

PERA

PULTENEY ESTATE RESIDENTS' ASSOCIATION

Ms Sasha Coombs and Mr Adrian Neilson
B&NES
Planning Services
Lewis House
Manvers Street
Bath, BA1 1JG

Dear Ms Coombs

**Ref: Objection to Listed Building Planning Application:
14/01272/LBA - CARFAX HOTEL 13-15 Great Pulteney
Street**

**Ref: Objection to Planning Application: 14/01271/FUL -
CARFAX HOTEL 13-15 Great Pulteney Street**

PERA has circa 300 households in membership in the close vicinity of the Carfax Hotel including Great Pulteney Street, William Street, Pulteney Mews, Laura Place and around Henrietta Gardens. Local residents, many of whom are PERA members, are directly affected by the proposal to convert the Carfax Hotel. Members span the social spectrum in terms of age and socio-demographic groupings, both house owners and tenants. Members live in part-floors to complete houses, with the vast majority living in flats.

This application has been almost unique in the level of united opposition to the proposals, and the deeply held concern that this proposal could cause nuisance, annoyance and disturbance to residents in breach of their common law rights; in breach of covenants on all properties on Great Pulteney Street (including the applicants') that oblige the owner not to do anything that causes others not to "peacefully and quietly enjoy

their premises”; and in breach of recent Supreme Court rulings that underline the point that a lawful activity (such as possible consent to a public bar on a residential street) can become unlawful where the activity intensifies and then becomes a nuisance.

It is of great concern that the Applicant has done so little to take account of obvious concerns of residents to peacefully enjoy their property.

For about 80 years, the Carfax Hotel was owned and run by the Salvation Army as a quiet hotel with a no alcohol policy. It had a 68% occupancy level and operated with great consideration to its neighbours; one could almost say that it operated almost as an ‘ordinary’ household, respectful to its neighbours and mindful of its community obligations to not upset, but to enjoy, the peace and tranquility of this delightful and much-loved neighbourhood.

The application seeks to transform the Carfax Hotel into a modern boutique hotel with two significant bars, one open to the public up to 1am with a new and separate entrance on Great Pulteney Street, and a large restaurant in the rear operating from a modern extension, removing most of the current garden and parking, operating from 6am to 11pm. The number of rooms will be increased from 31 to 40, mostly as a result of the conversion of the Mews House at the rear.

The effect of this will have a severely detrimental impact on local people in terms of privacy, parking, and in particular from PERA’s perspective, noise and disturbance from early in the morning until past midnight (and into the early hours of the following morning) – potentially 20 hours a day of increased nuisance and disturbance.

The following comments and concerns have the unanimous support of the PERA Committee and accurately reflect those made by many people in the immediate vicinity. Those closest to the Carfax Hotel have additional concerns, and have already responded in detail:-

1. **Noise**

a. The proposed bar and restaurant operating from 6am to 11pm with outdoor dining and large sliding doors (open during warmer periods), will create an unacceptable level of noise and disturbance to a wide area of Henrietta Mews, Henrietta Park and neighbours along much of Great Pulteney Street.

Residents on the same side as the Carfax Hotel enjoy the peace and leafy outlook to Henrietta Park. Birds and children playing, are typically the main sounds you hear in the day. Other than bird sounds, the nights are very quiet overlooking Henrietta Mews. The Noise Assessment fails to address the noise of multiple guests entering the Coach House late at night, the noise of deliveries and general servicing before and after the public open hours of the bars and restaurants. Also the specific noise difference when the glass facades are opened up in warm weather.

b. The prospect of changing from a quiet and tranquil environment to one where there is continuous background noise from the restaurant and bar from 6am to 11pm together with the noise from deliveries and waste collection, guests arriving and leaving late at night and early in the morning would be a seriously intrusive impact on the enjoyment and use of very many properties. Actual detailed plans are necessary to adequately describe and mitigate the noise implications of the proposed development.

c. The Great Pulteney Street frontage is liable to night-time noise disturbance from late night revellers and speeding cars. By contrast, the Henrietta Mews side of the building is incredibly quiet despite the restrictions on what we can do to mitigate noise through our single skin sash windows. The

prospect of the inevitable noise and nuisance arising from a large bar and restaurant open to the gardens until 11pm every night would be an unacceptable intrusion into the peaceful lives of many people.

d. The previous use of the Coach House garden (at the back of 13 Great Pulteney Street) by the Mews Nursery has been suggested as a precedent for noise intrusion by the Developer Agents. This has always been a residential garden. I am not aware of any disturbance from this at all. I have personally lived here for over 13 years, and the only “disturbance” was the laughter and excitable sounds of children playing during breaks and in the Park. The Nursery was open from 8am to 6pm from Mon. to Fri. during term times only and the children were closely supervised during short, scheduled play times in the garden. These times when the Nursery was not in use are exactly the periods when the proposed development, and especially the proposed restaurant and bar, is likely to have its greatest occupancy and create the greatest intrusion and impact.

2. Traffic

a. The Application removes all but one of the parking spaces provided by the Carfax (11 spaces in courtyard, 2 double garages and 2 spaces on Henrietta Mews in front of garages) and is adding 9 additional rooms. In addition it is providing a large restaurant (64-80 covers) and 2 bars that are likely to be open to the general public. We understand the number of staff will increase to 46. Together these factors will create significantly more traffic to and from the hotel whilst placing increased congestion on the local streets and parking opportunities. This in its own right will be of great impact to local residents. We understand deliveries to the Hotel and kitchens are likely to be via Henrietta Mews and that the removal of the existing parking and service access will mean more stopping and dropping off, picking up on this very narrow section of Henrietta Mews. All local neighbours require access to their

gardens and garages off Henrietta Mews and there is a common agreement to respect these access points and avoid parking across them. The lack of parking at the Hotel will inevitably lead to strangers trying to park in these nearby access ways leading to blocking use of our private spaces.

b. The lack of any serious commitment or strategy by the developers for dealing with parking and servicing of the Hotel from Henrietta Street suggests that the development will significantly impact on the safe and functional access to our property. Parking provision has always been a great concern of PERA, and we are even more concerned at the very real prospect of circa 80 vehicles or more per day in an already congested and contested parking Zone.

3. Change of Use of Coach House

The Application proposes that the Coach House (currently a 3 bedroom residential dwelling formerly occupied by the Hotel Manager and her family) in Henrietta Mews to the rear of 13/14 Great Pulteney Street is converted to an additional hotel block of 7 guest rooms but does not retain residential element required by Planning Policy. We believe this change of use is wholly inappropriate in this setting and will add to the noise and general disturbance.

The Application states that the increase in hotel rooms would help to meet a shortfall in hotel space in Bath. There is no evidence to support this claim and in fact the Bath Independent Guest House Association (BIGHA) has confirmed to us that no proper survey of hotel need is available for Bath. We also understand from the Developer Agents that the Hotel owner has no experience of hotels and is planning to partner with a more experienced Hotel operator to run the Hotel. However, there is no provision for the Hotel manager to reside in the Coach House, which is against BANES policy. We therefore believe the proposed conversion of the Coach House to hotel

rooms does not comply with approved planning policy, is not supported by evidence of hotel room demand and that further consideration should be given to the way the Hotel is supervised as part of a more neighbour-friendly development.

4. Loss of Car Parking

Local Plan Policy T20 states: “development that would result in an unacceptable loss of existing off-street parking or servicing provision will not be permitted.”

This proposal will mean the loss of the entire hotel car park other than one retained disabled parking space thereby putting unacceptable additional pressure on public parking. There are presently 11 car parking spaces, plus 2 double garages at the Coach House and 2 further on street spaces outside the garages and these 15 spaces will need to be compensated for on street. With the additional 9 hotel rooms proposed (a 29 % increase from the present 31 to 40) plus additional staff (46 total) and an increase in non hotel users visiting the bars and restaurant, the pressure on local parking is inevitably going to increase. Local street parking is already scarce and the hotel’s preliminary non-committal proposal for ‘valet parking’ is in no way an adequate response to this important issue. Where would such a valet service operate from in the vicinity? Further, the removal of the car park will inevitably result in guests’ cars stopping in Henrietta Mews to unload/load luggage causing extra disturbance and periodic congestion along Henrietta Mews. It is also likely neighbouring properties will suffer loss of access from guest cars blocking private gates.

We consider the BANES Highway Department response on this matter to be inadequate. It implies this is just another City Centre hotel where zero parking provision is acceptable. In fact this is a residential neighbourhood outside the city centre where the existing hotels already cause significant impact on local residents and visitors.

5. External Flood lighting

PERA objects to flood lighting the front elevation. Great Pulteney Street is essentially residential and external illumination of houses is inappropriate and is no other building. The proposed flood lighting would be out of character and out of place and would detract from and compete with both the existing and proposed overthrows and lanterns which have the strong support of BANES and heritage organisations.

6. Other Disturbances

- a. The Application also includes a proposal for a large bar inside the front of Nos 13 and 14 with its own entrance onto Great Pulteney Street operating daily from 8am to 1am. Previously this area has been the reception lobby and a lounge/meeting room with a fridge consisting of cans of soft drinks and a 'dumb-waiter' that went down to the basement. **THERE WAS NO BAR AT ALL ON THE EXISTING PREMISES!** The introduction of a bar, and a late night licensed bar at that, operating to 1am would cause significant loss of amenity, and greatly increase noise and nuisance in the area and attract street noise from customers entering and leaving the bar and smokers standing outside on the street. We can only assume the need for creating a new entrance for the Hotel whilst keeping the existing entrance dedicated to the bar is to allow the bar and the Hotel to operate as independent entities. The proposals are essentially for a large Hotel AND a public bar in the middle of a residential area, outside the City Centre. This is wrong and in breach of planning policies and guidelines.
- b. We must express our strong objection to this dedicated bar entrance. If the Hotel wishes to take forward a licenced bar within the Hotel then we propose this must be for a **resident only bar that is accessible only through a single entrance and Hotel reception**. We would go further and request this bar must close at 10pm as per the previous Carfax policy. We would also request that no smoking should

be allowed either to the front or the rear of the property and that an internal facility should be created for those guests who wish to smoke.

- c. There is something inherently wrong in the destruction of open space, and a garden, at the back of a listed building, to build a modern structure that will cause such a nuisance to so many local neighbours and commercialise an area that is essentially residential in character.

In summary, PERA is essentially in favour of the refurbishment and modernisation of the Carfax Hotel, but is strongly opposed to the scale of the rear extension, and the inconvenience, detriment, noise, and loss of amenity and 'peaceful enjoyment' that accompany the above proposals. The applicants need to engage with local people and have detailed plans for ameliorating the impact of all of the above, before any planning consents are granted.

Yours sincerely,
For and on behalf of PERA

Nigel Websper
Chairman
nigelwebsper@gmail.com
c/o 24 Great Pulteney Street
Bath, BA2 4BU