

Bath & North East Somerset Council

MEETING: **Planning Committee**

MEETING DATE: **2nd July 2025**

AGENDA
ITEM
NUMBER

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

TITLE: **APPLICATIONS FOR PLANNING PERMISSION**

WARDS: ALL

BACKGROUND PAPERS:

AN OPEN PUBLIC ITEM

BACKGROUND PAPERS

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

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

The following notes are for information only:-

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

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

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| ITEM NO. | APPLICATION NO. & TARGET DATE: | APPLICANTS NAME/SITE ADDRESS and PROPOSAL | WARD: | OFFICER: | REC: |
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| 01 | 25/01643/FUL 20 June 2025 | Kingley Properties Ltd Development Site Next To 2, Mayfields, Keynsham, Bath And North East Somerset, Conversion of roof void to form 2no 1 bed flats | Keynsham North | Ben Burke | PERMIT |

REPORT OF THE HEAD OF PLANNING ON APPLICATIONS FOR DEVELOPMENT

Item No: 01
Application No: 25/01643/FUL
Site Location: Development Site Next To 2 Mayfields Keynsham Bath And North East Somerset



Ward: Keynsham North **Parish:** Keynsham Town Council **LB Grade:** N/A

Ward Members: Councillor Alex Beaumont Councillor George Leach

Application Type: Full Application

Proposal: Conversion of roof void to form 2no 1 bed flats

Constraints: Agric Land Class 3b,4,5, Policy CP12 Centres and Retail, Policy CP9 Affordable Housing, District Heating Priority Area, Housing Development Boundary, Policy NE1 Green Infrastructure Network, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,

Applicant: Kingley Properties Ltd

Expiry Date: 20th June 2025

Case Officer: Ben Burke

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

REPORT

Committee Referral:

Following the call-in made by Keynsham Town Council, the application was referred to the Chair and Vice Chair of the Planning Committee. It was determined that the application be decided at committee for the following reason:

Cllr Tim Ball (Chair):

After reviewing the application for 2 Mayfields, I feel that on balance, it should go to committee. The comments made by Keynsham Town Council regarding parking need to be thoroughly debated and further explained at the committee.

Details of Location, Proposal, Background and Relevant History:

The property concerned falls within a residential area to the west of Keynsham High Street and the town's short stay car parks. The property bounds an area of Scout and Guide huts to the north. Keynsham Conservation area is located beyond the site's east boundary; closest part being Keynsham High Street.

Application is for conversion of roof void to provide 2 1-bed flats. This follows a S73 application (24/02425/VAR), approved by committee, for variation of approved plans providing retrospective consent for erection of 2 front and rear dormer windows, as well as amendment of front curtilage to increase car parking provision from 2 to 3 spaces. Being a S73 application, which cannot change the approved description of development, this solely authorised these works and not the provision of further flats within the roof space.

Relevant Planning History:

DC - 17/01620/FUL - RF - 14 August 2017 - Erection of 4 flats adjacent to 2 Mayfields. Appeal dismissed 26 June 2018

DC - 19/00590/FUL - PERMIT - 7 June 2019 - Erection of 4no flats on land adjacent to 2 Mayfields

DC - 21/03535/VAR - PERMIT - 7 September 2021 - Variation of condition 11 (plans list) of application 19/00590/FUL (Erection of 4no flats on land adjacent to 2 Mayfields).

DC - 21/05172/VAR - PERMIT - 17 January 2022 - Variation of condition 11 (Plans List) of application 19/00590/FUL (Erection of 4no flats on land adjacent to 2 Mayfields)

DC - 24/02425/VAR - PERMIT - 21 November 2024 - Variation of condition 11 (Plans List (Compliance)) of application 21/05172/VAR Variation of condition 11 (Plans List) of application 19/00590/FUL (Erection of 4no flats on land adjacent to 2 Mayfields)).

SUMMARY OF CONSULTATIONS/REPRESENTATIONS

Consultation Responses:

Keynsham Parish Council Objection:

RESOLVED: To OBJECT on the following grounds:

(i) That based on the proposal the development constitutes an overdevelopment of the property. Bath & North East Somerset (B&NES) planning policy aims to prevent overdevelopment by ensuring that developments should be proportionate to the existing character and scale of the area.

(ii) That proposals should consider the impact on infrastructure including parking, in which this case will lead to serious parking implications for existing residents in this locality, together with the future proposed inhabitants of the two flats

Representations: 2 objections and 1 neutral comment.

Add to existing parking pressures
Insufficient off-street parking proposed

Cllr Alan Hale: Why was this not part of the original application and would it have been approved? Additional vehicles will need to be accommodated in a restricted situation.

POLICIES/LEGISLATION

The Development Plan for Bath and North East Somerset comprises:

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

CORE STRATEGY:

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

CP6: Environmental Quality
SD1: Presumption in favour of sustainable development

PLACEMAKING PLAN:

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

D2: Local character and distinctiveness
D5: Building design
D6: Amenity

LOCAL PLAN PARTIAL UPDATE:

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

DW1: District Wide Spatial Strategy
ST7: Transport requirements for managing development

SUPPLEMENTARY PLANNING DOCUMENTS:

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

Transport and Development Supplementary Planning Document (January 2023)

NATIONAL POLICY:

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

LOW CARBON AND SUSTAINABLE CREDENTIALS

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

OFFICER ASSESSMENT

PRINCIPLE OF RESIDENTIAL DEVELOPMENT:

The site is within the Housing Development boundary/ built up area of Keynsham where the principle of development is acceptable subject to other material planning considerations discussed below.

HIGHWAYS SAFETY AND PARKING:

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

The original application (19/00590/FUL) approved 4 1-bed flats and provided 2 off-street parking spaces. The parking standards at the time were contained in policy ST7 of the Placemaking Plan and required 1 space per 1 bedroom dwelling. An Accessibility Assessment was submitted at the time which, due to the development's sustainable location, allowed for a 50% provision reduction to 2 parking spaces. The parking standards are now contained within the Transport and Development Supplementary Planning Documents (T&D SPD) which, for Keynsham, is consistent with the previous standard.

The proposal is for 2 additional 1-bedroom flats for which the parking standard is 1 per unit equating to 2 additional spaces. A variation to provide an additional car parking space, resulting in 3 spaces, was approved under the previous S73 application. Provision of 1 space amounts to a significant reduction in the required parking provision. However,

the T&D SPD allows for a significant reduction in the standard where it is demonstrated, through completion of the Councils Accessibility Assessment Questionnaire, that the sustainability of the location justifies a reduction. The submitted parking standards Accessibility Statement provides for a 75-100% potential discount from the standard. Given, this a 50% reduction of the standard through provision of 1 space is justified. The parking standards require 2 cycle parking spaces per 1 bedroom unit, equating to 4 spaces which are indicated on the drawings.

With regard to the above, the means of access is unchanged and parking arrangements are acceptable and maintain highway safety standards. The proposal accords with policy ST7 of the Local Plan Partial Update, the Transport and Development Supplementary Planning Document (2023), and part 9 of the NPPF.

DESIGN, CHARACTER AND APPEARANCE:

Policy D2 of the Placemaking Plan has regard to the character and appearance of a development and its impact on the character and appearance of the host building and wider area. Development proposals will be supported, if amongst other things they contribute positively to and do not harm local character and distinctiveness.

The only external changes proposed are the introduction of a further 2 bicycle stores and expanded refuse and recycling storage at the rear. Consent was granted for the two front and rear dormer windows under 24/02425/VAR as well as amendment of front curtilage to increase car parking. The minor external changes proposed result in no harm to the character and appearance of the host building and wider area. Therefore, the proposal is consistent with the above policy.

RESIDENTIAL AMENITY:

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

The committee report for the previous S73 application commented that should 2 flats be provided in the roof space, subject to gaining planning permission, they would result in no harm to neighbour amenity due to the separation distances to neighbouring residential properties. There have been no changes in circumstance that would result in officers coming to a different view on this matter.

The one-bedroom flats are smaller than the others in the building, due to the constraints of the roof space, but are of an adequate size and provide an acceptable level of amenity for future occupiers. Therefore, the proposal accords with policy D6 of the Placemaking Plan and part 12 of the NPPF.

OTHER MATTERS:

Keynsham Town Council's first objection point concerns overdevelopment of the property. This is not considered to be the case as the scheme is for conversion/change of use, resulting in no extensions or external alteration to the existing building. Furthermore, the flats are of an adequate size and policy compliant parking is provided.

There is no requirement for renewable energy measures as the application, involving the conversion of an existing building to provide 2 new residential units and therefore planning units, is exempt from policy SCR6 and the Sustainable Construction Checklist.

PUBLIC SECTOR EQUALITY DUTY:

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

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

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

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

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

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

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

Officers have had due regard to these matters when assessing this application and have concluded that neither the granting nor the refusal of this application would be likely to have an impact on protected groups and, therefore, that these considerations would not weigh in favour of or against this application.

CONCLUSION:

There is adequate parking provision for the proposal. It will not result in significant harm to the amenity of neighbours and the flats provide an acceptable living environment for future occupants. Therefore, the application complies with the relevant planning policies, as outlined above, and is recommended for approval. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the decision of whether to grant planning permission must be made in accordance with the development plan unless material considerations indicate otherwise. The proposal complies with the relevant local plan

polices, as outlined above, and therefore complies with the development plan, as a whole, consistent with the above legislation.

RECOMMENDATION

PERMIT

CONDITIONS

1 Standard Time Limit (Compliance)

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

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

2 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until bicycle storage for at least 4 bicycles has been provided in accordance with in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The bicycle storage shall be retained permanently thereafter.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with Policy T.6 of the Bath and North East Somerset Local Plan.

3 Plans List (Compliance)

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

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

PLANS LIST:

1 This decision relates to the following approved drawings:

| | | |
|-------------|--------------|--------------------------------------|
| 25 Apr 2025 | A674P23-P.44 | PROPOSED FIRST AND SECOND FLOOR PLAN |
| 25 Apr 2025 | A674P24-P.51 | PROPOSED SITE LAYOIUT |
| 25 Apr 2025 | A674P24-P.52 | PROPOSED SITE LAYOUT - CONTEXTUAL |
| 25 Apr 2025 | A674P24-P.53 | PROPOSED LAYOUT 1:100 |
| 25 Apr 2025 | | LOCATION PLAN |
| 25 Apr 2025 | A674L3-L.03 | LOCATION AND BLOCK PLAN |

2 Condition Categories

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

Compliance - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

Pre-commencement - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

Pre-occupation - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

Bespoke Trigger - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit an application to Discharge Conditions and pay the relevant fee via the Planning Portal at www.planningportal.co.uk or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

3 Permit/Consent Decision Making Statement

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

4 Biodiversity Net Gain - Exempt/Not required

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

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

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

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

5 Community Infrastructure Levy - General Note for all Development

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL may apply to new developments granted by way of planning permission as well as by general consent

(permitted development) and may apply to change of use permissions and certain extensions. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council **before any development commences**.

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

Community Infrastructure Levy - Exemptions and Reliefs Claims

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

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