 5.6 **Public Realm:** the indicative landscape drawings showing improvements to the public realm at Parsonage Lane have been acknowledged by Council officers to be acceptable, and do not form part of the scope of refusal reasons.
- 5.7 **Archaeological and Schedule Ancient Monument matters:** it has been agreed that these matters will be addressed by the separate Scheduled Monument Consent. The Archaeological Impact and Mitigation Strategy (AIMS) (CD Ref: CF, CG, CH and CI) has been agreed by Historic England. These matters do not form part of the scope of the refusal reasons.
- 5.8 **Highway Safety:** the Transport Assessment, which includes details cycle storage, servicing and travel planning, has been audited in detail and is considered to be acceptable by the Highway Authority. The transport and movement strategy does not form part of the scope of the refusal reasons.
- 5.9 **Drainage:** the drainage strategy (CD Ref. 5CW and 6B) has been agreed by the Local Lead Flood Authority (LLFA). Drainage does not form part of the scope of the refusal reasons.
- 5.10 **Sustainable Construction:** the Committee Report (CD Ref:3C) confirms that the Sustainable Construction Strategy exceeds the requirement under PMP Policy CP2 to achieve a 19% reduction in regulated emissions compared the minimum baseline required for compliance with Building Regulations.
- 5.11 **Air Quality:** the Committee Report confirms that the Air Quality Assessment (CD Ref:5DD) is acceptable. This also includes approval of the mitigation methodology to minimise potential dust arising from the construction phase of the project.
- 5.12 **Contamination:** the Committee Report (CD Ref:3C) confirms that there is no objections in relation to ground contamination, and that the recommendations in the Phase 1 Contamination Report are acceptable and can be secured the recommended planning condition.

(ii) Rebuttal of Planning Reason 1 – design, scale and mass of rear extension

5.13 Planning Reason 1 states:

The proposed rear extension in this backland location, due to the unacceptable scale and mass of the development results in a development that fails to respond to the character and quality of the surrounding townscape. The development is therefore considered to be contrary to Policy D4 and D7 of the Bath and North East Somerset Placemaking Plan.

5.14 The design of the appeal scheme evolved through an iterative design development process over a two-year period and was informed by engagement with the LPA’s Planning and Conservation Officers and Historic England. Further amendments were made during the post-submission stage as the appellant sought to negotiate agreed scheme with the LPA and Historic England officials. The design was also influenced by engagement with third parties including the Bath Preservation Trust and a review of representations submitted by third party neighbours.

5.15 It is accepted that the scale and mass assessment is a matter of professional judgement. The Visually Verified Montages (CD Ref: 6BY) demonstrate that the proposed rear extension would be barely perceptible on middle distance and distant views from the Bath hinterland. The proposal will only have a localised impact from publicly accessible viewpoints from Parsonage Lane and Bridewell Street, and private views from adjacent buildings. The submitted elevations and sections, extracts of which are illustrated and Figures 3-8 in Section 3 above, demonstrate that the proposed rear extension is acceptable in both terms a scale and mass from local views, and respects and is subservient to the larger scaled host building.

5.16 Reason 1 asserts that the proposals are in conflict with PMP Policies D4 and D7. Policy D4 sets out eight design criteria. These are analysed in the table below:

PMP Policy D4 Criteria	Appellant’s Comments
a. New development must respect and contribute towards a clear hierarchy of streets and spaces. The transport user hierarchy should be applied within all aspects of the street design, considering the needs of pedestrians first, then cyclists, then public transport users and finally vehicles.	The proposed extension has been designed to read as a distinctive and separate entity linked to but set apart from the historic façade of the West Wing. Nevertheless, it respects its immediate surrounding context in terms of its response to the Parsonage Lane and Bridewell Lane, and from within the site itself.

	The proposal is fully compliant with the transport user hierarchy as explained in the Transport Statement. There is no off-street parking provision. Travel planning measures are set out in the draft Travel Plan to encourage non-car use.
b. The impact of parking provision on connectivity needs to be resolved to avoid poor quality routes and poorly defined streets. Parking arrangements should be integrated into the street scene and large areas of surface parking should be avoided.	This criterion is not applicable.
c. Car parking and highways design should not dominate the design of the development or the public realm.	This criterion is not applicable
d. Shared surfaces must be legible and safe for all users.	The public realm strategy, which is an 'agreed matter' will offer enhancement for users of Parsonage Lane.
e. Designed to enhance and contribute towards public realm in line with Policy D10.	The proposals will deliver significant public realm benefits which include: the upgrading of the footpath and carriageway between Upper Borough Walls and the entrance to the proposed conservatory entrance, replacing the tarmac with natural flag stones and block paving. It is note that PMP Policy D10 has not been cited in the refusal reason.
f. Signage, lighting and street furniture must avoid street clutter and respond to local context in line with Policy D10.	These matters can be addressed through the imposition of planning conditions. It is noted that PMP Policy D10 has not been cited in the refusal reason.
g. Open spaces should be defined positively with clear definition of public and private, appropriate enclosure.	The indicative landscape proposal (Fig 8 above) denotes the extent of the public realm works, and extent of hard and soft landscaping. This provides a clear definition of public and private space. Further details can be secured by planning condition.
h. Street trees and green spaces should contribute to a network of Green Infrastructure and should be adequately sited to promote connectivity for people and wildlife.	The appeal site is located in the centre of city which is urbanised with no green infrastructure linkage to other parts of city. The landscaping proposals retain the two Himalayan Birch trees and make provision of additional planting that can be secured by planning condition.

Table 3. PMP Policy D4

5.17 PMP Policy D7 sets out three criteria relating to 'infill and backland development'.

PMP Policy D7 Criteria	Appellant's Comments
a. Development has regard to the character and quality of the surrounding townscape	The composition, scale, height and mass of the extension responds appropriately to the host former hospital building and the smaller scale surrounding buildings and townscape.

<p>b. New development reflects the form, pattern and grain of the existing development and otherwise enhances the character.</p>	<p>The siting of the extension reflects the grain of the area and infills a gap in the street. The design is modern in style and will add new interest and vitality when viewed from Parsonage Lane and Bridwell Street.</p>
<p>c. Infill development on corner plot gives careful consideration to both the primary and the return frontage in relation to height, scale, massing and design and relates well to the treatment of corner plots within the local context.</p>	<p>The appeal is not located on a corner plot. This criterion is not applicable</p>

Table 4. PMP Policy D7

5.18 The analysis above confirms that the appeal proposals are demonstrably compliant with PMP Policies D4 and D7. The Council’s first reason for refusal is not considered to be well founded in planning terms.

(iii) Rebuttal of Planning Reason 2 – impact of rear extension upon amenity residential of existing adjacent residential dwellings

5.19 Planning Reason 2 states:

The proposed development, due to the unacceptable scale and bulk of the proposed rear extension is considered to result in unacceptable harm to the residential amenity of the neighbouring residential properties at Parsonage Lane. The development is therefore contrary to Policy D6 of the Bath and North East Somerset Placemaking Plan.

5.20 The existing surrounding uses are primarily commercial. However, there are around 20 residential properties, generally to the south of the appeal site. There are residential properties on upper floors at Kings Court opposite with lower floors occupied by offices. Other residential properties lie to the south (Nos. 1 and 3 Parsonage Lane) and south west (4 Bridewell Lane, which abuts the site).

5.21 Outdoor amenity space is provided for No.3 Parsonage Lane at ground floor level and for a number of other residential properties in the area immediately to the south. A large plant enclosure abuts the site to the south. Bedroom windows on the south facing elevation of the proposed rear extension will be constructed with louvres to ensure there is no overlooking or loss of privacy to either the adjacent dwellings or outdoor amenity space. Further details are available in the Design and Access Statement Addendum (CD Ref: 6K; 6L; 6M; 6N; 6O; 6P; 6V and 6W). The existing spatial relationship is also shown

- 5.22 The originally submitted appeal proposal was informed by a Daylight and Sunlight Survey (CD Ref: 6J and 6DH). This study has been further updated in the report at Appendix D with new survey data and information relating to the internal layouts of Nos. 1 and 3 Parsonage Lane, and is aligned precisely with the appeal refusal scheme, as last amended prior to determination by the Council's Planning Committee in September 2020. The report is also included in the Core Documents as a standalone document (CD Ref: CD7D).
- 5.23 The results of the updated Daylight and Sunlight Report demonstrates that all third party windows: (i) with a requirement for daylight pass the Vertical Sky Component Test; (ii) all windows that face within 90 degrees pass both the total annual sunlight hours test and winter sunlight hours tests; and (iii) all gardens and open spaces tested meet the BRE recommendations.
- 5.24 Non-compliance with the BRE recommendations is limited to the 'daylight distribution' test in respect of two rooms served by the windows 84 to 86 and 87 at 1 Parsonage Lane.

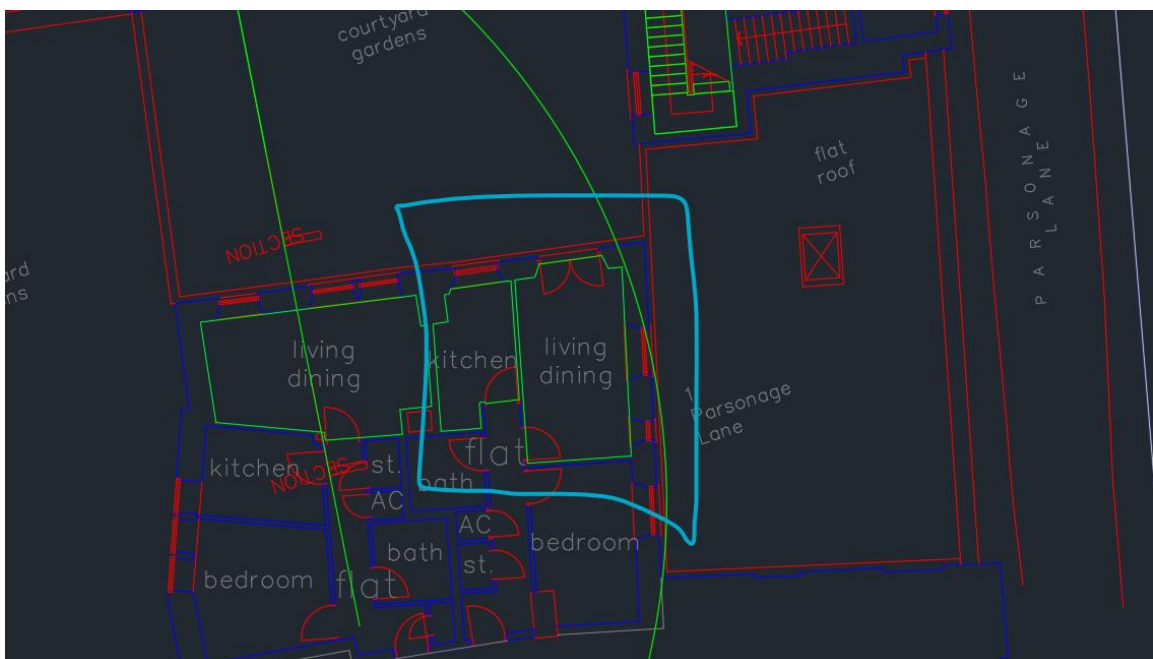


Fig 9. Showing the location of the kitchen and living room windows that do not meet the full BRE Daylight Distribution test. However, it is noted that the living room is dual aspect and east facing aspect as well as a north facing aspect towards the appeal site.

- 5.25 Overall, it is considered that the proposals result in an extremely good level of compliance with BRE guidelines on the availability of daylight and sunlight. The proposed development will not therefore result in inappropriate living conditions for residents, and will not result in significant harm, in terms of loss of light, to neighbours.
- 5.26 The plans and sections included at Appendix B of this statement have been prepared to assist the Inspector in assessing the amenity relationship between the proposed rear extension and the flats located to the south in Nos. 1 and 3 Parsonage Lane, which are the existing dwellings that are in the closest proximity to the proposed rear extension.
- 5.26 PMP Policy D6 sets out 5 criteria relating to amenity considerations, which are analysed in table below:

PMP Policy D6 Criteria	Appellant's Comments
<p>a. Allow existing and proposed development to achieve appropriate levels of privacy and natural light</p>	<p>The proposals were amended to eliminate any potential for mutual inter-looking from the south facing elevation to the Nos. 1 and 3 Parsonage Lane.</p> <p>Given that the adjacent residential flats are located to the south of the appeal site, the proposals will not give rise to any over-shadowing or any direct loss of direct sunlight. The Daylight and Sunlight Report (Appendix D) concludes:</p> <p><i>"...the results demonstrate that the proposed development will have relatively low impact on the light receivable by its neighbouring properties. Non-compliance with the BRE recommendations is limited to the Daylight Distribution test in respect of two rooms...at 1 Parsonage Lane. In our opinion, taking into account the overall high level of compliance with the BRE recommendations, this isolated area of non-compliance should not warrant refusal of the application."</i></p>
<p>b. Not cause significant harm to amenities of existing and proposed occupiers or visitors to, residential or other sensitive premises by reason of loss of light, increased noise, smell, overlooking, traffic or other disturbance.</p>	<p>Noting the findings of the aforementioned Daylight and Sunlight Report, and the dual aspect arrangement of the one affected flat, as shown in Figure 9 above, and noting the general sectional arrangement as shown in Figures 12-14 at Appendix B of this statement, it is concluded for the purposes of this criterion, the amenity of existing occupiers will be preserved.</p>

c. Allow for provision of adequate and useable private or community amenity space and defensible space.	Provision of amenity space for hotel guests and staff is provided in the courtyard garden. This includes defensible space around the ground floor hotel bedrooms on the west facing side of the proposed rear extension.
d. Include adequate storage and functional arrangements for re-use and recycling.	Adequate provision is included in the proposed layout for back of house functions and associated storage requirements.
e. Ensure communal refuse and recycling provision is appropriately designed, located and sized.	Adequate provision is included in the proposed layout for refuse storage, which will not adversely affect the amenity of hotel users or neighbouring residents.

Table 5. PMP Policy D6

5.27 In conclusion, empirical evidence in the Daylight and Sunlight Report demonstrates an overall high level of compliance with BRE recommendations. Given the context of a city centre location, which has to adapt to changing economic and societal to remain viable and vital, it is concluded that the appeal proposals are compliant with PMP Policy D6.

(iv) Rebuttal of Planning Reason 3 – loss of trees and impact upon biodiversity net gain

5.28 Planning Reason 3 states:

The proposed rear extension, due to the loss of the trees and the development within the garden area, fails to contribute positively to biodiversity gain. The development is therefore contrary to policy D4 and NE5 of the Bath and North East Somerset Placemaking Plan.

5.29 This reason needs to be considered in the context of the appeal site lying in the heart of the urbanised city centre with no direct connection to existing green infrastructure, e.g., the river corridor or local parks. The preliminary ecology assessment (CD Ref: 5CD) did not find any evidence of protected species on site. However, the recommended mitigation measures, which take a precautionary approach, can be secured by a planning condition.

5.30 The proposal will retain 2 No. Himalayan Birch trees (T3 and T4: both Category B2) but proposes the removal of: a Weeping Ash (T1: Category C); and Box Elder (T2: Category B2). The Weeping Ash is the more significant tree of the two trees proposed for removal but has a limited life expectancy as explained in the Arboricultural Assessment (CD Ref: 5CQ). A Construction Method Statement explains who the Birch trees will be retained.

- 5.31 The landscaping proposal will introduce new soft landscaping and green infrastructure. A detailed planting plan, to ensure that the opportunity for biodiversity enhancement will be optimised, can be secured by planning condition along with a planning obligation that will make provision of off-site replacement tree planting elsewhere within the city. The proposals will also eradicate Japanese Knotweed which is present on site.
- 5.32 Given that Council's Ecology officer has not raised an objection to the appeal proposals, and it is manifestly the case that the proposals will not result in 'significant harm' to biodiversity in terms of criterion 'a' of Paragraph 175 of the NPPF, the third reason for refusal is considered to be baseless and unjustified noting that the tree loss can be compensated for by new soft landscaping that ensure no loss of onsite biodiversity, and off-site tree planting that can be secured via a planning obligation.

(v) Rebuttal of Listed Building Reason 1 – scale and bulk adversely affecting the setting of the host grade II* listed building

- 5.33 Listed Building Consent Reason 1 states:

*The proposed development, due to the scale and bulk of the proposed rear extension is considered to result in visual harm to the setting and significance of the host Grade II * listed building. The public benefits identified would not outweigh the harm identified. As such the proposal is considered contrary policies D4, D7 and HE1 of the Bath and North East Somerset Placemaking Plan.*

- 5.34 As noted under Reason 1, and described in Section 2, the appeal proposals were the culmination of a 2-year iterative design development process that included detailed liaison with the Council's Conservation Officer and Historic England.
- 5.35 The site of the proposed extension been partially eroded in terms of its character and contribution to the setting of the host hospital buildings. This lessens the significance of the space within the context of the origin of the site and evolution of the historic surrounding development, including the hospital buildings. The conservation specialists have opined that development of this space would erode its role as a buffer between existing development, affecting the balance between built and spatial forms, and as such, would in the parlance of the NPPF, result in 'less than substantial harm' to the setting of the listed building.

5.36 Paragraph 197 of the NPPF states that ‘...*this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

5.37 On the basis of the public benefits of the proposal, which are summarised in Section 6 of this statement, and noting the analysis set out in under Reason 1, it is submitted that the appeal proposal is compliant with PMP Policies D4, D7 and HE1, and applicable national planning policy and legislation.

(vi) Scope of planning obligations and conditions

5.38 Prior to the determination of the appeal application, the appellant agreed the following s.106 heads of terms:

- Commitment to a Historic Interpretation Strategy to secure on and off-site interpretation of the building's important history and enabling some continued public access to the buildings (NB. in line with the submitted HIS).
- Public realm improvements and necessary financial contributions (focussed on improvements to Parsonage Lane)
- Financial contribution to Traffic Regulation Orders (to redesignate parking bays at the front of the site, although it is noted that the City Centre Security Project may supersede this requirement)
- Financial contributions towards off site tree replacement planting if this is not secured on site.
- Targeted Training and Recruitment - Method Statement and financial contributions.

5.39 A draft Unilateral Undertaking is included in the appeal submission (CD Ref: 7E). This document will be discussed with the Council's legal team, and finalised later in the appeal process.

5.40 The appellant confirms that the 25 No. planning conditions pursuant to the appeal planning application, as set out on the Committee Report, are acceptable.

5.41 The appellant confirms that the 20 No. planning conditions pursuant to the appeal listed building consent application, as set out on the Committee Report, are acceptable.

5.43 The plan list set out Appendix A sets out the extant plans pursuant to both applications, with those relating to the LBC annotated.

6.0 Planning Balance and Conclusions

- 6.1 The appeal application was formulated over a 2-year period in close consultation with the LPA, Historic England and other stakeholders. The principle of the proposed hotel use has been agreed as the optimum viable use by the principal parties. We can confirm that the appellant is committed to implement either appeal scheme, or the second application scheme that has been submitted in parallel with the planning appeal.
- 6.2 As a responsible landowner, the appellant remains committed to carrying out necessary maintenance to the vacant building and is presently continuing to heat the empty appeal building during the winter months while the planning appeal and second application are pending consideration. This position is clearly not sustainable in the longer term. In this regard, it is submitted that the Council did not give sufficient weight to the 'consequences of refusal' in the determination of the appeal application.
- 6.3 The appellant submits that it is strongly in the public interest that the vacant building, which occupies a prominent city centre site, is brought back into beneficial use. A prolonged period of vacancy will be damaging to economy of Bath's city centre in terms of loss of opportunity arising from site-specific economic activity, as well as the damaging effect of prolonged vacancy on business and investment confidence in Bath.
- 6.4 The submitted plans, sections and montages will provide the Inspector with sufficient information to judge the acceptability of scale and mass of the proposal. Tables 3 and 4, as set out in Section 5.0 above, demonstrate that the proposal is in compliance with PMP Policies D4 and D7, and on this basis, Reason 1 is not considered to be well founded in planning terms.
- 6.5 The north facing outlook from Nos. 1 and 3 Parsonage Lane, the closest existing residential properties to the southern boundary of the appeal site, will change following the implementation of the proposed rear extension. However, this is a dense city centre site where urban renewal through redevelopment to an alternative viable use is necessary to ensure that the economic viability and vitality of the city centre is maintained.

- 6.6 The combination of the empirical evidence in the Daylight and Sunlight Report at Appendix D, the analysis summarised in Table 6 in Section 5.0 above, and the plan analysis set out in Appendix B, demonstrates that that the amenity of nearest existing residential occupiers of Nos. 1 and 3 Parsonage Lane will be preserved, and that the appeal proposal is in compliance with PMP Policy D6. On this basis, Reason 2 is not considered to be well founded.
- 6.7 The appeal proposal retains the Himalayan Birch trees but proposes the removal of two other existing trees, which are not significant enough to warrant a Tree Preservation Order, and whose loss can be compensated off-site via a financial contribution. New on-site green infrastructure can be secured on site through approval of a landscaping condition to ensure that there will be no net loss of biodiversity pursuant to the requirement of NPPF: 171(a). Noting that the Council's Ecology Officer has not objected to the proposal, Reason 3 is considered to be wholly unjustified and unreasonable.
- 6.8 The Heritage professionals that have assessed the proposal on behalf of the appellant, LPA and Historic England, agree that that the proposal constitutes 'less than substantial harm', in the parlance of Paragraph 196 of the NPPF. The public benefits of the proposal are summarised below:
- Securing an optimum viable use of the building as a hotel with the associated long term heritage benefits.
 - Major repair and restoration programme for both buildings and removal of existing harmful additions internally and externally resulting in clear heritage gains.
 - Increased public access to parts of the building (which was formerly restricted to patients, visitors and staff) including restaurant and bars, health spa, first floor meeting room and the rear garden (for hotel, café/restaurant and spa guests).
 - On and off-site interpretation of the history of the building (secured through planning conditions)
 - Public access to the building through guided tours several days annually (up to 5 No. days per year).
 - Introduction of an active frontage and public access into the building from East and West Wings off Upper Borough Walls and footfall and vitality to Parsonage Lane via the new glazed link/conservatory entrance to the restaurant.

- Provision of additional hotel rooms with potential to make a significant contribution to Bath's tourism economy.
- A new spa facility, open to day spa visitors as well as guests of the hotel and aimed at providing a unique spa experience in Bath focusing on health and well-being.
- Broader regeneration benefits associated with a circa £40m investment in the project during the construction phase including support for the local supply chain as well as direct construction employment opportunities.

6.9 On the basis that the reasons for refusal are not considered to be well founded in planning terms, and noting the substantial range of public benefits, as summarised above, the Inspector is respectfully requested to allow the appeal and grant planning permission and listed building consent.

Appendix A – Extant Plans List

- 12 Jun 2020 LL 351 002 REV B COURTYARD LAYOUT AND SECTIONS
- 12 Jun 2020 LL-351-001 REV E LANDSCAPE LAYOUT
- 11 Jun 2020 02001 PL05 PROPOSED ELEVATION - EAST AND WEST WING
- 11 Jun 2020 02002 PL05 PROPOSED ELEVATION - WEST WING
- 11 Jun 2020 10007 PL05 PROPOSED ROOF PLAN
- 11 Jun 2020 20004 PL05 PROPOSED ELEVATIONS - EXTENSION FACADE DETAIL
- 11 Jun 2020 20101 PL05 PROPOSED DETAIL ELEVATIONS - NORTH EAST
- 11 Jun 2020 20102 PL05 PROPOSED DETAIL ELEVATIONS - SOUTH WEST
- 11 Jun 2020 30301 PL05 PROPOSED EXTENSION SECTION
- 11 Jun 2020 30402 PL05 PRIVACY LOUVRES
- 05 Jun 2020 02003 PL01 PROPOSED ELEVATION EAST WING
- 04 Jun 2020 10001 PL03 PROPOSED BASEMENT FLOOR PLAN
- 04 Jun 2020 10002 PL03 PROPOSED GROUND FLOOR PLAN
- 04 Jun 2020 10003 PL04 PROPOSED MEZZANINE FLOOR PLAN
- 04 Jun 2020 10004 PL04 PROPOSED FIRST FLOOR PLAN
- 04 Jun 2020 10005 PL04 PROPOSED SECOND FLOOR PLAN
- 04 Jun 2020 10006 PL04 PROPOSED THIRD FLOOR PLAN
- 04 Jun 2020 12001 PL02 TYPICAL WINDOW, WALL AND COLUMN DETAILS
- 04 Jun 2020 13006 PL03 PROPOSED BASEMENT LIGHTWELL WORKS
- 04 Jun 2020 13012 PL02 PROPOSED LIGHTWELL AND WINDOW
- 04 Jun 2020 30403 PL04 STREET CONTEXT SECTIONS
- 31 Mar 2020 02004 PL02 PROPOSED & EXISTING COURTYARD ELEVATION
- 31 Mar 2020 12011 PL02 PROPOSED LIFT SHAFT OPENING TYPICAL DETAIL
- 31 Mar 2020 12013 PL02 PROPOSED SERVICE RISERS (WEST WING)
- 31 Mar 2020 12012 PL02 PROPOSED RISER REINSTATED (EAST WING)
- 31 Mar 2020 12014 PL02 PROPOSED RECONSTRUCTION OF SOUTH RANGE
- 31 Mar 2020 12016 PL02 NEW LINK RELATED ALTERATIONS 1 OF 2
- 31 Mar 2020 12017 PL02 NEW LINK RELATED ALTERATIONS 2 OF 2
- 31 Mar 2020 13002 PL02 PROPOSED RAISED FLOOR (BASEMENT)
- 31 Mar 2020 18002 PL02 TYPICAL ELEVATION NEW CLADDING PROPOSALS
- 31 Mar 2020 30302 PL02 PROPOSED SECTION - WEST WING COURTYARD
- 31 Mar 2020 D1001 PL02 DEMOLITION PLAN BASEMENT FLOOR
- 31 Mar 2020 D1002 PL02 DEMOLITION PLAN GROUND FLOOR
- 31 Mar 2020 D1003 PL02 DEMOLITION PLAN MEZZANINE FLOOR
- 31 Mar 2020 D1004 PL02 DEMOLITION PLAN FIRST FLOOR
- 31 Mar 2020 D1005 PL02 DEMOLITION PLAN SECOND FLOOR
- 31 Mar 2020 D1006 PL02 DEMOLITION PLAN THIRD FLOOR
- 31 Mar 2020 D1007 PL02 DEMOLITION PLAN ROOF
- 31 Mar 2020 WINDOWS AND DOORS SCHEDULE
- 13 Nov 2019 1000 EXISTING BASEMENT FLOOR PLAN
- 13 Nov 2019 1001 EXISTING GROUND FLOOR PLAN
- 13 Nov 2019 1002 EXISTING MEZZANINE FLOOR PLAN
- 13 Nov 2019 1003 EXISTING FIRST FLOOR PLAN
- 13 Nov 2019 1004 EXISTING SECOND FLOOR PLAN
- 13 Nov 2019 1005 EXISTING THIRD FLOOR PLAN
- 13 Nov 2019 10058 EXISTING SITE PLAN
- 13 Nov 2019 13001 PROPOSED GLAZED BALUSTRADE SURROUNDING MOSAIC
- 13 Nov 2019 13005 PROPOSED REINSTATED FIREPLACE AND WALL INFILL
- 13 Nov 2019 13007 PROPOSED STEEL STAIR AND LIFT
- 13 Nov 2019 13011 PROPOSED MINERAL WATER POOL AND GLAZED ROOF

- 13 Nov 2019 14001 PROPOSED ARCHED GLAZED SCREENS AND DOORS
- 13 Nov 2019 14002 PROPOSED ENTRY DOOR
- 13 Nov 2019 14005 PROPOSED ACCESSIBILITY MODIFICATIONS
- 13 Nov 2019 14008 PROPOSED MODIFICATIONS TO APSE
- 13 Nov 2019 14013 PROPOSED POOL INFILL AND FLOOR WORKS
- 13 Nov 2019 15002 PROPOSED WORKS WITHIN CHAPEL VAULTS
- 13 Nov 2019 16001 PROPOSED OPENINGS IN FIRE RATED WALL
- 13 Nov 2019 17006 KINGS WARD POD BEDROOM
- 13 Nov 2019 2000 EXISTING BASEMENT FLOOR PLAN
- 13 Nov 2019 2001 EXISTING GROUND FLOOR PLAN
- 13 Nov 2019 2002 EXISTING FIRST FLOOR PLAN
- 13 Nov 2019 2003 EXISTING SECOND FLOOR PLAN
- 13 Nov 2019 3000 EXISTING ANNEX PANS AND ELEVATIONS
- 13 Nov 2019 E2001 EXISTING ELEVATION EAST WING WEST WING
- 13 Nov 2019 E2002 EXISTING ELEVATION WEST WING
- 13 Nov 2019 E2003 EXISTING ELEVATION EAST WING
- 13 Nov 2019 1000 SITE LOCATION PLAN

Appendix B

Additional Sectional and Plan Analysis of Relationship with Existing Adjacent Residential Apartments at Parsonage Lane

To assist the inspector's consideration of Reason 2, which relates to preservation of the residential amenity of existing surrounding residents, the following additional Sections and Plans have been prepared:

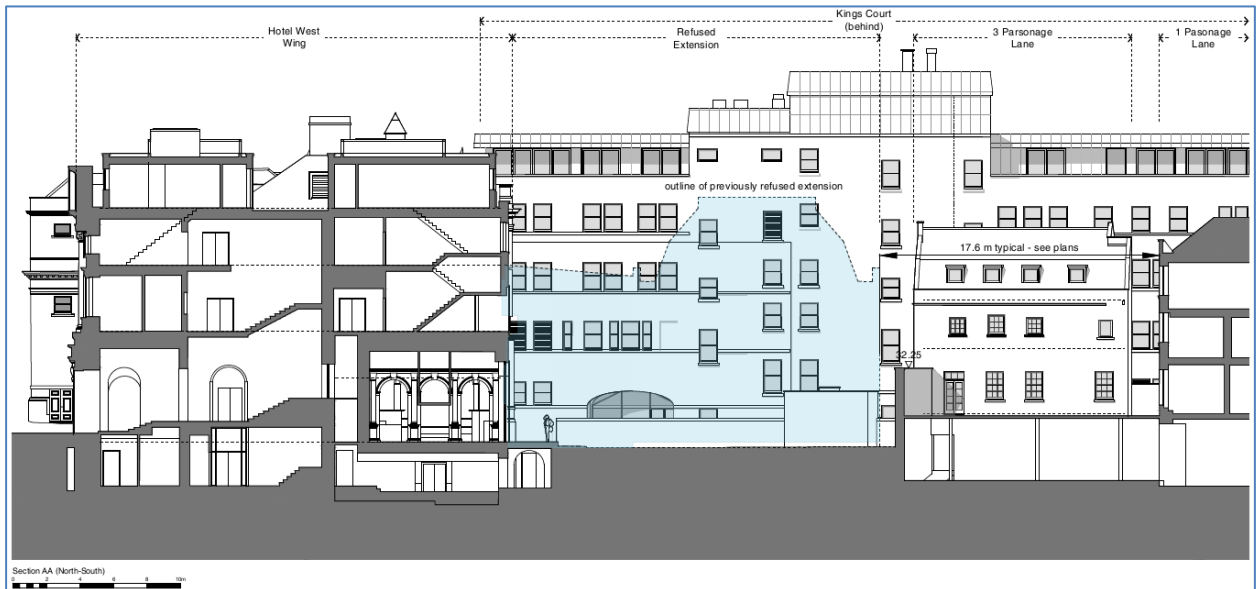


Fig 10. Section A-A North South. The section of the proposed extension is outlined in blue. This gives an appreciation of mass of the proposed extension in context with the existing surrounding buildings.

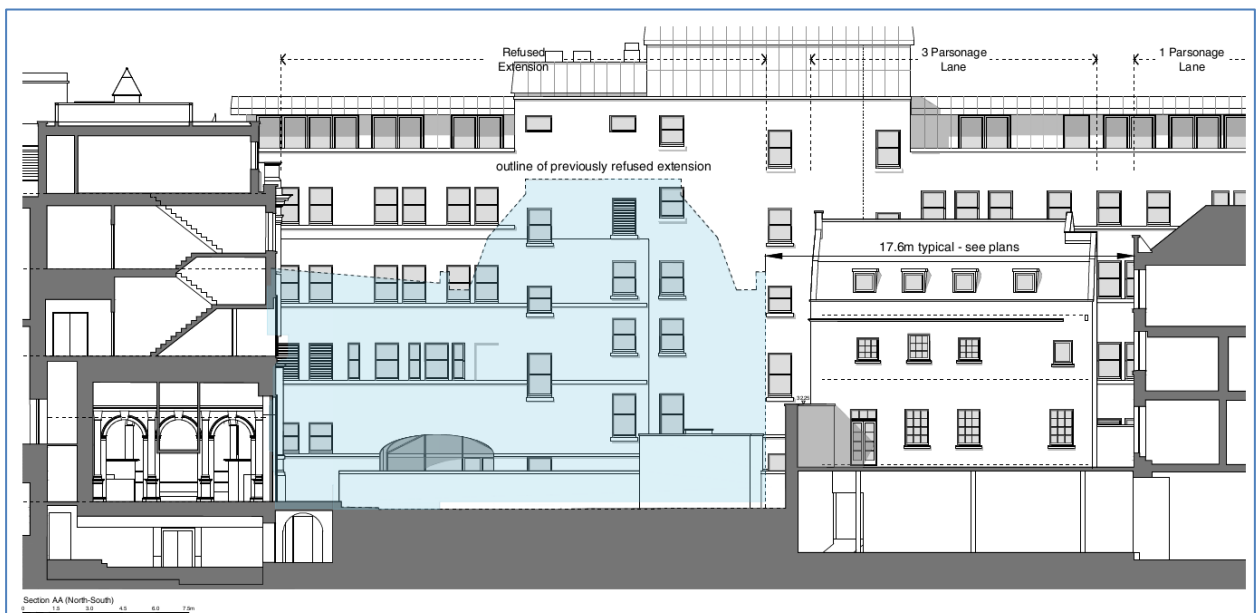


Fig 11. Part Section A-A North South. The proposed extension is outlined in blue. The separation distance between the south elevation of the extension and No. 1 Parsonage Lane is 17.6mm. There is an existing stone wall on the boundary southern boundary of application site with a coping height of 32.25m AOD. The ground level of Nos. 1 and 3 Parsonage Lane is in retail use.



Fig 12. Ground floor Plan. The footprint of the proposed rear extension is colour washed in blue. At this level the adjoining accommodation to the south beneath Nos 1 and 3 Parsonage Lane is in retail use.

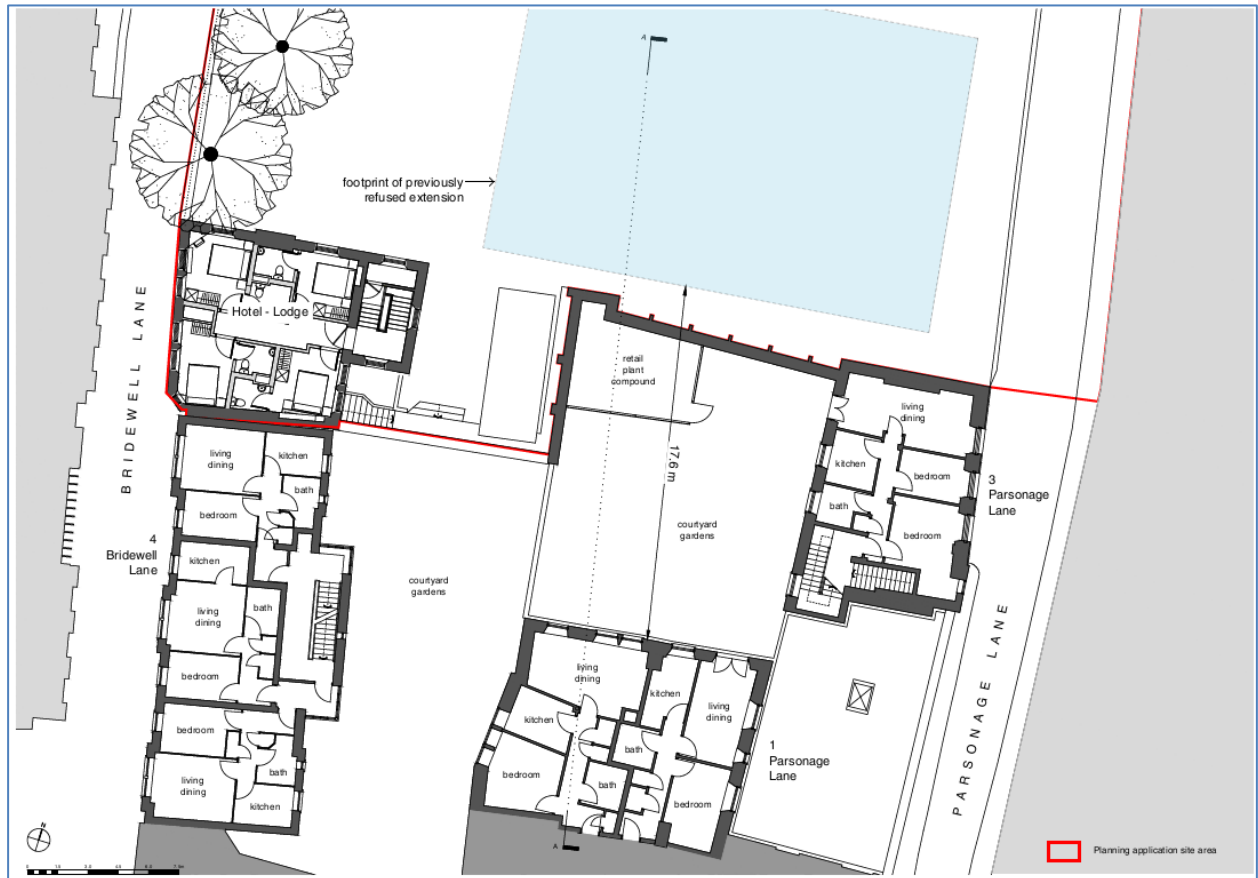


Fig 13. Mezzanine Floor Plan. The footprint of the proposed rear extension is colour washed in blue. The separation distance between the north elevation of No. 1 Parsonage Lane and the south elevation of the proposed extension is 17.6m.

The First Floor of No. 1 Parsonage Lane is divided into two flats east and west respectively. Both flats have a dual aspect facing north towards the stone boundary wall with the proposed rear extension behind the wall. The flats also have a second aspect that will be unaffected by the proposals facing east and west respectively.

The First Floor of No. 3 Parsonage Lane includes a single flat with no north facing aspect. The living room benefits from an east and west facing aspect. There will be an oblique view to the north of the proposed new rear extension from the west facing living room window. The east facing window will be unaffected by the proposals.

The existing flats in Nos. 1 and 3 Parsonage Lane will not be overshadowed or lose any direct sunlight as a result of the proposed extension, which is situated due north.

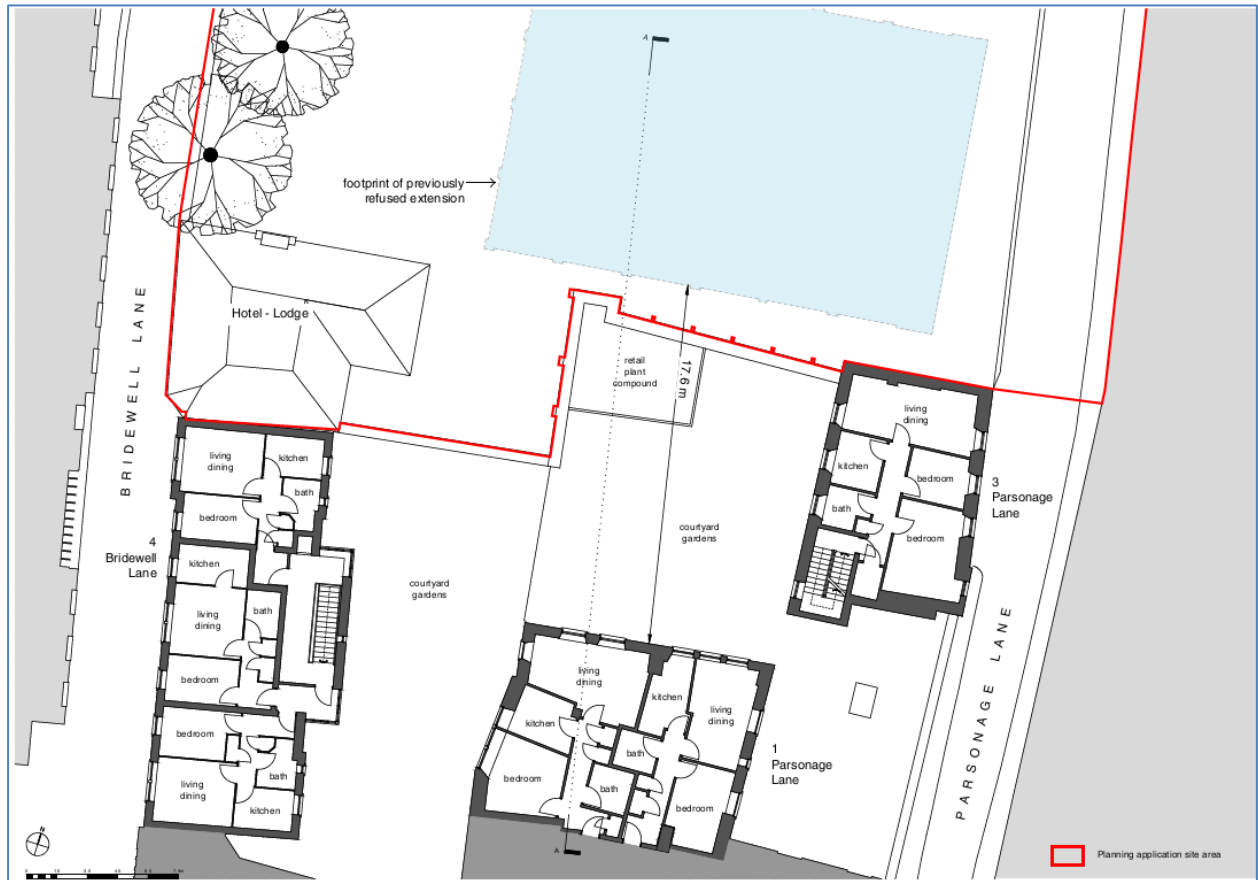


Fig 14. First floor Plan. The footprint of the proposed rear extension is colour washed in blue. The separation distance between the north elevation of No. 1 Parsonage Lane and the south elevation of the proposed extension is 17.6m.

The First Floor of No. 1 Parsonage Lane is divided into two flats east and west respectively. Both flats have a dual aspect facing north towards the stone boundary wall and the proposed rear development beyond. The flats also have a second aspect that will be unaffected by the proposals facing east and west respectively.

The First Floor of No. 3 Parsonage Lane includes a single flat with no north facing aspect. The living room benefits from an east and west facing aspect. There will be an oblique view to the north of the proposed new rear extension from the west facing living room window. The east facing window will be unaffected by the proposals.

The existing flats in Nos. 1 and 3 Parsonage Lane will not be overshadowed or lose any direct sunlight as a result of the proposed extension, which is situated due north.

Appendix C: The Mineral Water Hospital, Bath

NB. Drone Photographs taken in February 2021



Photo 1: Overhead aerial view — the extent of Fragrance UK (Bath) Ltd's ownership is outlined in white.

Appendix C: The Mineral Water Hospital, Bath



Photo 2: oblique aerial photo showing the Mineral Hospital in context with the surrounding existing city centre development

Appendix C: The Mineral Water Hospital, Bath



Photo 3: overhead aerial photo showing Nos. 1 and 3 Parsonage Lane and the existing mineral hospital car park and garden

Appendix C: The Mineral Water Hospital, Bath



Photo 4: oblique aerial photo showing Nos. 1 and 3 Parsonage Lane and the existing mineral hospital car park and garden

Appendix C: The Mineral Water Hospital, Bath



Photo 5: oblique aerial photo showing Nos. 1 and 3 Parsonage Lane in the foreground, with its enclosed courtyard garden. The north west corner of the courtyard includes a compound of condenser units servicing the retail floor space below.



Photo 5: oblique aerial photo showing Nos. 1 and 3 Parsonage Lane in the foreground. The change in levels between the application site and courtyard to Nos. 1 & 3 Parsonage Lane is evident either side of the stone boundary wall.



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Daylight and Sunlight Report Former Mineral Water Hospital, Upper Borough Walls, Bath BA1 1RL

18 March 2021

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APPENDIX 2 DAYLIGHT AND SUNLIGHT RESULTS

APPENDIX 3 OVERSHADOWING TO GARDENS AND OPEN SPACES

1 EXECUTIVE SUMMARY

1.1 Overview

- 1.1.1 Right of Light Consulting has been commissioned by Fragrance UK-Bath Limited to undertake a daylight and sunlight study of the proposed development at Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL.
- 1.1.2 The study is based on the various numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition' by P J Littlefair 2011.
- 1.1.3 The aim of the study is to assess the impact of the development on the light receivable by the neighbouring properties at 1, 2 to 8, 3 Parsonage Lane, and 9 Saw Close.
- 1.1.4 The window key in Appendix 1 identifies the windows analysed in this study. Appendix 2 gives the numerical results of the various daylight and sunlight tests. Where room layouts are not known the daylight distribution test has not been undertaken.
- 1.1.5 2 to 8 Parsonage Lane & 9 Saw Close appear to be non-domestic buildings which in our opinion do not have a requirement for daylight or sunlight. Even though a number of the rooms/windows do not pass the numerical tests, this does not amount to non-compliance with the BRE requirements. Therefore, we have not included these results in the discussion below.
- 1.1.6 The results demonstrate that the proposed development will have a relatively low impact on the light receivable by its neighbouring properties. Non-compliance with the BRE recommendations is limited to the Daylight Distribution test in respect of one room served by windows 84 to 86 at 1 Parsonage Lane. In our opinion, taking into account the overall high level of compliance with the BRE recommendations, this isolated area of non-compliance should not warrant refusal of the application.

2 INFORMATION SOURCES

2.1 Drawings

2.1.1 This report is based on the following drawings:

Solid Point

Topographical Survey	Rev -
Topographical Survey 3D	Rev -

Aaron Evans Architects Ltd

1474 010	Basement Plan as Existing	Rev -
1474 011	Ground Floor Plan as Existing	Rev -
1474 012	Mezzanine Plan as Existing	Rev -
1474 013	First Floor Plan as Existing	Rev -
1474 014	Second Floor Plan as Existing	Rev -
1474 015	Third Floor Plan as Existing	Rev -
1474 016	Roof Plan as Existing	Rev -
1474 SK-053	Parsonage Lane Elevation – Refused Scheme	Rev -
1474 SK-054	Bridewell Lane Elevation – Previously Refused Scheme	Rev -
1474 SK-055	North and South Sectional Elevations – Refused Scheme	Rev -
	Refused Scheme 3D Model	Rev -

2.2 Daylight Distribution Room Layout Information

2.2.1 The daylight distribution test has been applied based on the following room layout information:

Online Local Authority planning records

2 to 8 Parsonage Lane:		
0151	Ground Floor Plan - Proposed	Rev A
4502 - 01	Existing Roof Plan	Rev -

3 METHODOLOGY OF THE STUDY

3.1 Local Planning Policy

3.1.1 We understand that the Local Authority take the conventional approach of considering daylight and sunlight amenity with reference to the various numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition' by P J Littlefair 2011. A new European standard BS EN 17037 'Daylight in Buildings' was published in May 2019. An update to the BRE guide to take into account the European standard is expected sometime in 2021. It is not yet clear, how and to what extent, the European recommendations will be adopted by the BRE and Local Authorities.

3.1.2 The standards set out in the BRE guide are intended to be used flexibly. The BRE guide states:

3.1.3 "The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly, since natural lighting is only one of many factors in site layout design."

3.2 National Planning Policy Framework

3.2.1 The BRE numerical guidelines should be considered in the context of the National Planning Policy Framework (NPPF), which stipulates that local planning authorities should take a flexible approach to daylight and sunlight to ensure the efficient use of land. The NPPF states:

3.2.2 "Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."

3.3 Daylight to Windows

- 3.3.1 Diffuse daylight is the light received from the sun which has been diffused through the sky. Even on a cloudy day, when the sun is not visible, a room will continue to be lit with light from the sky. This is diffuse daylight.
- 3.3.2 Diffuse daylight calculations should be undertaken to all rooms within domestic properties, where daylight is required, including living rooms, kitchens and bedrooms. The BRE guide states that windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. These room types are non-habitable and do not have a requirement for daylight.
- 3.3.3 The BRE guide states that the tests may also be applied to non-domestic buildings where there is a reasonable expectation of daylight. The BRE guide explains that this would normally include schools, hospitals, hotels and hostels, small workshops and some offices. The BRE guide is not explicit in terms of which types of offices it regards as having a requirement for daylight. However, it is widely accepted amongst consultants and local authorities, that for planning purposes, offices (which are commercial in nature) do not have a requirement for daylight. The point is touched on in the 'Daylighting and Sunlighting' guidance note published by the Royal Institution of Chartered Surveyors (RICS), which gives guidance to surveyors on how to produce their reports:
- 3.3.4 "The report should establish the limits of the assessment. For example, existing commercial premises are rarely assessed for loss of amenity."
- 3.3.5 The BRE guide contains two tests which measure diffuse daylight:

Test 1 Vertical Sky Component

- 3.3.6 The Vertical Sky Component is a measure of available skylight at a given point on a vertical plane. Diffuse daylight may be adversely affected if after a development the Vertical Sky Component is both less than 27% and less than 0.8 times its former value.
- 3.3.7 The BRE guide states that the total amount of skylight can be calculated by finding the Vertical Sky Component at the centre of each main window. The BRE guide does not define the term 'main window'. However, in our opinion, where a room has

multiple windows, the largest window is usually taken as the main window and the smaller window(s) as secondary. Although we generally follow the practice of testing all windows, including secondary windows, our interpretation of the BRE guide is that the Vertical Sky Component targets do not apply to secondary windows.

Test 2 Daylight Distribution

- 3.3.8 The distribution of daylight within a room can be calculated by plotting the 'no sky line'. The no sky line is a line which separates areas of the working plane that do and do not have a direct view of the sky. Daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 3.3.9 The BRE guide states that both the total amount of skylight (Vertical Sky Component) and its distribution within the building (Daylight Distribution) are important. The BRE guide states that where room layouts are known, the impact on the daylighting distribution can be found by plotting the 'no sky line' in each of the main rooms. Therefore, we are of the opinion that application of the test is not a requirement of the BRE guide where room layouts are not known. We don't endorse the practice of applying the test based on assumed room layouts, because the test is very sensitive to the size and layout of the room and the results are likely to be misleading. However, we can provide additional daylight distribution data upon request by the local authority, if neighbouring room layout information is confirmed.

3.4 Sunlight availability to Windows

- 3.4.1 The BRE sunlight tests should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. The guide states that kitchens and bedrooms are less important, although care should be taken not to block too much sunlight. The tests should also be applied to non-domestic buildings where there is a particular requirement for sunlight.
- 3.4.2 The test is intended to be applied to main windows which face within 90 degrees of due south. However, the BRE guide explains that if the main window faces within 90 degrees of due north, but a secondary window faces within 90 degrees of due south, sunlight to the secondary window should be checked. For completeness, we have

tested all windows which face within 90 degrees of due south. The BRE guide states that sunlight availability may be adversely affected if the centre of the window:

- receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and
- receives less than 0.8 times its former sunlight hours during either period and
- has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

3.5 Overshadowing to Gardens and Open Spaces

3.5.1 The availability of sunlight should be checked for all open spaces where sunlight is required. This would normally include:

- Gardens, usually the main back garden of a house
- Parks and playing fields
- Children's playgrounds
- Outdoor swimming pools and paddling pools
- Sitting out areas, such as those between non-domestic buildings and in public squares
- Focal points for views such as a group of monuments or fountains.

3.5.2 One way to consider overshadowing is by preparing shadow plots. However, the BRE guide states that it must be borne in mind that nearly all structures will create areas of new shadow, and some degree of transient overshadowing is to be expected. Therefore, shadow plots are of limited use as interpretation of the plots is subjective. Shadow plots have not been undertaken as part of this study.

3.5.3 The BRE guide also contains an objective overshadowing test which has been adopted for the purpose of this study. The guide recommends that at least 50% of the area of each amenity space listed above should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of light is likely to be noticeable.

4 RESULTS OF THE STUDY

4.1 Windows & Amenity Areas Considered

- 4.1.1 The aim of the study is to assess the impact of the development on the light receivable by the neighbouring properties at 1, 2 to 8, 3 Parsonage Lane, and 9 Saw Close.
- 4.1.2 Appendix 1 provides a plan and photographs to indicate the positions of the windows and outdoor amenity areas analysed in this study. Appendix 2 lists the detailed numerical daylight and sunlight test results.
- 4.1.3 2 to 8 Parsonage Lane & 9 Saw Close appear to be non-domestic buildings which in our opinion do not have a requirement for daylight or sunlight. Even though a number of the rooms/windows do not pass the numerical tests, this does not amount to non-compliance with the BRE requirements. Therefore, we have not included these results in the discussion below.

4.2 Daylight to Windows

Vertical Sky Component

- 4.2.1 All windows with a requirement for daylight pass the Vertical Sky Component test.

Daylight Distribution

- 4.2.2 We have undertaken the Daylight Distribution test where room layouts are known. With the exception of the Living/Dining room served by windows 84 to 86 at 1 Parsonage Lane, all rooms which have a requirement for daylight pass the Daylight Distribution test. The room that does not pass the test achieves a before/after ratio of 0.77, which is fairly close to the target of 0.8 stated in the BRE guide. Whilst the BRE guide gives numerical guidelines, the guide states that these should be interpreted flexibly, since natural lighting is only one of many factors in site layout design.

4.3 Sunlight to Windows

- 4.3.1 All windows that face within 90 degrees of due south have been tested for direct sunlight. All windows with a requirement for sunlight pass both the total annual

sunlight hours test and the winter sunlight hours test. The proposed development therefore satisfies the BRE direct sunlight to windows requirements.

4.4 Overshadowing to Gardens and Open Spaces

4.4.1 All gardens and open spaces tested meet the BRE recommendations.

4.5 Conclusion

4.5.1 In summary, the results demonstrate that the proposed development will have a relatively low impact on the light receivable by its neighbouring properties. Non-compliance with the BRE recommendations is limited to the Daylight Distribution test in respect of one room served by windows 84 to 86 at 1 Parsonage Lane. In our opinion, taking into account the overall high level of compliance with the BRE recommendations, this isolated area of non-compliance should not warrant refusal of the application.

5 CLARIFICATIONS

5.1 General

- 5.1.1 The report provided is solely for the use of the client and no liability to anyone else is accepted.
- 5.1.2 The study is limited to assessing daylight, sunlight and overshadowing to neighbouring properties as set out in section 2.2, 3.2 and 3.3 of the BRE Guide.
- 5.1.3 The study has been undertaken following access to the proposed development site. We have not had access to neighbouring properties. The study is based on the information listed in section 2 of this report.
- 5.1.4 This study does not calculate the effects of trees and hedges on daylight, sunlight and overshadowing to gardens. The BRE guide states that it is usual to ignore the effect of existing trees.
- 5.1.5 The impact on solar panels is a material planning consideration. However, the BRE guide does not provide assessment criteria for this. The assessment of impact on any neighbouring solar panels is therefore beyond the scope of this report.
- 5.1.6 We have undertaken the study following the guidelines of the RICS publication "Surveying Safely". Where limited access or information is available, assumptions will have been made which may affect the conclusions reached in this report. For example, where neighbouring room uses are not known, we will either make an assumption regarding the use, or take the prudent approach of treating the use of the room as being used for domestic purposes. Therefore, the report may need to be updated if room uses are confirmed by the local authority or by the consultation responses.
- 5.1.7 This report is based upon and subject to the scope of work set out in Right of Light Consulting's quotation and standard terms and conditions.

APPENDICES

APPENDIX 1

WINDOW & GARDEN KEY



Upper Borough Walls

Bridewell Lane

Parsonage Lane

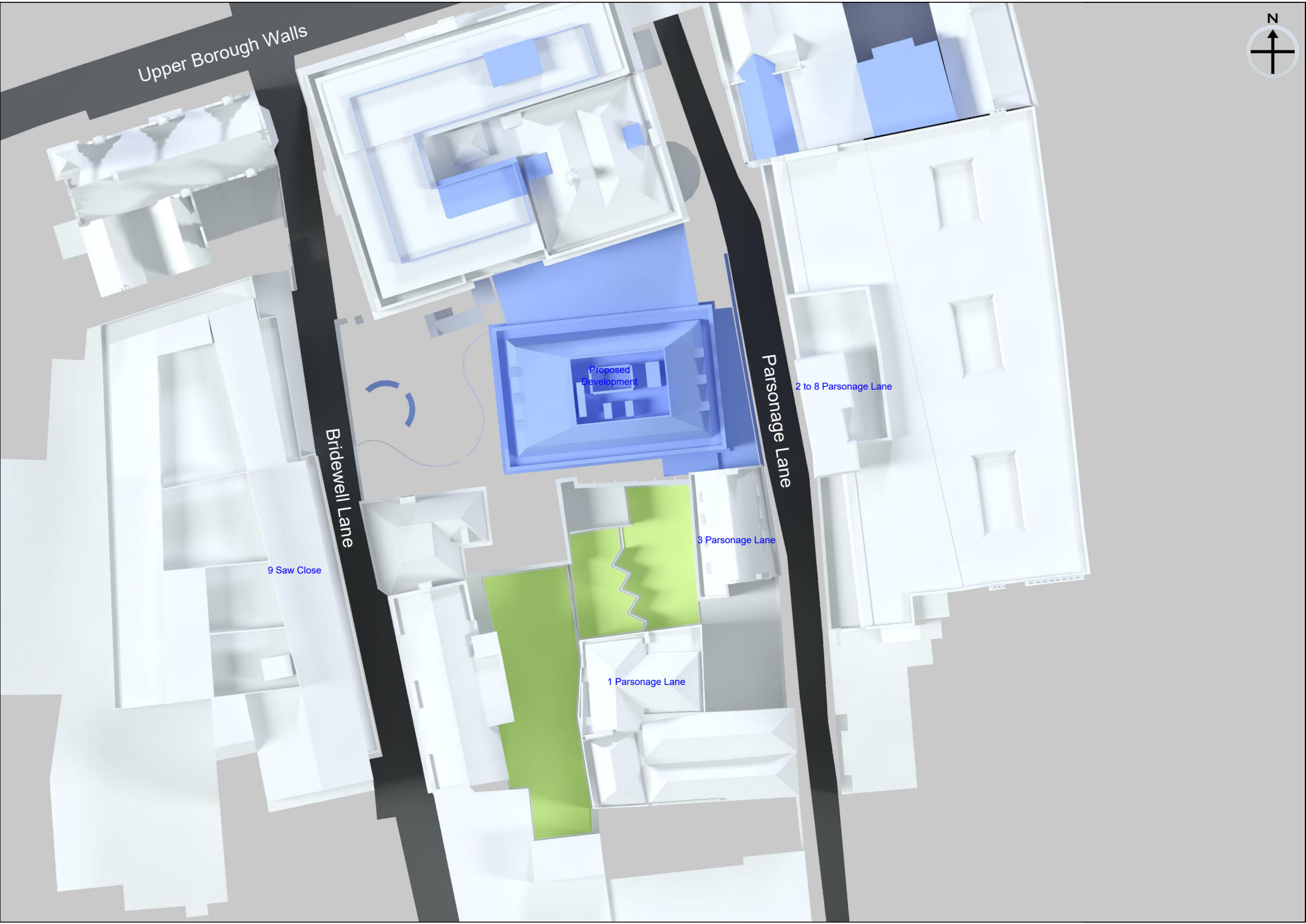
Proposed Development

2 to 8 Parsonage Lane

3 Parsonage Lane

1 Parsonage Lane

9 Saw Close





9 Saw Close

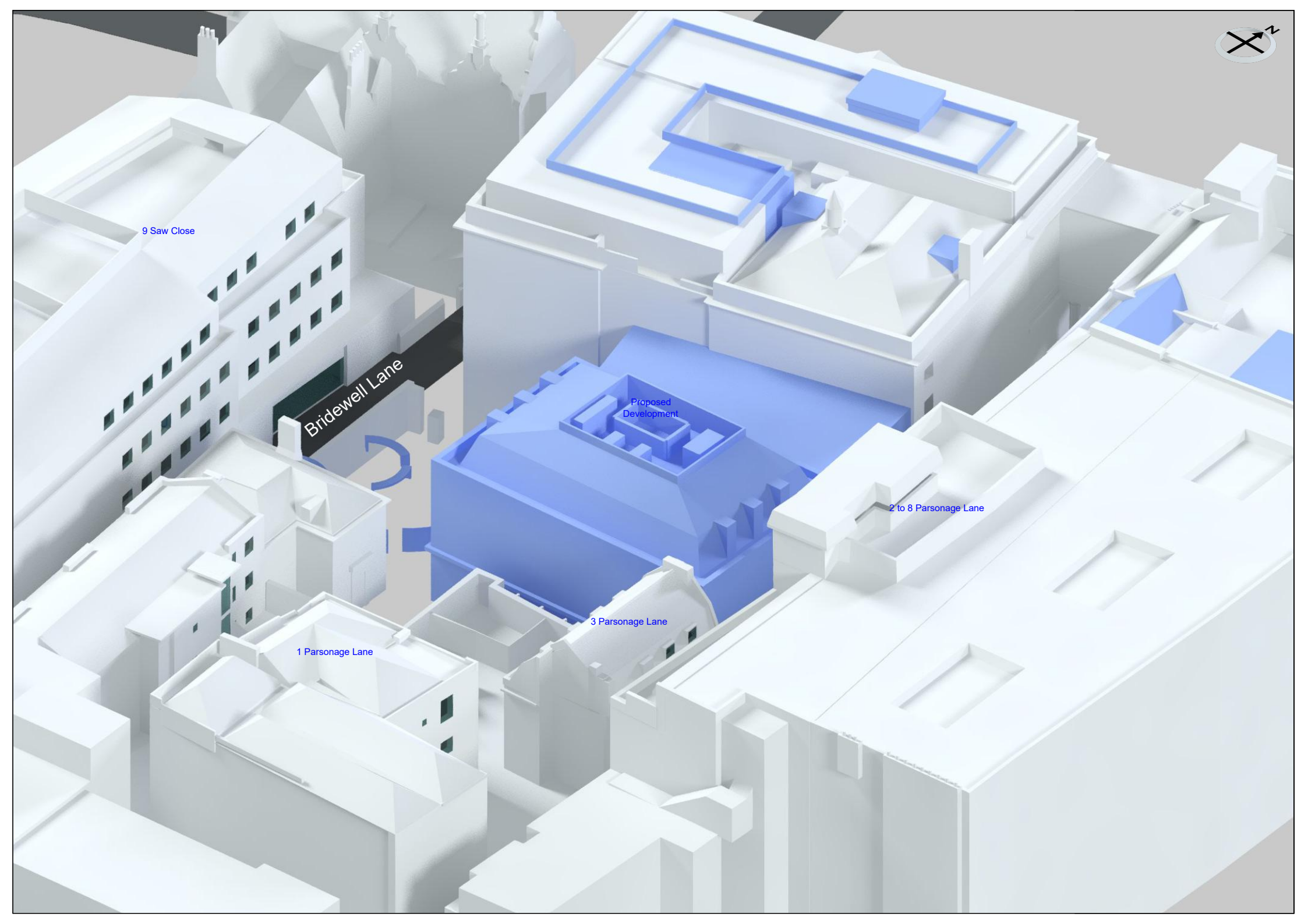
Bridewell Lane

Proposed
Development

2 to 8 Parsonage Lane

3 Parsonage Lane

1 Parsonage Lane





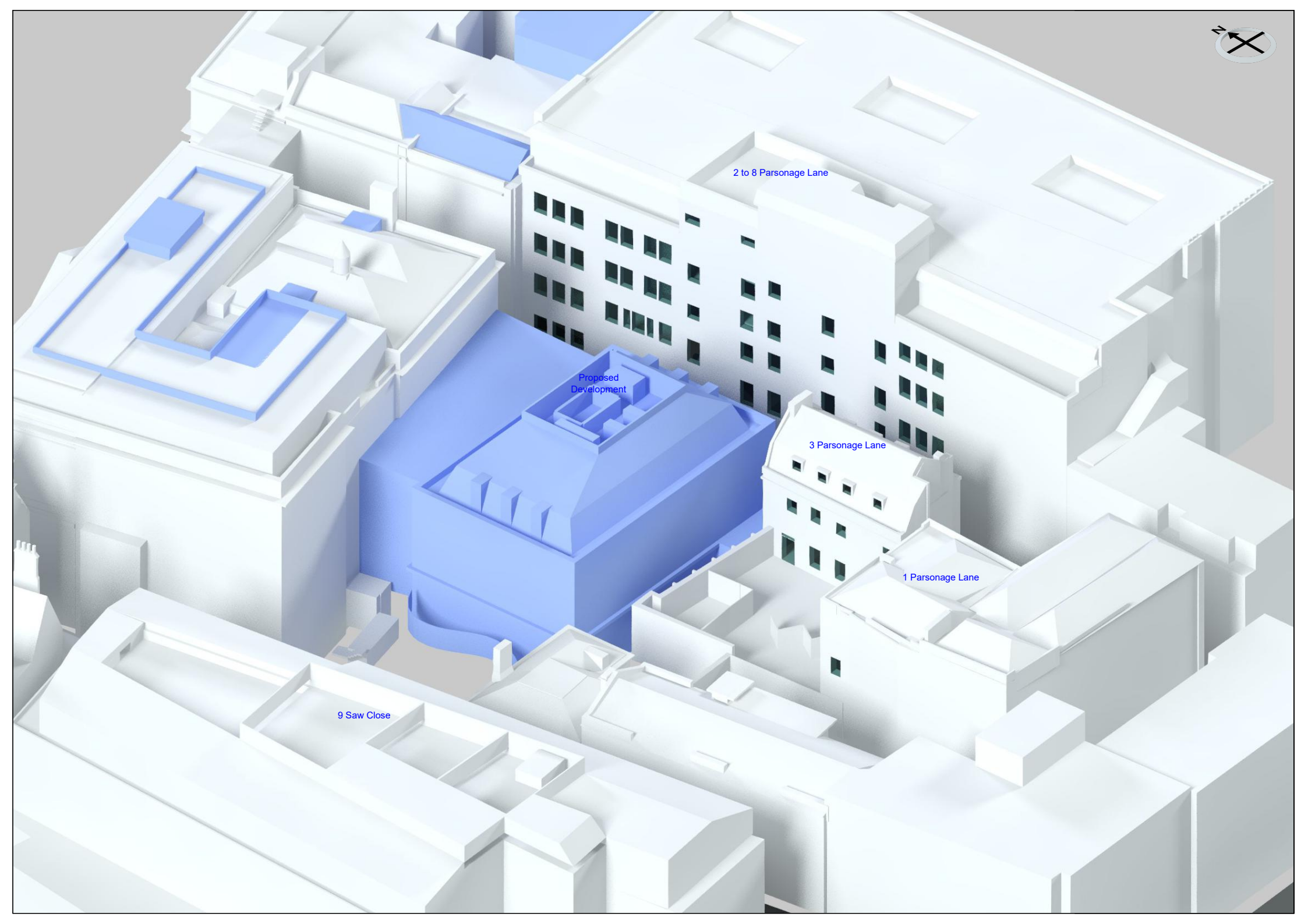
2 to 8 Parsonage Lane

Proposed
Development

3 Parsonage Lane

1 Parsonage Lane

9 Saw Close





9 Saw Close

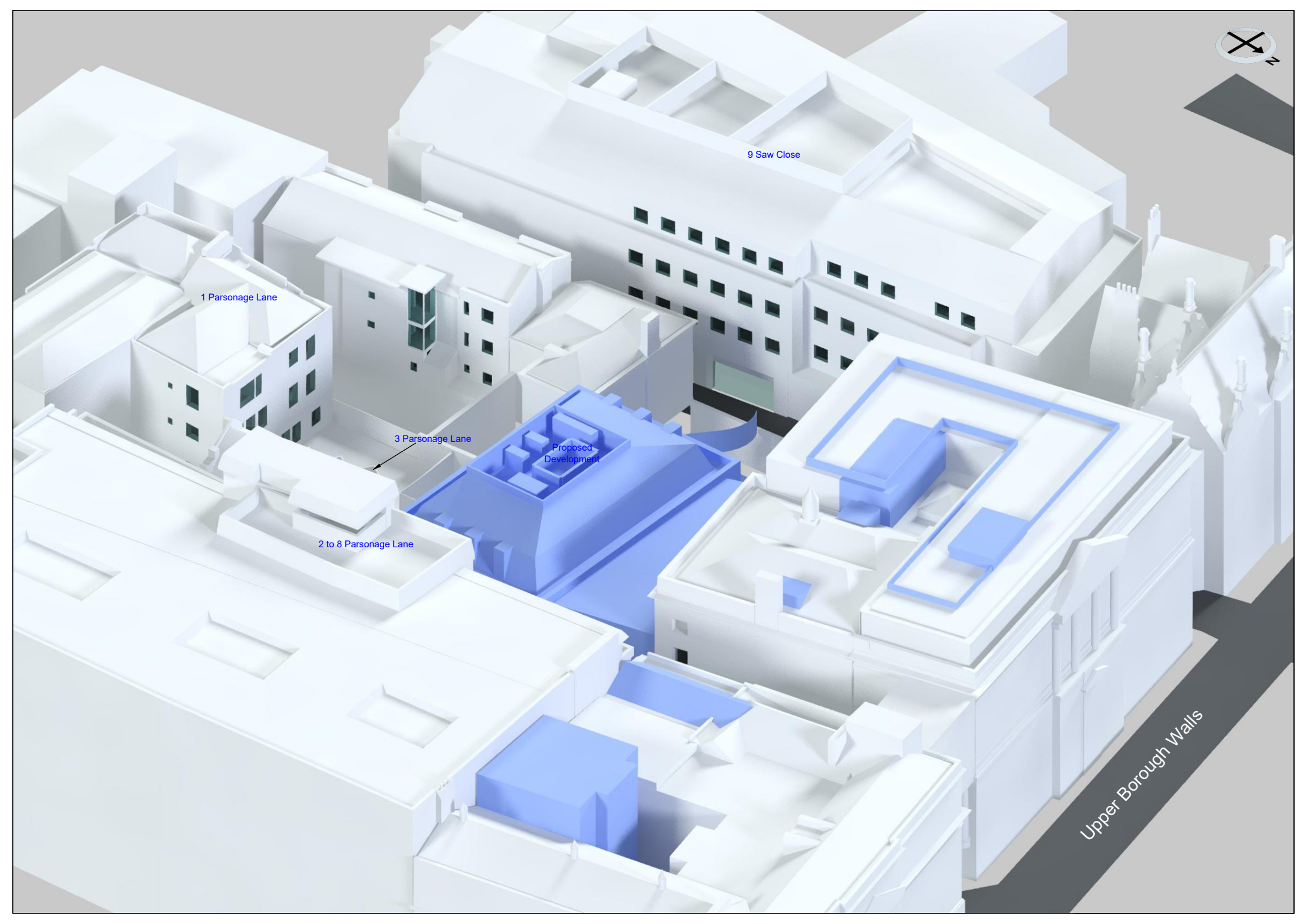
1 Parsonage Lane

3 Parsonage Lane

Proposed Development

2 to 8 Parsonage Lane

Upper Borough Walls





2 to 8 Parsonage Lane

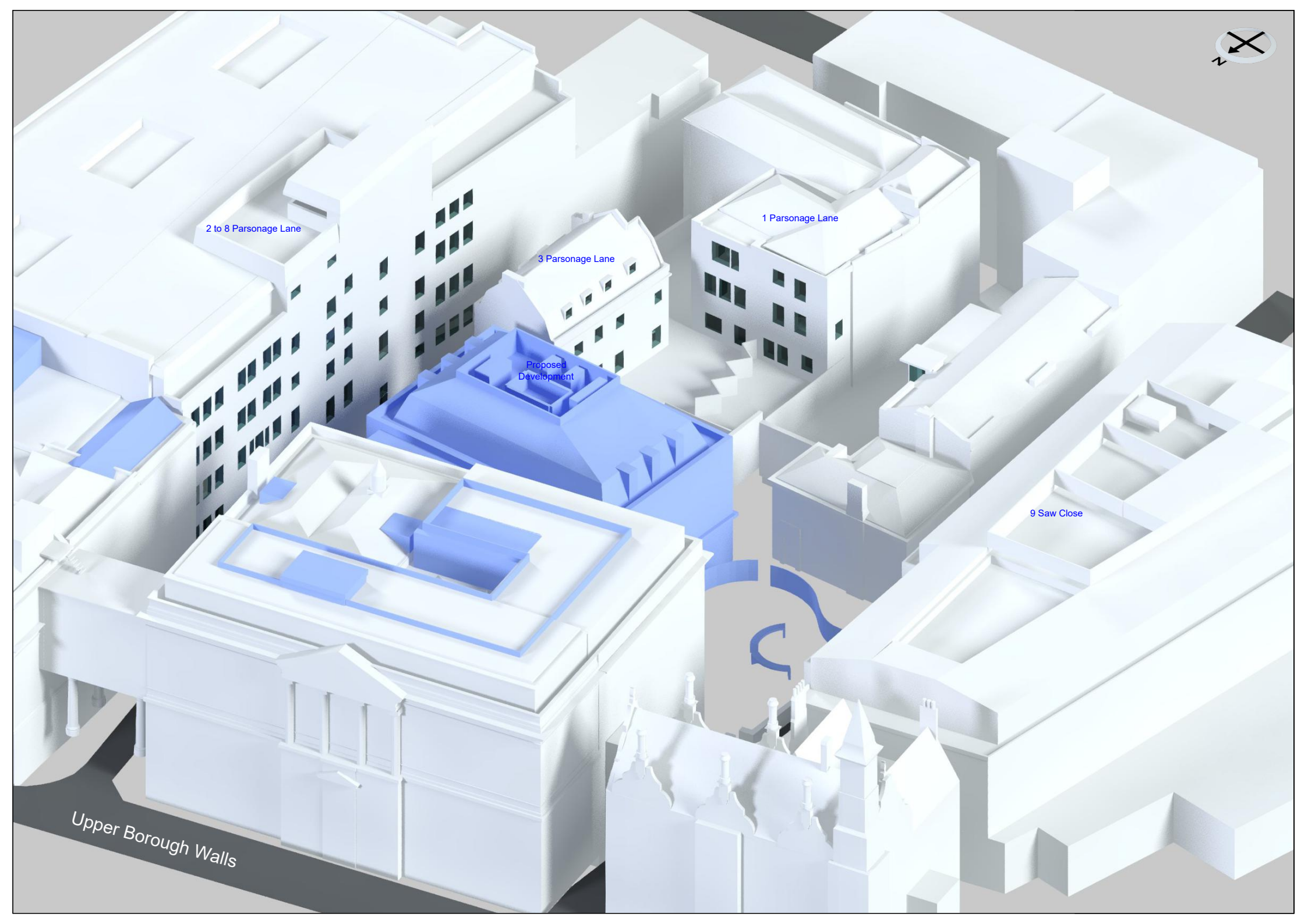
3 Parsonage Lane

1 Parsonage Lane

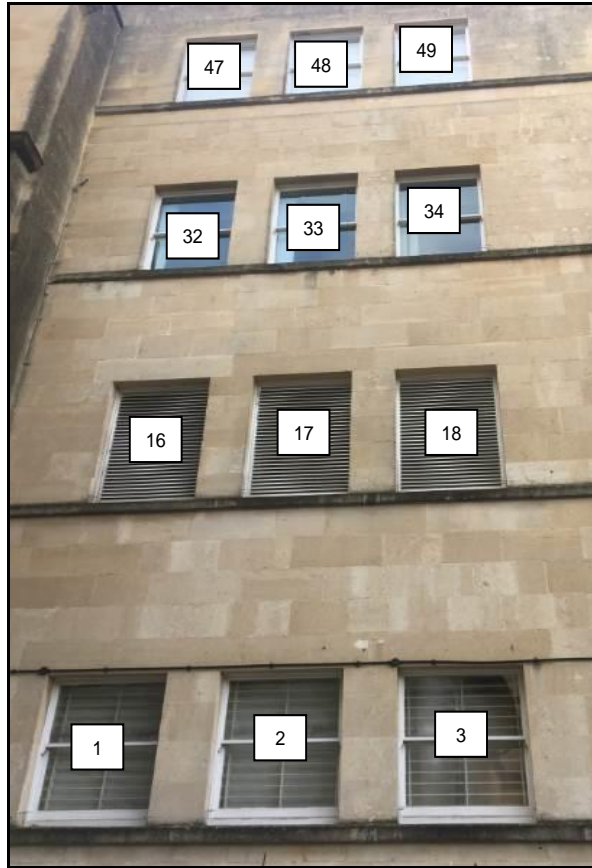
Proposed
Development

9 Saw Close

Upper Borough Walls



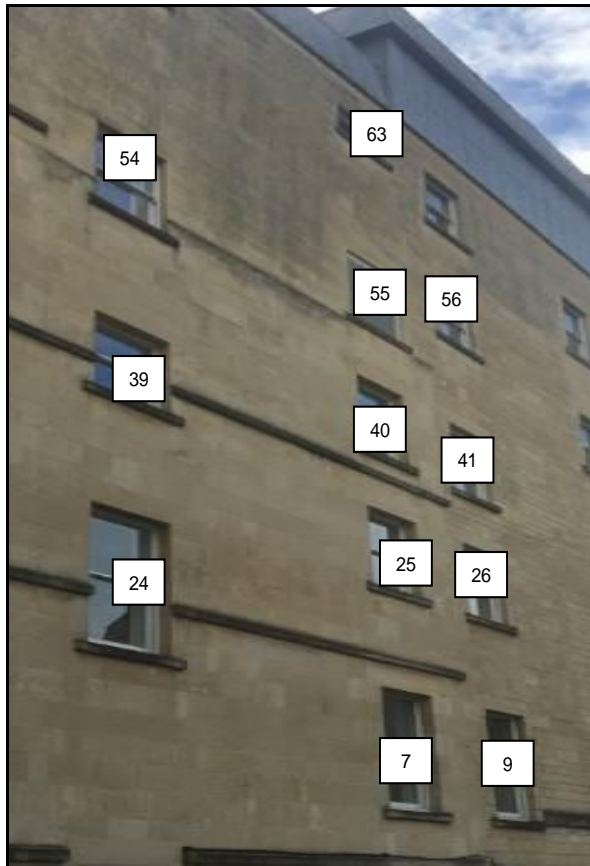
Neighbouring Windows



2 to 8 Parsonage Lane



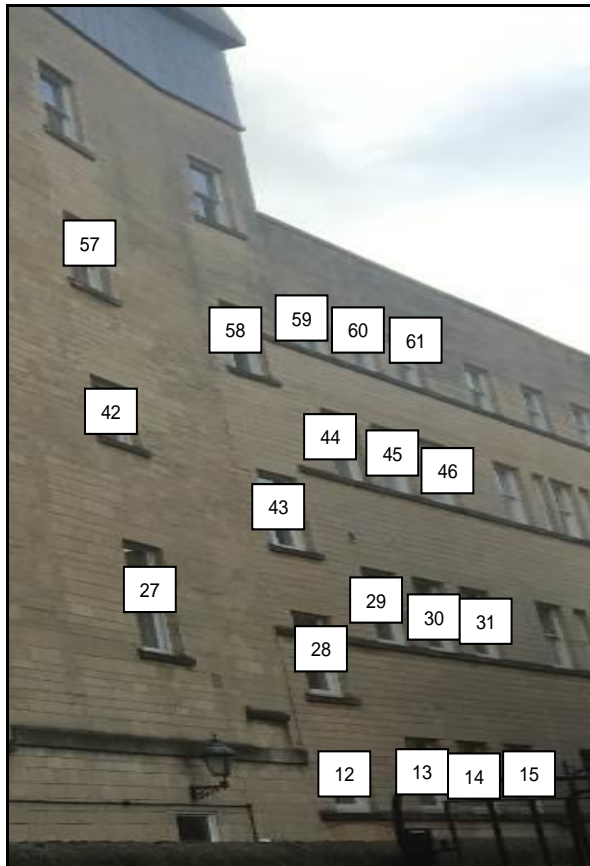
2 to 8 Parsonage Lane



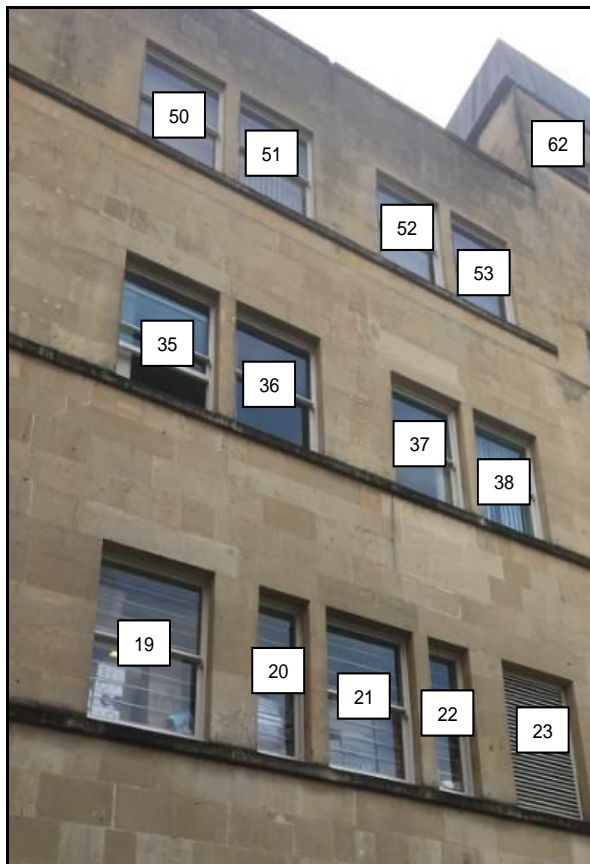
2 to 8 Parsonage Lane



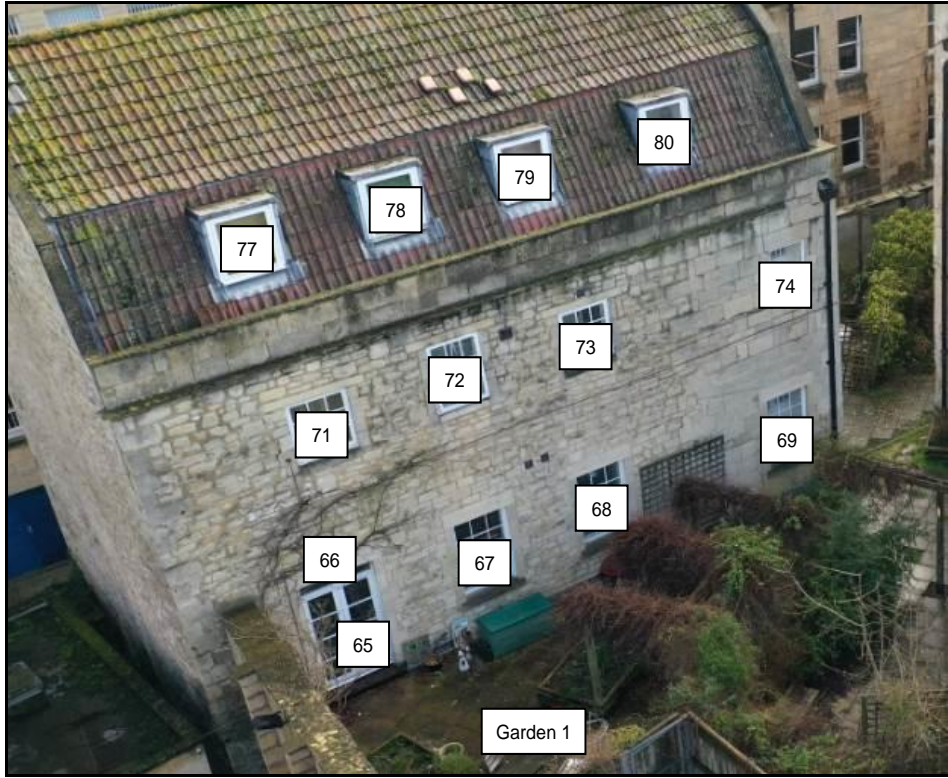
2 to 8 Parsonage Lane



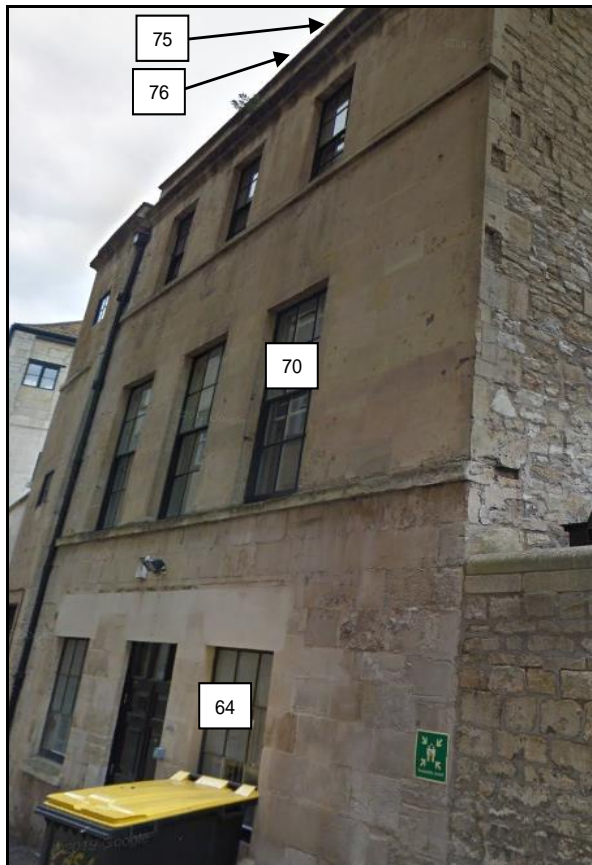
2 to 8 Parsonage Lane



2 to 8 Parsonage Lane



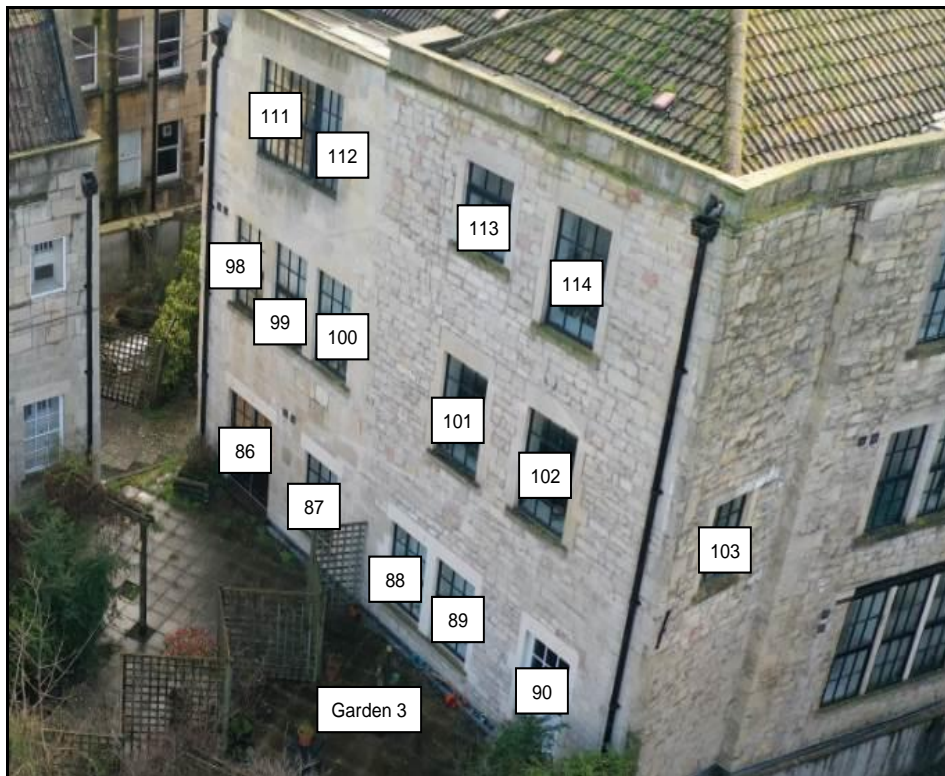
3 Parsonage Lane



3 Parsonage Lane



1 Parsonage Lane



1 Parsonage Lane



1 Parsonage Lane



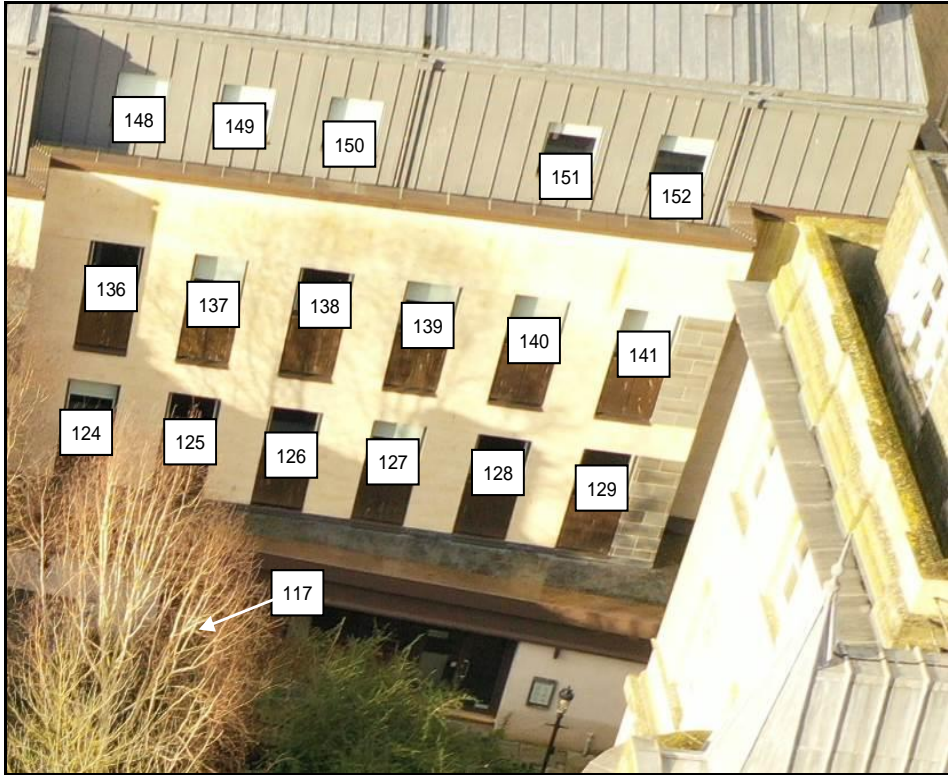
1 Parsonage Lane



9 Saw Close



9 Saw Close



9 Saw Close

APPENDIX 2

DAYLIGHT AND SUNLIGHT RESULTS

Appendix 2 - Vertical Sky Component

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Vertical Sky Component			
		Before	After	Loss	Ratio
<u>2 to 8 Parsonage Lane</u>					
<u>Ground Floor</u>					
Window 1	Non Domestic	16.3%	11.3%	5.0%	0.69
Window 2	Non Domestic	18.9%	13.1%	5.8%	0.69
Window 3	Non Domestic	20.5%	14.1%	6.4%	0.69
Window 4	Reception/Lobby	5.8%	0.0%	5.8%	0.0
Window 5	Reception/Lobby	1.2%	0.0%	1.2%	0.0
Window 6	Reception/Lobby	0.0%	0.0%	0.0%	1.0
Window 7	Reception/Lobby & Staircase	28.3%	18.2%	10.1%	0.64
Window 8	Office	24.6%	12.5%	12.1%	0.51
Window 9	Staircase & Non Domestic	27.9%	18.3%	9.6%	0.66
Window 10	Non Domestic & Staircase	19.6%	11.6%	8.0%	0.59
Window 11	Staircase & Non Domestic	22.5%	13.9%	8.6%	0.62
Window 12	Non Domestic & Staircase	19.8%	15.1%	4.7%	0.76
Window 13	Non Domestic & Staircase	14.9%	12.9%	2.0%	0.87
Window 14	Staircase & Non Domestic	13.1%	12.2%	0.9%	0.93
Window 15	Staircase	12.2%	11.8%	0.4%	0.97
<u>First Floor</u>					
Window 16	Staircase & Non Domestic	19.7%	17.0%	2.7%	0.86
Window 17	Non Domestic	22.6%	19.6%	3.0%	0.87
Window 18	Non Domestic	24.3%	21.0%	3.3%	0.86
Window 19	Non Domestic	26.7%	22.8%	3.9%	0.85
Window 20	Non Domestic	27.6%	23.4%	4.2%	0.85
Window 21	Non Domestic	28.2%	23.8%	4.4%	0.84
Window 22	Non Domestic	28.8%	24.0%	4.8%	0.83
Window 23	Non Domestic	29.4%	24.1%	5.3%	0.82
Window 24	Non Domestic	29.6%	22.5%	7.1%	0.76
Window 25	Non Domestic	32.3%	26.7%	5.6%	0.83
Window 26	Non Domestic	32.2%	26.9%	5.3%	0.84
Window 27	Non Domestic	28.0%	22.5%	5.5%	0.8
Window 28	Non Domestic	23.8%	20.6%	3.2%	0.87
Window 29	Non Domestic	22.7%	21.5%	1.2%	0.95
Window 30	Non Domestic	21.5%	21.1%	0.4%	0.98

Appendix 2 - Vertical Sky Component

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Vertical Sky Component			
		Before	After	Loss	Ratio
Window 31	Non Domestic	21.0%	20.8%	0.2%	0.99
<u>Second Floor</u>					
Window 32	Non Domestic	25.0%	24.2%	0.8%	0.97
Window 33	Non Domestic	28.0%	27.4%	0.6%	0.98
Window 34	Non Domestic	29.6%	28.9%	0.7%	0.98
Window 35	Non Domestic	31.6%	30.4%	1.2%	0.96
Window 36	Non Domestic	32.2%	30.9%	1.3%	0.96
Window 37	Non Domestic	33.1%	31.4%	1.7%	0.95
Window 38	Non Domestic	33.6%	31.7%	1.9%	0.94
Window 39	Non Domestic	33.5%	30.5%	3.0%	0.91
Window 40	Non Domestic	35.4%	32.7%	2.7%	0.92
Window 41	Non Domestic	35.4%	33.0%	2.4%	0.93
Window 42	Non Domestic	33.3%	31.2%	2.1%	0.94
Window 43	Non Domestic	29.5%	27.9%	1.6%	0.95
Window 44	Non Domestic	32.5%	31.9%	0.6%	0.98
Window 45	Non Domestic	32.1%	31.8%	0.3%	0.99
Window 46	Non Domestic	32.0%	31.8%	0.2%	0.99
<u>Third Floor</u>					
Window 47	Non Domestic	33.0%	32.9%	0.1%	1.0
Window 48	Non Domestic	35.0%	35.0%	0.0%	1.0
Window 49	Non Domestic	35.7%	35.8%	-0.1%	1.0
Window 50	Non Domestic	36.5%	36.5%	0.0%	1.0
Window 51	Non Domestic	36.8%	36.7%	0.1%	1.0
Window 52	Non Domestic	37.2%	37.0%	0.2%	0.99
Window 53	Non Domestic	37.3%	37.1%	0.2%	0.99
Window 54	Non Domestic	37.0%	36.3%	0.7%	0.98
Window 55	Non Domestic	37.8%	37.2%	0.6%	0.98
Window 56	Non Domestic	38.4%	38.2%	0.2%	0.99
Window 57	Non Domestic	37.7%	37.2%	0.5%	0.99
Window 58	Non Domestic	37.3%	36.9%	0.4%	0.99
Window 59	Non Domestic	38.4%	38.3%	0.1%	1.0

Appendix 2 - Vertical Sky Component

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Vertical Sky Component			
		Before	After	Loss	Ratio
Window 60	Non Domestic	38.5%	38.4%	0.1%	1.0
Window 61	Non Domestic	38.5%	38.5%	0.0%	1.0
Window 62	Non Domestic	39.4%	39.3%	0.1%	1.0
Window 63	Non Domestic	39.4%	39.3%	0.1%	1.0
3 Parsonage Lane					
<u>Mezzanine Floor</u>					
Window 64	Living/Dining	3.0%	3.0%	0.0%	1.0
Window 65	Living/Dining	28.9%	23.3%	5.6%	0.81
Window 66	Living/Dining	30.1%	24.4%	5.7%	0.81
Window 67	Kitchen	28.8%	25.0%	3.8%	0.87
Window 68	Bathroom/WC	27.7%	25.1%	2.6%	0.91
Window 69	Landing & Staircase	23.3%	22.2%	1.1%	0.95
<u>First Floor</u>					
Window 70	Living/Dining	5.2%	5.2%	0.0%	1.0
Window 71	Living/Dining	32.8%	29.3%	3.5%	0.89
Window 72	Kitchen	32.7%	30.6%	2.1%	0.94
Window 73	Bathroom/WC	31.9%	30.6%	1.3%	0.96
Window 74	Landing & Staircase	27.6%	27.1%	0.5%	0.98
Window 80	Staircase & Landing	35.0%	34.8%	0.2%	0.99
<u>Second Floor</u>					
Window 75	Living/Dining	11.9%	11.9%	0.0%	1.0
Window 76	Living/Dining	10.8%	10.8%	0.0%	1.0
Window 77	Living/Dining	36.0%	34.4%	1.6%	0.96
Window 78	Kitchen	35.9%	35.0%	0.9%	0.97
Window 79	Bathroom/WC	35.6%	35.1%	0.5%	0.99
1 Parsonage Lane					
<u>Ground Floor</u>					
Window 81	Landing & Staircase	19.6%	18.6%	1.0%	0.95
Window 82	Bathroom/WC	20.6%	19.4%	1.2%	0.94
Window 83	Kitchen	20.6%	20.5%	0.1%	1.0

Appendix 2 - Vertical Sky Component

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Vertical Sky Component			
		Before	After	Loss	Ratio
Window 91	Staircase & Landing	18.9%	18.4%	0.5%	0.97
<u>Mezzanine Floor</u>					
Window 84	Living/Dining	13.4%	13.4%	0.0%	1.0
Window 85	Living/Dining	14.4%	14.4%	0.0%	1.0
Window 86	Living/Dining	21.8%	19.6%	2.2%	0.9
Window 87	Kitchen	25.1%	22.6%	2.5%	0.9
Window 88	Living/Dining	27.1%	24.6%	2.5%	0.91
Window 89	Living/Dining	27.4%	25.0%	2.4%	0.91
Window 90	Living/Dining	27.8%	25.6%	2.2%	0.92
Window 92	Landing & Staircase	23.0%	22.3%	0.7%	0.97
Window 93	Landing & Staircase	17.1%	16.2%	0.9%	0.95
Window 94	Bathroom/WC	24.7%	23.9%	0.8%	0.97
Window 95	Kitchen	26.2%	25.2%	1.0%	0.96
Window 104	Staircase & Landing	22.8%	22.5%	0.3%	0.99
Window 105	Staircase & Landing	25.5%	25.1%	0.4%	0.98
Window 106	Staircase & Landing	22.1%	21.7%	0.4%	0.98
<u>First Floor</u>					
Window 96	Living/Dining	20.1%	20.1%	0.0%	1.0
Window 97	Living/Dining	21.8%	21.8%	0.0%	1.0
Window 98	Living/Dining	27.4%	26.2%	1.2%	0.96
Window 99	Living/Dining	29.1%	27.8%	1.3%	0.96
Window 100	Kitchen	29.8%	28.4%	1.4%	0.95
Window 101	Living/Dining	30.7%	29.5%	1.2%	0.96
Window 102	Living/Dining	31.1%	29.8%	1.3%	0.96
Window 103	Living/Dining	31.1%	31.1%	0.0%	1.0
Window 107	Bathroom/WC	28.5%	28.1%	0.4%	0.99
Window 108	Kitchen	30.2%	29.6%	0.6%	0.98
<u>Second Floor</u>					
Window 109	Living/Dining	28.4%	28.4%	0.0%	1.0
Window 110	Living/Dining	29.1%	29.1%	0.0%	1.0

Appendix 2 - Vertical Sky Component

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Vertical Sky Component			
		Before	After	Loss	Ratio
Window 111	Living/Dining	32.4%	32.0%	0.4%	0.99
Window 112	Kitchen	32.7%	32.3%	0.4%	0.99
Window 113	Living/Dining	33.6%	33.1%	0.5%	0.99
Window 114	Living/Dining	33.6%	33.1%	0.5%	0.99
<u>9 Saw Close</u>					
<u>Ground Floor</u>					
Window 115	Non Domestic	2.9%	2.9%	0.0%	1.0
Window 116	Non Domestic	12.1%	10.9%	1.2%	0.9
Window 117	Non Domestic	18.0%	17.2%	0.8%	0.96
<u>First Floor</u>					
Window 118	Non Domestic	17.2%	17.2%	0.0%	1.0
Window 119	Non Domestic	18.0%	18.0%	0.0%	1.0
Window 120	Non Domestic	18.9%	19.0%	-0.1%	1.01
Window 121	Non Domestic	22.4%	22.0%	0.4%	0.98
Window 122	Non Domestic	24.8%	24.5%	0.3%	0.99
Window 123	Non Domestic	26.2%	26.0%	0.2%	0.99
Window 124	Non Domestic	22.3%	22.3%	0.0%	1.0
Window 125	Non Domestic	25.1%	25.3%	-0.2%	1.01
Window 126	Non Domestic	24.9%	25.2%	-0.3%	1.01
Window 127	Non Domestic	23.8%	24.2%	-0.4%	1.02
Window 128	Non Domestic	22.3%	22.8%	-0.5%	1.02
Window 129	Non Domestic	20.5%	20.6%	-0.1%	1.0
<u>Second Floor</u>					
Window 130	Non Domestic	30.7%	30.6%	0.1%	1.0
Window 131	Non Domestic	31.3%	31.3%	0.0%	1.0
Window 132	Non Domestic	31.6%	31.6%	0.0%	1.0
Window 133	Non Domestic	31.7%	31.7%	0.0%	1.0
Window 134	Non Domestic	31.4%	31.5%	-0.1%	1.0
Window 135	Non Domestic	30.9%	31.1%	-0.2%	1.01
Window 136	Non Domestic	26.2%	26.5%	-0.3%	1.01
Window 137	Non Domestic	29.3%	29.7%	-0.4%	1.01

Appendix 2 - Vertical Sky Component

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Vertical Sky Component			
		Before	After	Loss	Ratio
Window 138	Non Domestic	28.8%	29.3%	-0.5%	1.02
Window 139	Non Domestic	27.7%	28.2%	-0.5%	1.02
Window 140	Non Domestic	26.1%	26.6%	-0.5%	1.02
Window 141	Non Domestic	24.2%	24.5%	-0.3%	1.01
<u>Third Floor</u>					
Window 142	Non Domestic	35.2%	35.2%	0.0%	1.0
Window 143	Non Domestic	35.1%	35.1%	0.0%	1.0
Window 144	Non Domestic	34.9%	35.0%	-0.1%	1.0
Window 145	Non Domestic	34.7%	34.8%	-0.1%	1.0
Window 146	Non Domestic	34.4%	34.6%	-0.2%	1.01
Window 147	Non Domestic	34.1%	34.3%	-0.2%	1.01
Window 148	Non Domestic	31.2%	31.4%	-0.2%	1.01
Window 149	Non Domestic	32.9%	33.1%	-0.2%	1.01
Window 150	Non Domestic	32.6%	32.8%	-0.2%	1.01
Window 151	Non Domestic	31.0%	31.2%	-0.2%	1.01
Window 152	Non Domestic	29.9%	30.0%	-0.1%	1.0

Appendix 2 - Daylight Distribution

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Daylight Distribution			
		Before	After	Loss	Ratio
<u>2 to 8 Parsonage Lane</u>					
<u>Ground Floor</u>					
Windows 1 to 3	Non Domestic	72%	42%	30.0%	0.58
Windows 4 to 7	Reception/Lobby	72%	22%	50.0%	0.31
Window 8	Office	97%	60%	37.0%	0.62
Window 9	Non Domestic	95%	62%	33.0%	0.65
Windows 10 & 11	Non Domestic	79%	54%	25.0%	0.68
Window 12	Non Domestic	47%	44%	3.0%	0.94
Windows 13 to 15	Non Domestic	66%	34%	32.0%	0.52
Window 7	Staircase	58%	58%	0.0%	1.0
<u>3 Parsonage Lane</u>					
<u>Mezzanine Floor</u>					
Windows 64 to 66	Living/Dining	81%	80%	1.0%	0.99
Window 67	Kitchen	94%	94%	0.0%	1.0
Window 68	Bathroom/WC	97%	97%	0.0%	1.0
Window 69	Landing	0.0%	0.0%	0.0%	1.0
<u>First Floor</u>					
Windows 70 & 71	Living/Dining	93%	93%	0.0%	1.0
Window 72	Kitchen	84%	84%	0.0%	1.0
Window 73	Bathroom/WC	81%	81%	0.0%	1.0
Window 74	Landing	0.0%	0.0%	0.0%	1.0
Window 74 & 80	Staircase	64%	64%	0.0%	1.0
<u>Second Floor</u>					
Windows 75 to 77	Living/Dining	94%	94%	0.0%	1.0
Window 78	Kitchen	88%	88%	0.0%	1.0
Window 79	Bathroom/WC	82%	82%	0.0%	1.0
Window 80	Landing	77%	77%	0.0%	1.0

Appendix 2 - Daylight Distribution

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Daylight Distribution			
		Before	After	Loss	Ratio
<u>1 Parsonage Lane</u>					
<u>Ground Floor</u>					
Window 81	Landing	17%	16%	1.0%	0.94
Window 82	Bathroom/WC	70%	70%	0.0%	1.0
Window 83	Kitchen	82%	82%	0.0%	1.0
<u>Mezzanine Floor</u>					
Windows 84 to 86	Living/Dining	97%	75%	22.0%	0.77
Window 87	Kitchen	98%	91%	7.0%	0.93
Windows 88 to 90	Living/Dining	97%	97%	0.0%	1.0
Windows 91 to 93	Landing	48%	43%	5.0%	0.9
Window 94	Bathroom/WC	69%	69%	0.0%	1.0
Window 95	Kitchen	79%	79%	0.0%	1.0
<u>First Floor</u>					
Windows 96 to 99	Living/Dining	99%	99%	0.0%	1.0
Window 100	Kitchen	97%	97%	0.0%	1.0
Windows 101 to 103	Living/Dining	99%	99%	0.0%	1.0
Windows 104 to 106	Landing	76%	76%	0.0%	1.0
Window 107	Bathroom/WC	75%	75%	0.0%	1.0
Window 108	Kitchen	97%	97%	0.0%	1.0
<u>Second Floor</u>					
Windows 109 to 111	Living/Dining	99%	99%	0.0%	1.0
Window 112	Kitchen	94%	94%	0.0%	1.0
Windows 113 & 114	Living/Dining	92%	92%	0.0%	1.0

Appendix 2 - Sunlight to Windows

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Sunlight to Windows								
		Total Sunlight Hours				Winter Sunlight Hours				
		Before	After	Loss	Ratio	Before	After	Loss	Ratio	
<u>2 to 8 Parsonage Lane</u>										
<u>Ground Floor</u>										
Window 1	Non Domestic	35%	25%	10%	0.71	14%	7%	7%	0.5	
Window 2	Non Domestic	35%	26%	9%	0.74	13%	7%	6%	0.54	
Window 3	Non Domestic	38%	28%	10%	0.74	13%	7%	6%	0.54	
Window 4	Reception/Lobby	9%	0%	9%	0.0	5%	0%	5%	0.0	
Window 5	Reception/Lobby	2%	0%	2%	0.0	1%	0%	1%	0.0	
Window 6	Reception/Lobby	0%	0%	0%	1.0	0%	0%	0%	1.0	
Window 7	Reception/Lobby & Staircase	39%	25%	14%	0.64	8%	4%	4%	0.5	
Window 8	Office	37%	19%	18%	0.51	8%	4%	4%	0.5	
Window 9	Non Domestic	40%	26%	14%	0.65	6%	4%	2%	0.67	
Window 10	Non Domestic	22%	15%	7%	0.68	3%	3%	0%	1.0	
Window 11	Non Domestic	27%	17%	10%	0.63	3%	3%	0%	1.0	
Window 12	Non Domestic	22%	18%	4%	0.82	4%	4%	0%	1.0	
Window 13	Non Domestic	15%	15%	0%	1.0	4%	4%	0%	1.0	
Window 14	Non Domestic	15%	15%	0%	1.0	3%	3%	0%	1.0	
Window 15	Non Domestic	17%	17%	0%	1.0	5%	5%	0%	1.0	
<u>First Floor</u>										
Window 16	Non Domestic	36%	33%	3%	0.92	15%	12%	3%	0.8	
Window 17	Non Domestic	38%	35%	3%	0.92	15%	12%	3%	0.8	
Window 18	Non Domestic	40%	37%	3%	0.93	15%	12%	3%	0.8	
Window 19	Non Domestic	45%	40%	5%	0.89	16%	12%	4%	0.75	
Window 20	Non Domestic	45%	39%	6%	0.87	15%	10%	5%	0.67	
Window 21	Non Domestic	45%	39%	6%	0.87	15%	10%	5%	0.67	
Window 22	Non Domestic	45%	38%	7%	0.84	15%	10%	5%	0.67	
Window 23	Non Domestic	45%	38%	7%	0.84	15%	10%	5%	0.67	
Window 24	Landing	44%	33%	11%	0.75	14%	9%	5%	0.64	
Window 25	Landing & Staircase	50%	41%	9%	0.82	16%	14%	2%	0.88	
Window 26	Non Domestic	48%	40%	8%	0.83	14%	12%	2%	0.86	
Window 27	Non Domestic	40%	32%	8%	0.8	8%	8%	0%	1.0	
Window 28	Non Domestic	31%	26%	5%	0.84	6%	6%	0%	1.0	
Window 29	Non Domestic	30%	30%	0%	1.0	8%	8%	0%	1.0	
Window 30	Non Domestic	30%	30%	0%	1.0	8%	8%	0%	1.0	

Appendix 2 - Sunlight to Windows

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Room Use	Sunlight to Windows								
		Total Sunlight Hours				Winter Sunlight Hours				
		Before	After	Loss	Ratio	Before	After	Loss	Ratio	
Window 31	Non Domestic	30%	30%	0%	1.0	8%	8%	0%	1.0	
<u>Second Floor</u>										
Window 32	Non Domestic	41%	39%	2%	0.95	16%	14%	2%	0.88	
Window 33	Non Domestic	43%	43%	0%	1.0	16%	16%	0%	1.0	
Window 34	Non Domestic	45%	44%	1%	0.98	17%	16%	1%	0.94	
Window 35	Non Domestic	48%	46%	2%	0.96	18%	16%	2%	0.89	
Window 36	Non Domestic	48%	46%	2%	0.96	18%	16%	2%	0.89	
Window 37	Non Domestic	50%	47%	3%	0.94	18%	15%	3%	0.83	
Window 38	Non Domestic	50%	47%	3%	0.94	18%	15%	3%	0.83	
Window 39	Landing	49%	45%	4%	0.92	17%	13%	4%	0.76	
Window 40	Landing & Staircase	53%	49%	4%	0.92	18%	15%	3%	0.83	
Window 41	Non Domestic	52%	49%	3%	0.94	17%	16%	1%	0.94	
Window 42	Non Domestic	48%	43%	5%	0.9	13%	12%	1%	0.92	
Window 43	Non Domestic	41%	40%	1%	0.98	10%	10%	0%	1.0	
Window 44	Non Domestic	44%	43%	1%	0.98	12%	12%	0%	1.0	
Window 45	Non Domestic	44%	43%	1%	0.98	12%	12%	0%	1.0	
Window 46	Non Domestic	44%	44%	0%	1.0	13%	13%	0%	1.0	
<u>Third Floor</u>										
Window 47	Non Domestic	51%	51%	0%	1.0	17%	17%	0%	1.0	
Window 48	Non Domestic	50%	51%	-1%	1.02	17%	18%	-1%	1.06	
Window 49	Non Domestic	51%	52%	-1%	1.02	17%	18%	-1%	1.06	
Window 50	Non Domestic	52%	51%	1%	0.98	18%	18%	0%	1.0	
Window 51	Non Domestic	53%	53%	0%	1.0	18%	18%	0%	1.0	
Window 52	Non Domestic	53%	53%	0%	1.0	18%	18%	0%	1.0	
Window 53	Non Domestic	53%	53%	0%	1.0	18%	18%	0%	1.0	
Window 54	Landing	52%	51%	1%	0.98	18%	16%	2%	0.89	
Window 55	Landing & Staircase	53%	53%	0%	1.0	17%	17%	0%	1.0	
Window 56	Non Domestic	52%	52%	0%	1.0	17%	17%	0%	1.0	
Window 57	Non Domestic	52%	52%	0%	1.0	17%	17%	0%	1.0	
Window 58	Non Domestic	51%	51%	0%	1.0	16%	16%	0%	1.0	
Window 59	Non Domestic	51%	51%	0%	1.0	16%	16%	0%	1.0	

Appendix 2 - Sunlight to Windows

Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

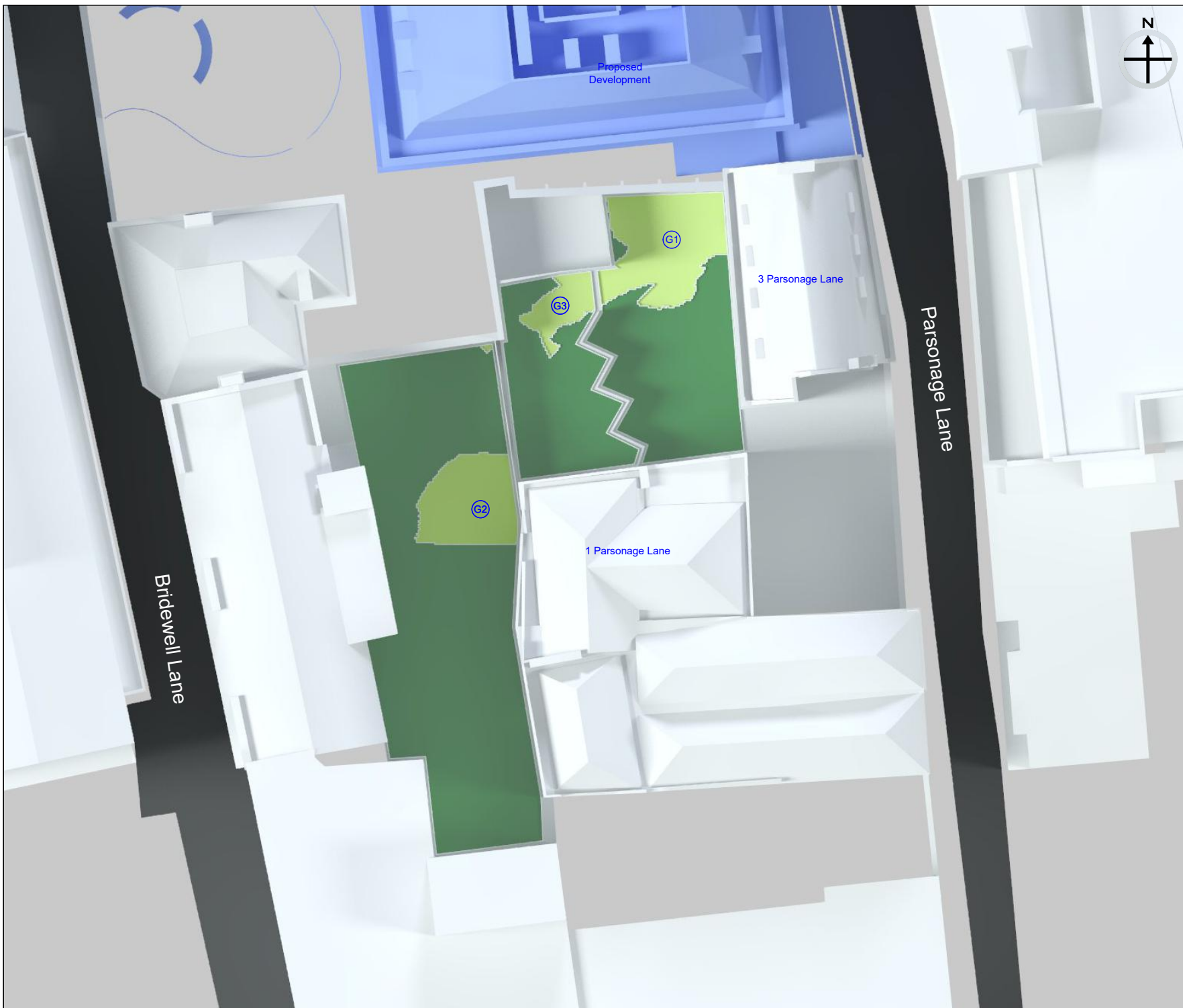
Reference	Room Use	Sunlight to Windows								
		Total Sunlight Hours				Winter Sunlight Hours				
		Before	After	Loss	Ratio	Before	After	Loss	Ratio	
Window 60	Non Domestic	51%	51%	0%	1.0	16%	16%	0%	1.0	
Window 61	Non Domestic	51%	51%	0%	1.0	16%	16%	0%	1.0	
Window 62	Staircase & Landing	53%	53%	0%	1.0	17%	17%	0%	1.0	
Window 63	Staircase & Landing	52%	52%	0%	1.0	17%	17%	0%	1.0	
3 Parsonage Lane										
<u>Mezzanine Floor</u>										
Window 65	Living/Dining	39%	37%	2%	0.95	6%	6%	0%	1.0	
Window 66	Living/Dining	40%	39%	1%	0.98	7%	7%	0%	1.0	
Window 67	Kitchen	35%	34%	1%	0.97	2%	2%	0%	1.0	
Window 68	Bathroom/WC	30%	30%	0%	1.0	0%	0%	0%	1.0	
Window 69	Landing & Staircase	15%	15%	0%	1.0	0%	0%	0%	1.0	
<u>First Floor</u>										
Window 71	Living/Dining	43%	42%	1%	0.98	9%	9%	0%	1.0	
Window 72	Kitchen	43%	42%	1%	0.98	9%	9%	0%	1.0	
Window 73	Bathroom/WC	41%	40%	1%	0.98	7%	7%	0%	1.0	
Window 74	Landing & Staircase	30%	30%	0%	1.0	1%	1%	0%	1.0	
<u>Second Floor</u>										
Window 77	Living/Dining	52%	51%	1%	0.98	16%	16%	0%	1.0	
Window 78	Kitchen	51%	51%	0%	1.0	15%	15%	0%	1.0	
Window 79	Bathroom/WC	48%	48%	0%	1.0	13%	13%	0%	1.0	
1 Parsonage Lane										
<u>First Floor</u>										
Window 103	Living/Dining	40%	40%	0%	1.0	9%	9%	0%	1.0	

Appendix 2 - Overshadowing to Gardens and Open Spaces
Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Reference	Total Area	Area receiving at least two hours of sunlight on 21st March						
		Before		After		Loss	Ratio	
<u>3 Parsonage Lane</u>								
<u>Mezzanine Floor</u>								
Garden 1	94.89 m2	32.73 m2	34%	32.73 m2	34%	0.0 m2	0%	1.0
<u>1 Parsonage Lane</u>								
<u>Ground Floor</u>								
Garden 2	202.16 m2	23.37 m2	12%	23.37 m2	12%	0.0 m2	0%	1.0
<u>Mezzanine Floor</u>								
Garden 3	54.87 m2	8.84 m2	16%	8.84 m2	16%	0.0 m2	0%	1.0

APPENDIX 3

OVERSHADOWING TO GARDENS AND OPEN SPACES



Key

- Receives under two hours sunlight on 21st March before and after the development.
- Receives under two hours sunlight on 21st March before the development; but will receive at least two hours sunlight on 21st March after the development (light improved).
- Receives at least two hours sunlight on 21st March before the development; but will receive under two hours sunlight after the development (light loss).
- Receives at least two hours sunlight on 21st March before and after the development.
- G1 Neighbouring Gardens and Amenity Areas

Project Name: Royal Mineral Hospital, Upper Borough Walls, Bath, Somerset BA1 1RL

Drawing Title: Appendix 3 - Overshadowing to Gardens and Open Spaces



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