

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 5th June, 2024, 11.00 am

Councillors: Ian Halsall (Chair), Lucy Hodge (Vice-Chair), Deborah Collins, Paul Crossley, Fiona Gourley, Hal MacFie, Toby Simon, Shaun Hughes, Dr Eleanor Jackson and Tim Warren CBE

124 ELECTION OF CHAIR

It was moved by Cllr Deborah Collins, seconded by Cllr Tim Warren and on being put to the vote it was;

RESOLVED that Cllr Ian Halsall be elected Chair of the Planning Committee.

125 ELECTION OF VICE-CHAIR

It was moved by Cllr Fiona Gourley, seconded by Cllr Deborah Collins and on being put to the vote it was;

RESOLVED that Cllr Lucy Hodge be elected Vice-Chair of the Planning Committee.

126 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

127 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions.

128 DECLARATIONS OF INTEREST

Cllr Deborah Collins declared the following interests:

Item (1) 22/03224/EFUL Former Gasworks, Windsor Bridge Road, Twerton, Bath as the former Cabinet Project Lead (Leader and Built Environment & Sustainable Development) she had met the developers and was briefed on the application and would withdraw from the meeting to avoid any perception of bias.

Item (2) 24/01261/VAR Bath Rugby Club, Bath Recreation Ground, Pulteney Mews, Bathwick, Bath as she had been a season ticket holder at Bath Rugby and would withdraw from the meeting during consideration of that application.

Cllr Tim Warren declared an interest in item (2) 24/01261/VAR Bath Rugby Club, Bath Recreation Ground, Pulteney Mews, Bathwick, Bath as a season ticket holder at Bath Rugby and that he would withdraw from the meeting during the consideration of that application.

Cllr Paul Crossley declared an interest in item (2) 24/01261/VAR Bath Rugby Club,

Bath Recreation Ground, Pulteney Mews, Bathwick, Bath as a season ticket holder at Bath Rugby and that he would withdraw from the meeting during the consideration of that application.

Cllr Shaun Hughes declared an interest in item (3) 24/00662/FUL - 26 - 28 Orchard Vale, Midsomer Norton, as he had already objected to the application as a ward member in Midsomer Norton. He confirmed he would stand down from the Committee, speak as local Member and then withdraw from the meeting.

Cllr Eleanor Jackson declared that she was a member of Westfield Parish Council and would be reading a statement on behalf of the Parish Council in relation to item (3) 24/00662/FUL - 26 - 28 Orchard Vale, Midsomer Norton. She confirmed she would not be withdrawing from the meeting as she had not prejudged the application.

Cllr Lucy Hodge declared an interest in item (9) 24/01330/TCA - Audley House, Park Gardens, Lower Weston, Bath as the owner of the property which was the subject of the application for tree surgery works and confirmed she would withdraw from the meeting.

Cllr Toby Simon declared an interest in item (9) 24/01330/TCA - Audley House, Park Gardens, Lower Weston, Bath as a near neighbour who could view the trees from his property and confirmed he would withdraw from the meeting.

129 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

130 ITEMS FROM THE PUBLIC - TO RECEIVE STATEMENTS, PETITIONS OR QUESTIONS

The Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when these items were discussed.

131 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Eleanor Jackson seconded by Tim Cllr Warren and:

RESOLVED that the minutes of the meeting held on Wednesday 8 May 2024 be confirmed as a correct record for signing by the Chair.

132 MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered:

A report and update report by the Head of Planning on the applications under the main applications list.

RESOLVED that in accordance with the delegated powers, the applications be determined as set out in the main applications decisions list attached as Appendix 2

to these minutes.

(1) 22/03224/EFUL – Former Gasworks, Windsor Bridge Road, Twerton, Bath

Cllr Deborah Collins withdrew from the meeting for this application.

The Planning Case Officer introduced the report which considered the demolition of existing buildings and decontamination/remediation of the site to facilitate redevelopment for a residential-led mixed-use development.

She gave a verbal update to report a correction to the report to refer to the NHS Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board (BSW ICB) and also to report that a further response had been received from BSW ICB and added to file but the submission had not changed the officer recommendation.

She confirmed the recommendation that officers be delegated to permit the application subject to:

1. A Section 106 Agreement to secure:
 - a) The provision of 12% affordable housing and suitable viability review mechanism
 - b) A contribution of £6,000 towards fire hydrants
 - c) Highways and transport obligations/contributions
 - d) Landscape and ecological management plan
 - e) Delivery and marketing of the proposed nursery use
 - f) Parks and Open Space Contribution of £707,709
 - g) Sustainable construction contribution towards carbon offset fund of £225,310
 - h) Targeted recruitment and training in contribution obligation
 - i) Monitoring fee
2. The conditions set out in the report (or such conditions as may be appropriate)

The following public representations were received:

1. Caroline McHardy, agent, supporting the application.

In response to Members' questions, it was confirmed:

1. 12% of the residential units would be affordable housing and this would be 72 shared ownership units. There would be no social housing as this had not been considered viable following the viability assessment.
2. The applicants could justify having no affordable housing on site but had agreed 12% to be delivered through Homes England Affordable Grant
3. Funding. The affordable housing would be delivered in phase 4 in block B.
4. In terms of food growing space, there would be planters included as part of the landscaping scheme as well as balcony areas. There would be a contribution to parks and green spaces which could be used for offsite provision.
5. In relation to the stability of Alder trees, the Arboricultural Officer had been consulted about the mix of trees and had not raised any concerns.
6. Flood mitigation measures would be covered by a condition and there were already flood defences in place due to the site's proximity to the River Avon.

7. There would be some roof mounted solar panels but as the on-site generation would not meet with the total energy use, there would be a contribution towards the carbon offsetting fund. It was not possible to include additional solar panels without impacting on heritage views.
8. The vast majority of highways issues had been resolved and officers were satisfied that the application was policy compliant.
9. In terms of the delivery of the trees outlined in the plans, this would be secured by the landscaping condition and management plan condition. It would be possible to include semi mature trees as part of the scheme.
10. In relation to maintaining the same architect, it would not be reasonable to condition this, but the Local Planning Authority would be looking to ensure a high quality design.
11. There would be a shared green route to link this site with the adjacent development.

Cllr Shaun Hughes acknowledged the challenges in developing the site and welcomed the BNG provision but stated that there were some missed opportunities with the design. He referred to the affordable housing provision being shared ownership and questioned whether this provision would be affordable. He confirmed that on balance, he supported the application.

Cllr Tim Warren stated that although it would have been good to have an element of social housing, the scheme needed to be viable and the site being developed was contaminated. He moved the recommendation that officers be delegated to permit the development subject to a Section 106 Agreement and appropriate conditions. This was seconded by Cllr Toby Simon.

Cllr Fiona Gourley expressed disappointment that there was no social housing and also expressed reservations about the design but confirmed that, on balance, she supported the application.

Cllr Eleanor Jackson also stated that she was disappointed by the design.

Cllr Lucy Hodge concurred with these views but stated that she would support the application subject to the landscaping condition including the provision of a proportion of semi mature trees along the riverside.

Cllr Paul Crossley spoke in support of the application, including the design but expressed disappointment about the lack of social housing.

Cllr Ian Halsall stated that the application was an opportunity to regenerate the area and he supported the application.

On being put to the vote the motion was CARRIED (9 in favour, 0 against - unanimous).

RESOLVED that that officers be delegated to permit the application subject to:

1. A Section 106 Agreement to secure:
 - a) The provision of 12% affordable housing and suitable viability review mechanism
 - b) A contribution of £6,000 towards fire hydrants
 - c) Highways and transport obligations/contributions

- d) Landscape and ecological management plan
 - e) Delivery and marketing of the proposed nursery use
 - f) Parks and Open Space Contribution of £707,709
 - g) Sustainable construction contribution towards carbon offset fund of £225,310
 - h) Targeted recruitment and training in contribution obligation
 - i) Monitoring fee
2. The conditions set out in the report (or such conditions as may be appropriate)

(2) 24/01261/VAR Bath Rugby Club, Bath Recreation Ground, Pulteney Mews, Bathwick, Bath

Cllrs Deborah Collins, Paul Crossley and Tim Warren withdrew from the meeting for this item.

The Planning Case Officer introduced the report which sought approval, through a variation of Condition 2 of planning permission 21/05530/VAR, to retain the East stand during the summer of 2024.

He gave a verbal update to report a further representation from Pulteney Estate Residents' Association and confirmed that this did not change the officer recommendation.

He confirmed the officers' recommendation that permission be granted for the variation of the condition.

The following public representations were received:

- 1. Ceris Humphreys, Pulteney Estate Residents' Association, and Steve Osgood objecting to the application.
- 2. Tarquin McDonald, Chief Executive, Bath Rugby/Tim Burden, Director, Turley/John Flinn, Chief Executive, Bath Recreation Ltd, supporting the application.

Cllr Manda Rigby was in attendance as local Member and raised the following comments:

- 1. The application should have been submitted earlier.
 - 2. Keeping the stand in place would not benefit the residents as the residents enjoyed the views once the stand had been dismantled.
 - 3. The condition had been adhered to for many years and unlike the previous variation which had been agreed during the Covid pandemic in 2020, there were no exceptional circumstances to warrant varying the condition this year.
- She urged the Committee to reject the application.

In response to Members' questions, it was confirmed:

- 1. The removal and reinstatement of the stand resulted in 200 vehicle movements involving 134 Heavy Goods Vehicles and 2 and a half tonnes of carbon emissions.
- 2. In terms of what was different this year, the timeframe for the stand being dismantled was shorter than usual due to the club reaching the Premiership semi-finals, 9-10 weeks rather than 13 weeks.
- 3. There was a timetable of events planned for the summer and the retention of

the stand would enable the in-built refreshments and toilets to be available for the use of public groups. Toilets and refreshments were also available in the other stand.

4. The issues of cost and convenience had not been put forward by the applicants as the reason for the application.
5. The dismantling of the stand would take place in the car park of Bath Leisure Centre. The closure of North Parade Bridge would mean that access and egress was only available from the A36.

Cllr Toby Simon opened the debate as a local ward Member. He stated that the application had been made too late and agreed that taking the stand down would open up the views and have public benefits, but that this needed to be balanced against the public benefits of retaining the stand, in particular avoiding the 134 HGV movements and 2 and a half tonnes of carbon emissions which was a considerable disadvantage to the city. He stated that the Council declaration of a climate emergency since the original application was a material consideration.

Cllr Hal MacFie concurred with this view and moved the officer's recommendation to permit the application. This was seconded by Cllr Toby Simon.

Cllr Fiona Gourley and Cllr Lucy Hodge expressed reservations about the application.

On being put to the vote the motion was CARRIED (5 in favour, 2 against).

RESOLVED that the application be permitted subject to the conditions set out in the report.

(3) 24/00662/FUL - 26 - 28 Orchard Vale, Midsomer Norton

Cllr Shaun Hughes stood down from the Committee for this item.

The Planning Case Officer introduced the report which considered an application for the demolition of 26 and 28 Orchard Vale and the development of 54 new homes with open space, landscaping and all associated infrastructure. She confirmed that this was a cross boundary application with Somerset Council and it was a material consideration that Somerset Council had permitted the development.

She confirmed the recommendation that officers be delegated to permit the application subject to:

1. A Section 106 Agreement to secure:
 - a. 1no. affordable dwelling within Bath and North East Somerset (Plot 1)
 - b. 1no. affordable dwelling within Somerset with Nomination Rights to Bath and North East Somerset Council
 - c. £4,351 for a Traffic Regulation Order
 - d. £34, 000 for bus stop enhancements
 - e. £80, 955.75 contribution toward cycle infrastructure associated with the Somer Valley Enterprise Zone
 - f. £86, 892.50 for Route W05 of the West of England Local Cycling and Walking Infrastructure Plan
 - g. £132, 080.26 for offsite green space
 - h. £3,685 for Targeted Training and Recruitment

2. The expiry of the departure period;
3. The conditions set out in the report (or such conditions as may be appropriate).

The following public representations were received:

1. Cllr Eleanor Jackson read out a statement on behalf of Westfield Parish Council.
2. Debra Plummer objecting to the application.
3. Peter Roberts, applicant, supporting the application.

Cllr Shaun Hughes addressed the Committee as adjacent ward Member and raised the following points:

1. The development was not wanted or needed by Somerset Council, Bath and North East Somerset Council or local residents.
2. The site had been removed from the Local Plan.
3. Somerset's Planning Committee had been advised to permit the development as the Council didn't have a 5-year land supply but Somerset could achieve housing targets without the use of this land.
4. B&NES had previously refused a similar application.
5. The application would impact on B&NES and not Somerset but new residents would be paying Council Tax to Somerset Council.
6. The local infrastructure would not support the application. GP surgeries were already oversubscribed, and the nearest senior school was a 22-mile round trip which was not sustainable.
7. The creation of new jobs would only be temporary while the development was being constructed.
8. The site was at risk of flooding.
9. The area was rich in wildlife including bats, deer and otters.

Following his statement, Cllr Shaun Hughes withdrew from the meeting.

Cllr Michael Auton was in attendance as an adjacent ward Member and raised the following comments:

1. There would be a negative impact of the development for local residents of Midsomer Norton which would be significant and long lasting.
2. Local residents were opposed to the application.
3. The current application was the same as the last application that had been refused.
4. 144 objections had been received.
5. B&NES would not benefit from the application.
6. Any jobs created would be temporary and there was no guarantee they would be for local people.
7. GP surgeries were already overstretched and there would be an impact on other amenities.
8. There would be an increase in vehicle fumes from additional traffic.
9. There would be a detrimental impact on wildlife.
10. In relation to flooding and the proposal for a retention bowl - who would maintain this and for how long?
11. The development would impact on school places.
12. The detrimental impact of the development would exceed any benefits.

He urged the committee to reject the application.

In response to Members' questions, it was confirmed:

1. In relation to the contribution to the Somer Valley Employment Zone cycleway, this was to help mitigate the fact that the development was contrary to B&NES spatial strategy due to the imbalance between housing and employment.
2. The bus stop enhancements would benefit bus stops on Orchard Avenue and Pinewood Road.
3. In response to concerns about flooding, the drainage matters within B&NES had been sufficiently assessed by the Somerset Lead Local Flood Authority and there was a condition relating to a drainage scheme.
4. The site had been removed from Somerset Council's Development Plan but this did not prevent a developer from coming forward with an application. Somerset Council did not have a 5 year housing land supply and the NPPF stated that in these cases, the presumption was in favour of permitting a development unless there was demonstrable harm.
5. B&NES Council had objected to the previous application as a departure from its Spatial Strategy but in relation to the current application, officers had given considerable weight to Somerset Council not having a 5 year housing land supply and the decision of Somerset's Planning Committee to permit the development.
6. 50m on the eastern side near the site access would no longer be available for on street parking.
7. The applicant had committed to providing two affordable houses with nomination rights to B&NES. This was welcomed by the Housing Team but as it could not be secured through the planning process, it had been given limited weight in the evaluation of the application.
8. NPPF did state a preference for developing brownfield sites before greenfield sites, but this did not preclude an application coming forward on a greenfield site.
9. The Parks Team had not requested a contribution for allotments.
10. Somerset Council had different policies in relation to sustainable construction and homes built outside of the B&NES boundary did not need to comply to SCR6. The dwelling to be within the B&NES boundary would be compliant with policy SCR6 which addressed one of the reasons for refusal in relation to the previous application.

Cllr Tim Warren opened the debate as local ward Member. He stated that the site was an unsustainable location which had been removed from the Development Plan. He referred to the current pressures on services and facilities in Midsomer Norton which would be exacerbated by the development. He moved that the application be refused.

This was seconded by Cllr Lucy Hodge who stated that the application was contrary to policy SV1 of the spatial strategy.

Cllr Deborah Collins spoke in support of the motion, whilst noting the weight given by officers to the application being approved by Somerset Council, in her opinion, this was outweighed by the demonstrable harm caused by the development.

Cllr Toby Simon spoke in support of the officer recommendation to permit the application in view of the need for housing in the wider area.

On being put to the vote the motion was CARRIED (8 in favour, 1 against).

RESOLVED that the application be refused for the following reason:
The principle of development was contrary to policies SV1: Somer Valley Spatial Strategy (Placemaking Plan) and DW1: District Wide Spatial Strategy (LPPU).

(4) 23/03510/FUL - Odd Down Sports Pavilion, Chelwood Drive, Odd Down, Bath

The Planning Officer introduced the report which considered an application for the erection of an extension, addition of 4 padel tennis courts and replacement of existing floodlights to LED-based lights.

She gave a verbal update to confirm:

1. An additional condition to ensure a noise condition in relation to plant machinery.
2. An error in the report which omitted the word “not” so the sentence should read “that sound should not exceed 50db”.

She confirmed the recommendation that officers be delegated to permit subject to:

1. A Section 106 Agreement to secure a Travel Plan Monitoring Fee of £4775
2. The conditions set out in the report (or such conditions as may be appropriate)

The following public representations were received:

1. Rob Lucas objecting to the application.

Cllr Joel Hirst was in attendance as a local ward Member and raised the following comments on behalf of himself and Cllr Steve Hedges:

1. There were a lot of benefits to the application but there were concerns about the proposed siting of the padel tennis courts.
2. The visual and noise impact were the key areas of concern.
3. The Lawn Tennis Association recommended courts should be at least 30m away from housing but in relation to this development, some housing was 25m away from the proposed courts.
4. There would be a visual impact on Bath Conservation Area and the proposal was not in keeping with the Odd Down area.
5. The padel courts would be better located on the other side of the site.

In response to Members’ questions, it was confirmed:

1. The proposed structure was not a solid building, it was oak framed with toughened glass and a mesh panel with metal to support the canopy.
2. The applicants had considered an alternative siting for the padel tennis courts beyond the 3d pitches but this was not feasible as there needed to be a drainage area for the grass pitch.
3. The noise assessment covered the play of the game.
4. The noise levels were difficult to assess due to a lack of similar facilities and had been ascertained from a noise assessment undertaken for a padel tennis court in Dorset. The average levels were mid-50s (decibels) but could reach as high as 70-80.
5. There was no acoustic fence or other noise mitigations as this had not been required as a result of the noise assessment. There were a number of conditions which were restrictive around the use of the site.

6. The applicant proposed replacement tree planting and a nature trail around the site to replace the 8 trees lost to Ash Dieback disease.

Cllr Ian Halsall stated that he supported the proposals for the extension and lighting but was concerned about the padel tennis courts and impact on residential amenity due to the noise and the impact of the scale and height of the proposed building. This view was supported by a number of Members.

Cllr Toby Simon stated that he was inclined to support the officer recommendation as no objections had been raised by Environmental Health Officers and in relation to the visual impact, he considered that the proposal was a reasonable distance from residential properties.

Cllr Lucy Hodge proposed that the application be refused for the reasons that there would be a detrimental impact on residential amenity in terms of noise and that the height and scale of the building would impact on the conservation area and the City of Bath World Heritage Site. This was seconded by Cllr Hal MacFie.

On being put to the vote the motion was CARRIED (8 in favour, 1 against and 1 abstention).

RESOLVED that the application be refused for the following reasons:

1. The siting of proposed padel tennis courts would have a detrimental impact on residential amenity in relation to noise pollution. Contrary to Policy D6 of the Placemaking Plan
2. The height design, mass and scale of building would impact on the conservation area and the City of Bath World Heritage Site. Contrary to Policies D1, D2, D3 and D5 of the Placemaking Plan

Items 5 and 6 were considered together.

- (5) **23/04499/FUL - Lower Shockerwick Farm, Shockerwick Farm Lane, Bathford**
- (6) **23/04748/LBA Lower Shockerwick Farm, Shockerwick Farm Lane, Bathford**

The Planning Case Officer introduced the reports which considered two associated applications for a change of use of farmhouse and garage (Use Class C3) to residential agritherapy centre (Use Class C2).

She confirmed the officers' recommendation that the applications be refused for the reasons set out in the report.

The following public representations were received:

1. Jamie Feilden/Tom Rocke supporting the application.

Cllr Kevin Guy was in attendance as local Member and raised the following comments:

1. The application met Council policies in relation to the climate emergency, creating jobs in the rural sector and growing local food.

2. If the Committee approved the application, it would improve the lives of some of most vulnerable young people in relation to both mental and physical health.
3. The social good of the application was life changing.
He urged the Committee to overturn the officer recommendation as the public and social benefits outweighed the harm to the listed building/heritage asset.

Cllr Sarah Warren was unable to attend as local Member and a statement was read out on her behalf as summarised below:

1. The proposal was a sympathetic restoration, retrofit and extension of a listed building currently in a poor and deteriorating state of repair.
2. The restored building would be used to further the important aims of the charity which provided opportunities for young people, particularly those at risk of social or educational exclusion.
3. The development aimed to improve the energy efficiency of the building using natural, environmentally friendly materials with a low carbon footprint.
4. The applicant had a regenerative approach to farming practice in line with Council's policies.
5. The social and environmental benefits outweighed any small degree of harm.

In response to Members' questions, it was confirmed:

1. The roof was a modern addition to the building.
2. If the Committee was minded to permit the application, it would be possible to include a condition requiring a method statement on the underpinning of the proposed rear extension to the kitchen to ensure that it was carried out in the safest way to protect the listed building.
3. The planning permission could not be linked to a specific charity but the change of use to a residential agritherapy centre would ensure that the use would remain the same.

Cllr Fiona Gourley stated that the application was a good way of improving a property that was falling into disrepair and the proposed change of use was compliant with Council policies.

Cllr Lucy Hodge proposed a motion that officers be given delegated authority to permit the application subject to suitable conditions as the public benefit of the application outweighed the less than substantial harm to the Grade II listed building/heritage asset. This was seconded by Cllr Fiona Gourley.

Cllr Toby Simon spoke in support of the motion and asked that a condition requiring a method statement on the underpinning of the proposed rear extension be included.

Vote on item No. 5 - 23/04499/FUL

On being put to the vote, the motion was CARRIED (10 in favour and 0 against - unanimous).

RESOLVED that officers be given delegated authority to permit the application subject to appropriate conditions including a condition requiring a method statement on the underpinning of the proposed rear extension to the kitchen to ensure that it was carried out in the safest way to protect the listed building.

Vote on item No. 6 - 23/04748/LBA

Cllr Lucy Hodge moved that listed building consent be granted. This was seconded by Cllr Lucy Hodge and on being put to the vote, the motion was CARRIED (10 in favour and 0 against - unanimous).

RESOLVED that listed building consent be granted.

(7) 23/04001/OUT Corner Cottage, Frog Lane, Ubley, Bristol

The Planning Officer introduced the report which considered an application for an erection of a new dwelling, formation of garden areas within the development site and the construction of a new vehicle parking area.

She gave a verbal update to clarify issues relating to:

1. Design, character and appearance - this was an outline application with all matters reserved and officers considered that the design could be made acceptable at the reserved matters stage.
2. A sustainable construction checklist was not needed at this time and would be required at the reserved matters stage.

She confirmed the recommendation that officers be delegated to permit the application subject to Section 106 Agreement to secure off site Biodiversity Net Gain (BNG) and the conditions set out in the report.

The following public representations were received:

1. Rachel Tadman, objecting to the application.
2. Thomas Gay, applicant, supporting the application.

Cllr Anna Box was unable to attend the meeting and a statement was read out on her behalf as summarised below:

1. Concern that the new property would overlook the neighbouring property and block sunlight due to its elevated position.
2. The Parish of Ubley had raised concerns about the application and noted mistakes in the application such as where the frontage of Corner Cottage was and that it was a 2 bedroom property rather than a 4 bedroom property.
3. The area was dependent on cars due to limited public transport and there was not enough parking provided.
4. The proposed development was too large for the site.
5. For the above reasons, the application could not be supported.

In response to Members' questions, it was confirmed:

1. The parking standards in the neighbourhood plan and the Local Plan was different and the requirements of the Local Plan took precedent as the Local Plan Partial Update was adopted after the neighbourhood plan. The application had therefore been assessed against the Local Plan and was found to be acceptable.
2. It would not be possible to condition parameters as this would need to be assessed again at the reserved matters stage.
3. The access was indicative and could change at the reserved matters stage.

Cllr Tim Warren stated that the application was in a sustainable location and concerns about the proposed height could be resolved at the reserved matters stage. He moved the recommendation to delegate officers to permit the development. This was seconded by Cllr Toby Simon, noting that the parameters would be reassessed at the reserved matter stage.

On being put to the vote the motion was CARRIED (8 in favour, 2 against).

RESOLVED that officers be delegated to permit the application subject to Section 106 Agreement to secure off site Biodiversity Net Gain (BNG) and the conditions set out in the report.

(8) 24/00360/FUL - Staddle Stones, 5 Salford Court, Salford

Cllr Tim Warren was called away from the meeting during the discussion of this item and did not participate in the debate or decision.

The Planning Case Officer introduced the report which considered an application for the erection of a two-storey side extension, new front gable facade, first floor rear balcony and associated works.

He confirmed the officers' recommendation that permission be granted subject to the conditions set out in the report.

The following public representations were received:

1. Carol Cheung/Helen Mulholland objecting to the application.

Cllr Duncan Hounsell was unable to attend as the local Member but a statement was read out on his behalf summarised as follows:

1. Request a decision be deferred for a site visit so that Members could experience how the extension would look on the ground taking into account site context, land form and boundary treatments.
2. Neighbours argue that Salford Court is an existing cluster of modest sized buildings rather than large buildings and is in close proximity to the Grade 2 listed Salford House. Salford House is an historic building along with the nearby Tunnel House and the area is of great sensitivity.
3. Request Members consider whether the glazed link would be an appropriate design feature.

Cllr Lucy Hodge moved that a decision be deferred pending a site visit. This was seconded by Cllr Hal MacFie.

On being put to the vote the motion was CARRIED (7 in favour, 1 against and 1 abstention).

RESOLVED that a decision be deferred pending a visit to the site.

(9) 24/01330/TCA - Audley House, Park Gardens, Lower Weston, Bath

Cllrs Lucy Hodge and Toby Simon withdrew from the meeting during consideration

of this application.

The Arboricultural Officer introduced the report which considered an application for a tree works notification in a conservation area which had come before Committee as the applicant was a Member of Council.

She confirmed the officers' recommendation that no objection be raised.

There were no public speakers in relation to the application.

Cllr Paul Crossley moved the officer recommendation that no objection be raised. This was seconded by Cllr Tim Warren and on being put to the vote the motion was CARRIED (8 in favour, 0 against).

RESOLVED that no objection be raised in relation to the tree works notification.

133 **NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES**

The Committee considered the appeals report.

RESOLVED that the report be noted.

The meeting ended at 5.17 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT
THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 5
JUNE 2024**

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST/ REPRESENTING
1	22/03224/EFUL – Former Gasworks, Windsor Bridge Road, Twerton, Bath	Caroline McHardy, agent	Supporting
2	24/01261/VAR - Bath Rugby Club, Bath Recreation Ground, Pulteney Mews, Bathwick, Bath	Ceris Humphreys (Pulteney Estate Residents' Association) and Steve Osgood (Friends of the Recreation Ground Association)	Objecting
		Tim Burden (Director, Turley) John Flinn (Chief Exec, Bath Recreation Ltd) Tarquin McDonald (Chief Exec, Bath Rugby)	Supporting
		Cllr Manda Rigby	Ward Member
3	24/00662/FUL - 26 - 28 Orchard Vale, Midsomer Norton	Debra Plummer	Objecting
		Peter Roberts, applicant	Supporting
		Cllr Michael Auton Cllr Shaun Hughes	Adjacent Ward Members
4	23/03510/FUL - Odd Down Sports Pavilion, Chelwood Drive, Odd Down, Bath	Rob Lucas	Objecting
		Cllr Joel Hirst	Ward Member

5 & 6	23/04747/FUL & 23/04748/LBA Lower Shockerwick Farm Shockerwick Farm Lane Bathford	Jamie Feilden/Tom Roche (6 minutes)	Supporting
		Cllr Kevin Guy (10 minutes) Cllr Sarah Warren (unable to attend to be read in absence)	Ward Members
7	23/04001/OUT Corner Cottage, Frog Lane, Ubley, Bristol	Rachel Tadman	Objecting
		Thomas Gay	Supporting
		Cllr Anna Box (unable to attend, to be read in absence)	Ward Member
8	24/00360/FUL - Staddle Stones, 5 Saltford Court, Saltford	Carol Cheung and Helen Mulholland	Objecting
		Cllr Duncan Hounsell (unable to attend, to be read in absence)	Ward Member
9	24/01330/TCA - Audley House, Park Gardens, Lower Weston, Bath	No speakers	

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
5th June 2024
DECISIONS

Item No:	01	
Application No:	22/03224/EFUL	
Site Location:	Former Gasworks, Windsor Bridge Road, Twerton, Bath	
Ward: Westmoreland	Parish: N/A	LB Grade: N/A
Application Type:	Full Application with an EIA attached	
Proposal:	Demolition of existing buildings and decontamination/remediation of the site to facilitate redevelopment for a residential-led mixed-use development, comprising residential dwellings (Class C3 Use) and provision of Class E floorspace (Class E(b) and (f) Uses), together with associated infrastructure, landscaping, and car and cycle parking, engineering works (on site and to associated areas) and access and works to the existing river wall, infrastructure and gasholder voids.	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Area, Policy B3 Bath Riverside Area, Policy B4 WHS - Indicative Extent, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Contaminated Land, Contaminated Land, Policy CP9 Affordable Housing, District Heating Priority Area, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Ecological Networks Policy NE5, Placemaking Plan Allocated Sites, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Policy ST2 Sustainable Transport Routes,	
Applicant:	Berkeley Homes (Oxford & Chiltern) Ltd	
Expiry Date:	29th February 2024	
Case Officer:	Samantha Mason	

DECISION Officer Recommendation – Delegate to Permit, Subject to Section 106

Item No:	02
Application No:	24/01261/VAR
Site Location:	Bath Rugby Club, Bath Recreation Ground, Pulteney Mews, Bathwick
Ward: Bathwick	Parish: N/A LB Grade: N/A
Application Type:	Application for Variation of Condition
Proposal:	Variation of condition 2 of application 21/05530/VAR (Variation of condition 1 of application 20/00137/VAR (Variation of condition 1 of application 15/05237/FUL to allow the stands and related development to remain in situ for a further 2 years (until 30th May 2022) (Erection of temporary spectator stands along the north and eastern sides of the playing field; erection of hospitality boxes to either side of the retained south stand; erection of control box and screen/scoreboard between north and east stands including fence enclosure. Associated works and ancillary facilities comprising floodlighting, and toilets, food and bar facilities within temporary north and east stands (temporary application for period of up to four years)).
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B2 Bath Central Area, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing, Flood Zone 2, Flood Zone 3, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Wetland Strategic Network Policy NE5, Placemaking Plan Allocated Sites, All Public Rights of Way Records, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones,
Applicant:	Turley
Expiry Date:	5th July 2024
Case Officer:	Gary Collins

DECISION PERMIT

1 Temporary Planning Permission (Compliance)

This permission shall expire on 30th May 2025 after which the temporary seating and other structures hereby approved shall be removed from the site and the land/premises reinstated on or before that date in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority prior to the expiry date.

Reason: The proposed development is of a design and construction that the Council will permit only for a limited period to allow for a permanent solution for the future of the Recreation Ground to be resolved.

2 East Stand (Compliance)

The construction of the temporary East Stand seating and associated facilities including access stairs shall not commence more than 4 weeks before the first Home game of each rugby Premiership season. With the exception of summer 2024, the East Stand shall not be used for more than 39 weeks from the date it is first brought into use each season and the East Stand structures and associated facilities including access stairs shall be entirely removed from the site not later than 3 weeks after the last Home game of the rugby Premiership season.

Reason: In the interests of the use, character and appearance of the site as recreational open space within the Conservation Area and World Heritage Site and the setting of listed buildings.

3 Reinstatement (Bespoke Trigger)

The reinstatement scheme for the grass underneath the East Stand shall be implemented in accordance with the details approved under application references 16/02012/COND. The reinstatement scheme shall be implemented as approved within 7 days of the Stand being removed pursuant to Condition 2.

Reason: In order to ensure that the land under the area covered by the stand is capable of being reinstated to an appropriate condition in order to ensure the continued use of the Recreation Ground for all of its users and in the interests of the character and appearance of this part of the Conservation Area and the World Heritage Site.

4 North and East Stand (Compliance)

The North and East Stand hereby approved shall only be used with the green double layered screen fabric in place on the rear of the stand.

Reason: In the interests of the character and appearance of this part of the Conservation Area and the World Heritage Site.

5 Seat Colour (Compliance)

Only green coloured seating shall be installed in the temporary Stands hereby approved.

Reason: In the interests of the character and appearance of this part of the Conservation Area and the World Heritage Site.

6 Construction Method Statement (Compliance)

Construction work associated with the erection and dismantling of the temporary Stands shall be in accordance with the submitted Construction Method Statement (Revision 03 December 2015). Works will only be carried out between the hours of 8am to 6pm Monday to Friday and 8am to 1pm on Saturday with no works undertaken on Sundays or Bank Holidays. No noisy operations shall take place other than between the hours of 8am and 4pm Monday to Friday and 8am to 1pm on Saturday and not on Sundays or on Bank Holidays.

Reason: In order to protect the amenity of adjoining properties and ensure that site access and management arrangements are satisfactory.

7 Flood Risk Measures (Compliance)

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Black and Veatch, subsequent letter dated 12 January 2016, accompanying 'Bath Rugby 100T Crane Access' note dated 08 January 2016 and in particular the following mitigation measures:

- Access shall be provided to the Environment Agency for a crane (up to 100T) to access Pulteney Radial Gate through the recreation ground in an emergency.
- Ground levels and structures allowing the flow of flood water between the river and the ground are to remain unchanged.
- There are no structures or changes to ground levels between the river and the Recreation ground.

Reason: To ensure unimpeded access for the Environment Agency to the Pulteney Gate structure in the event of an emergency, to allow flood water to be stored and thereby ensuring flood risk downstream is not increased, to maintain conveyance flows next to the river during a flood.

8 Travel Plan (Compliance)

The development hereby permitted shall be occupied only in accordance with the submitted Travel Plan dated August 2014, the measures set out in correspondence from IMA Transport Planning dated 25 January 2016 or such other measures submitted to and approved in writing by the Local Planning Authority arising from the implementation of the Travel Plan.

Reason: In the interests of promoting the take up of sustainable transport methods and to minimise impacts on the highway network.

9 Clarification of Permission (Compliance)

This permission relates only to the East Stand, North Stand, South Stand hospitality boxes, Control Room and TV Screen as shown on the submitted drawings and does not convey consent for any other development including any flags/advertising.

Reason: In order to clarify the terms of the permission.

10 Scoreboard (Compliance)

The screen/scoreboard hereby permitted shall only be operated on Home rugby Premiership match days. The screen/scoreboard shall be operated for a maximum of two hours before or after a rugby Premiership Home game and no later than 10-00pm.

Reason: To safeguard the amenities of nearby residents and in the interests of safeguarding the character and appearance of this part of the Conservation Area and the World Heritage Site.

11 TV Screen (Compliance)

The treatment of the rear of the TV screen shall be in accordance with the details approved under application reference 16/02012/COND.

The works shall be completed as approved prior to the first Home game of the rugby Premiership 2016/17 season.

Reason: To protect the amenities of nearby residents and in the interests of safeguarding the character and appearance of this part of the Conservation Area and the World Heritage Site.

12 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:

15.1646.PL101, PL102, PL107, PL108, PL109, PL110, PL111, PL112, PL113, PL114, PL116, PL117, PL118, PL119

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.

Permit/Consent Decision Making Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

Responding to Climate Change (Informative):

The council is committed to responding to climate change. You are advised to consider sustainable construction when undertaking the approved development and consider using measures aimed at minimising carbon emissions and impacts on climate change.

Item No:	03
Application No:	24/00662/FUL
Site Location:	26 - 28 Orchard Vale, Midsomer Norton, Bath And North East Somerset,
Ward:	Midsomer Norton Redfield
Parish:	Midsomer Norton
LB Grade:	N/A
Application Type:	Full Application
Proposal:	Demolition of no. 26 and 28 Orchard Vale and development of 54 new homes with open space, landscaping and all associated infrastructure (Cross Boundary Application with Somerset).
Constraints:	Agric Land Class 1,2,3a, Agric Land Class 3b,4,5, Coal - Standing Advice Area, Policy CP9 Affordable Housing, Housing Development Boundary, Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, Policy M1 Minerals Safeguarding Area, SSSI - Impact Risk Zones,
Applicant:	Curo Enterprise Ltd
Expiry Date:	31st July 2024
Case Officer:	Isabel Daone

DECISION REFUSE

1 The principle of residential development in this location will worsen the imbalance between employment and housing within the Somer Valley. Whilst the main housing development is proposed within Somerset, the provision of an access within B&NES will enable and facilitate the housing development. The development is therefore considered to be contrary to policy DW1 of the Bath and North East Somerset Local Plan Partial Update and policy SV1 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

This decision relates to the following plans:

0768-C-P-0300 D - DRAINAGE STRATEGY SHEET 1
0768-C-P-0301 D - DRAINAGE STRATEGY SHEET 2
0768-C-P-0302 D - DRAINAGE STRATEGY SHEET 3
0768-C-P-0305 D - DRAINAGE AREAS PLAN
0768-C-P-0330 E - ENGINEERING LEVELS SHEET 1
0768-C-P-0331 E - ENGINEERING LEVELS SHEET 2
0768-C-P-0332 E - ENGINEERING LEVELS SHEET 3
0768-C-P-0340 D - HIGHWAY ADOPTION PLAN
0768-C-P-0350 D - HIGHWAY MATERIALS LAYOUT
0768-C-P-0370 D - VEHICULAR TRACKING
0768-C-P-0381 B - DRAINAGE CONSTRUCTION DETAILS SHEET 1
0768-C-P-0382 A - DRAINAGE CONSTRUCTION DETAILS SHEET 2
0768-C-P-0390 B - FOUL MANHOLE SCHEDULE
0768-C-P-0391 B - STORM MANHOLE SCHEDULE
0768-P-D-0360 B - ROAD & DRAINAGE LONGITUDINAL SECTIONS SHEET 1

0768-P-D-0361 B - ROAD & DRAINAGE LONGITUDINAL SECTIONS SHEET 1
 1652-001 K - PROPOSED SITE ACCESS ARRANGEMENT OPTION A
 1652-SPA-001 F - PROPOSED SITE ACCESS SWEEP PATH ANALYSIS
 3063-5-2 DR-5000 S4-P6 - LANDSCAPE MASTERPLAN
 3063-5-2 DR-5100 S4-P6; 3063-5-2 DR-5101 S4-P6; 3063-5-2 DR-5102 S4-P6; 3063-5-2
 DR-5103 S4-P6 - SOFTWARES PROPOSALS (SHEETS 1-4)
 3063-5-2 DR-5104 S4-P6 - HARD SURFACE, FURNITURE AND PLAY PROPOSALS
 PL-03 REV N - Planning Layout
 PL-04.REV C - Materials Layout
 PL-04.1 REV B - Boundary Treatments
 35197 PL-05 REV C - ADOPTION LAYOUT
 PL-06 C - Storey Heights Layout
 PL-07C - Refuse Strategy Layout
 35197 SE-01A - Site Sections
 35197 SS-01A - Street Scenes
 A125/12033/1A REV C; A125/12033/1B REV C - TOPOGRAPHICAL SURVEY
 D14 437 02 P4 REV D - Tree Protection Plan
 HT-APT-01A - Apartment 1 Housetype Elevations - plots 13-18
 HT-APT-02A - Apartment 1 Housetype Floorplans - plots 13-18
 HT-APT-03A - Apartment 2 Housetype Elevations - plots 46-51
 HT-APT-04A - Apartment 2 Housetype Floorplans - plots 46-51
 HT-ASHS-01 - Housetype - Ashton Side - plots 23, 33, 35, 43
 HT-AVE-01 - Housetype - Avebury 1 - plots 24, 45, 52
 HT-AVE-02 - Housetype - Avebury 2 - plot 27
 HT-AVE-CT01 - Housetype - Avebury Corner Turner 1 - plot 12
 HT-AVE-CT02 - Housetype - Avebury Corner Turner 2 - plot 28
 HT-AVE-CT03 - Housetype - Avebury Corner Turner 3 - plots 41, 54
 HT-BECK-01A - Housetype - Beckford - plots 3, 4
 HT-BECK-02 - Housetype - Beckford Special - plot 2
 HT-BIN&CYC-01 - BIN & CYCLE STORE
 HT-CLIF-01 - Housetype - Clifton - plots 34, 37, 44
 HT-COT-01A - Housetype - Cotswold - plots 6, 7
 HT-GAR-01 - Garages
 HT-KEN-01 - Housetype - Kensington 1 - plot 1 (within BANES)
 HT-KEN-02 - Housetype - Kensington 2 - plot 8 (within Somerset, nomination rights to
 BANES)
 HT-PEN-01 - Housetype - Pensford - plots 20, 31, 32, 36, 38, 39
 HT-PUL-01 - Housetype - Pultney - plot 5
 HT-THO-01 - Housetype - Thomas - plots 25, 26, 29, 30
 HT-WTBG-01 - Housetype - Westonbirt Gable Fronted - plots 9, 10, 11, 19, 21
 HT-WTBG-02 - Housetype - Westonbirt Eaves Fronted - plots 40, 53
 OVCURO001- EXISTING ELEVATIONS - 26-28 Orchard Vale Page 97
 OVCURO002 - EXISTING FLOOR PLANS - 26-28 Orchard Vale
 OVCURO003 - EXISTING FLOOR PLANS AND ELEVATIONS - 26-28 Orchard Vale
 PL-01 - Site Location Plan
 PL-01.2 - Site Location Plan Mendip
 PL-01.1 - Site Location Plan BANES
 HT-ASHF-01 - Housetype - Ashton Front - plots 22, 42
 D14 437 02 03 Arboricultural Method Statement
 DR-5104-P6 - HARD SURFACE, FURNITURE & PLAY PROPOSALS

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the Committee discussion.

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all relevant planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	04
Application No:	23/03510/FUL
Site Location:	Odd Down Sports Pavilion , Chelwood Drive, Odd Down, Bath
Ward: Odd Down	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of extension, addition of 4no. padel tennis courts and replacement of existing floodlights to LED-based lights
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP9 Affordable Housing, Policy LCR5 Safeguarded existg sport & R, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, SSSI - Impact Risk Zones,
Applicant:	GLL
Expiry Date:	28th June 2024
Case Officer:	Isabel Daone

DECISION REFUSE

1 Residential amenity - noise

There is insufficient information contained within the noise impact assessment to sufficiently conclude that the padel tennis courts will not result in a significant noise impact to the neighbouring occupiers, particularly 301 and 303 Bloomfield Road. The development is therefore contrary to policy D6 of the Bath and North East Somerset Placemaking Plan.

2 Design, Character and Heritage

The proposed padel tennis courts, by reason of their siting, design, height and scale, are incongruous to the character of the locality and the setting of the nearby Conservation Area, and to a lesser extent the City of Bath World Heritage Site. The level of harm to the setting of the Conservation Area and City of Bath World Heritage Site is less than substantial. It is not considered that the public benefits of the scheme are sufficient to outweigh the harm to the heritage assets. As such, the development is contrary to policies D1, D2 and HE1 of the Bath and North East Somerset Placemaking Plan, policy D5 of the Bath and North East Somerset Local Plan Partial Update and part 16 of the National Planning Policy Framework.

PLANS LIST:

This decision relates to the following plans:

- 2002 P04 Proposed Elevations 19th September 2023
- 0008 P01 Padel Tennis Courts Plan 9th May 2024
- 0005 P07 Site Location 25th March 2024
- 1001 P02 Proposed Section S01 19th September 2023

0004 P12 Proposed Site Plan 25th March 2024
0002 P06 Proposed Floor Plan 25th March 2024
2004 P08 Long Elevations 25th March 2024
2005 P11 Padel Tennis Courts 25th March 2024
23144-101 P04 Proposed Drainage Layout 14th March 2024

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. Having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision. In considering whether to prepare a further application the applicant's attention is drawn to the Committee discussion/negotiation.

Community Infrastructure Levy

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority please note that CIL applies to all relevant planning permissions granted on or after this date. Thus any successful appeal against this decision may become subject to CIL. Full details are available on the Council's website www.bathnes.gov.uk/cil

Item No:	05
Application No:	23/04747/FUL
Site Location:	Lower Shockerwick Farm , Shockerwick Farm Lane, Bathford, Bath
Ward: Bathavon North	Parish: Bathford LB Grade: II
Application Type:	Full Application
Proposal:	Change of use of farmhouse and garage Use Class C3 to residential agritherapy centre (Use Class C2). Farmhouse as weekend holiday let. Erection of extension to farmhouse and internal alterations. Internal alterations to The Stable remaining as a single use dwelling. Conversion of garage into a staff office. Replace existing windows. External works and creation of car park.
Constraints:	Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, Policy ST1 Promoting sustainable travel, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr Jamie Feilden
Expiry Date:	15th March 2024
Case Officer:	Christine Moorfield

DECISION Overturn – Delegate to Permit, Subject to Conditions

Item No:	06
Application No:	23/04748/LBA
Site Location:	Lower Shockerwick Farm , Shockerwick Farm Lane, Bathford, Bath
Ward: Bathavon North	Parish: Bathford LB Grade: II
Application Type:	Listed Building Consent (Alts/exts)
Proposal:	Change of use of farmhouse and garage Use Class C3 to residential agritherapy centre (Use Class C2). Farmhouse as weekend holiday let. Erection of extension to farmhouse and internal alterations. Internal alterations to The Stable remaining as a single use dwelling. Conversion of garage into a staff office. Replace existing windows. External works and creation of car park.
Constraints:	Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Listed Building, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr Jamie Feilden
Expiry Date:	15th March 2024
Case Officer:	Christine Moorfield

DECISION Overturn – Delegate to Consent, Subject to Conditions

Item No:	07
Application No:	23/04001/OUT
Site Location:	Corner Cottage , Frog Lane, Ubley, Bristol
Ward: Chew Valley	Parish: Ubley LB Grade: N/A
Application Type:	Outline Application
Proposal:	Erection of a new dwelling in the garden of Corner Cottage (BS40 6PW), formation of garden areas within the development site and the construction of a new vehicle parking area for Corner Cottage (Outline Application with All Matters Reserved).
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Housing Development Boundary, Policy NE2 AONB, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,
Applicant:	Mr & Mrs Thomas Gay
Expiry Date:	16th February 2024
Case Officer:	Danielle Milsom

DECISION Officer Recommendation – Delegate to Permit, Subject to Section 106

Item No:	08
Application No:	24/00360/FUL
Site Location:	Staddle Stones , 5 Saltford Court, Saltford, Bath And North East Somerset
Ward: Saltford	Parish: Saltford LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of two storey side extension, new front gable facade, first floor rear balcony and associated works.
Constraints:	Colerne Airfield Buffer, Saltford Airfield 3km buffer, Agric Land Class 3b,4,5, Conservation Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Housing Development Boundary, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE2A Landscapes and the green set, SSSI - Impact Risk Zones,
Applicant:	Mr/s Selwood
Expiry Date:	26th March 2024
Case Officer:	Ed Allsop

DECISION Defer for site visit - to allow Members to understand the context of the site

Item No:	09
Application No:	24/01330/TCA
Site Location:	Audley House , Park Gardens, Lower Weston, Bath
Ward: Weston	Parish: N/A LB Grade: II
Application Type:	Tree Works Notification in Con Area
Proposal:	T1 - Sequoia - Section fell Co-Dominant stem growing from base of Redwood tree.
	T2 - Cedar - Tip reduce limb which reaches over garden to N and has a poor union with main trunk, by up to 1.5m, to reduce end weight whilst retaining a natural shaped crown.
	Tip reduce 1 branch which reaches over Magnolia tree by up to 1.5m, to reduce end weight, sail area and blend canopy into a natural shape following tip reduction to North
Constraints:	Conservation Area,
Applicant:	Hodge
Expiry Date:	23rd May 2024
Case Officer:	Jane Brewer

DECISION NO OBJECTION