

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 3rd July, 2024, 11.00 am

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

11 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

12 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies of absence were received from Cllr Toby Simon and Cllr Deborah Collins.

Cllr Ruth Malloy was substituting for Cllr Deborah Collins.

13 DECLARATIONS OF INTEREST

There were no declarations of interest.

14 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

15 ITEMS FROM THE PUBLIC

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.

16 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Eleanor Jackson seconded by Cllr Paul Crossley and:

RESOLVED that the minutes of the meeting held on Wednesday 5 June 2024 be confirmed as a correct record for signing by the Chair.

17 SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered:

A report by the Head of Planning on the application under the site visit 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) 24/00360/FUL - Staddle Stones, 5 Saltford Court, Saltford

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.
2. Chris Dance, agent, supporting the application.

Cllr Duncan Hounsell was in attendance as the local Member and raised the following points:

1. The application should be refused as the extension was partially within the green belt, and changes to the green belt boundary should only be defined as part of the local plan process.
2. There were no exceptional circumstances for the substantial increase of built form in the green belt.

He asked the Committee to refuse the application.

In response to Members' questions, it was confirmed:

1. There would be a loss of garden and mitigation planting was included as part of the scheme including 3 trees and a replacement hedge.
2. The officer view was that the development did not need screening by further planting.
3. Permitted development rights had been removed as a result of a previous application which meant that planning permission had to be sought for further developments.
4. Officers did not consider the proposed scheme to be an overdevelopment of the plot. The report addressed issues relating to the design, size, scale and siting of the development in the conservation area and officers concluded it to be acceptable.
5. The green belt boundary was not changing but the building was extending into the green belt. The percentage of the overall building in the green belt was 33%.
6. As officers considered the development to be appropriate in principle the test about special circumstances was not triggered. The Committee could make a different judgement about whether the development was a disproportionate addition in the green belt.

Cllr Shaun Hughes expressed concern about the development encroaching the green belt boundary.

Cllr Eleanor Jackson concurred with this view and also stated that the design would not conserve and enhance the conservation area.

Cllr Paul Crossley stated that he considered the development to be disproportionate and inappropriate development in the green belt with no special circumstances as well as the scale and design being out of keeping with the local area. He moved that the officer recommendation be overturned, and the application be refused. This was seconded by Cllr Eleanor Jackson.

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

RESOLVED that the application be refused for the following reasons:

1. Green Belt - the proposed extension represented a disproportionate addition to the original building and was therefore considered to be inappropriate development in the Green Belt. No very special circumstances existed to clearly outweigh the harm identified.
2. Design and Heritage - the proposed development, due to its scale and design, would be out of keeping with the character of the surrounding area and would result in less than substantial harm to the Saltford Conservation Area. Public benefits do not exist to outweigh this harm.

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

(1) 24/01004/VAR - Willow Barn, Sunnymead Lane, Bishop Sutton, Bristol

The Planning Officer introduced the report which considered an application for the variation of conditions 2 (Plans List (Compliance)) and 5 (Garages (Compliance)) of application 20/03934/FUL (Erection of new garage/carport).

He confirmed the recommendation that the application be permitted subject to the conditions set out in the report.

Cllr Dave Harding was unable to attend the meeting but submitted a statement that was read in absence summarised below:

1. Stowey Sutton Parish Council had objected to the application.
2. The proposed development was in the Area of Outstanding Natural Beauty (AONB).
3. The area was known to be inhabited and foraged by bats and without an up-to-date ecological assessment of the local, commuting and foraging bats in the new environment, the application could not be said to demonstrate compliance with the Neighbourhood Plan.
4. The Parish Council had requested the Committee to review whether the application should be viewed as a separate site from the main accommodation and therefore a "split site".

In response to Members' questions, it was confirmed:

1. The condition attached to the previous consent requiring the building to be used

only as a private garage predated the Local Plan Partial Update and changes regarding the minimum number of parking spaces. In view of the updated policy, this condition was no longer considered necessary.

2. The use of the site was ancillary to the main building and any change of use to convert the home office to living accommodation would require a new planning application. Any subletting of the home office would also be a change of use requiring planning permission.
3. Officers considered that the application would not result in a significant increase in light spill necessitating a further bat survey. A condition had been included to ensure that any external lighting would need to be approved by the local planning authority in the interest of protecting bats and other wildlife.
4. Officers did not consider it was appropriate to include a condition for blinds/curtains to be installed.

Cllr Tim Warren proposed the officers' recommendation that permission be granted. This was seconded by Cllr Eleanor Jackson who also requested an additional condition, which was agreed by the mover of the motion, requiring the home office to remain ancillary to the main house.

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

RESOLVED that permission be granted subject to an additional condition requiring the home office to remain ancillary to the main house.

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

In response to a question raised about an increase in the number of appeals due to non-determination the Team Manager – Development Management undertook to look into this issue and remind case officers to seek extensions of time when necessary.

In response to a question about vacancies in the Enforcement Team, it was confirmed that the Team was currently at full strength.

RESOLVED that the report be noted.

ANY OTHER BUSINESS

Cllr Lucy Hodge asked if a site visit could be arranged to view a padel tennis court in operation in advance of considering future applications relating to padel tennis courts.

The meeting ended at 12.17 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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BATH AND NORTH EAST SOMERSET COUNCIL**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT
THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 3
JULY 2024**

SITE VISIT LIST			
ITEM NO.	SITE NAME	NAME	SUPPORTING/ OBJECTING/ REPRESENTING
1	24/00360/FUL - Staddle Stones, 5 Saltford Court, Saltford	Carol Cheung and Helen Mulholland	Objecting
		Chris Dance, agent	Supporting
		Cllr Duncan Hounsell	Ward Member
MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	SUPPORTING/ OBJECTING/ REPRESENTING
1	24/01004/VAR - Willow Barn , Sunnymead Lane, Bishop Sutton, Bristol	Cllr Dave Harding (to be read in absence)	Ward Member

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BATH AND NORTH EAST SOMERSET COUNCIL

PLANNING COMMITTEE

3rd July 2024

SITE VISIT DECISIONS

Item No:	001	
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:	4th July 2024	
Case Officer:	Ed Allsop	

DECISION REFUSE

1 Green Belt

The proposed extension represents a disproportionate addition to the original building and is therefore considered to be inappropriate development in the Green Belt. No very special circumstances exist to clearly outweigh the harm identified. The proposals are therefore contrary to the development plan, in particular policy CP8 of the Core Strategy and chapter 13 of the NPPF.

2 Design and Heritage

The proposed development, due to its scale and design, would be out of keeping with the character of the surrounding area and would result in less than substantial harm to the Saltford Conservation Area. Public benefits do not exist to outweigh this harm. The proposals are therefore contrary to the development plan, in particular policies D2, D5 and HE1 of the Local Plan Partial Update and chapter 16 of the NPPF.

PLANS LIST:

This decision relates to the following plans:

Site location plan- 001

Existing site plan- 002

Existing ground floor plan- 003
Existing first floor plan- 004
Existing roof plan- 005
Existing north and east elevations- 006
Existing south and west elevations- 007
Existing sections AA and BB-008

Proposed site plan- 012
Proposed ground floor plan- 013
Proposed first floor plan- 014
Proposed roof plan- 015
Proposed north and east elevations- 016
Proposed south and west elevations- 017
Proposed sections CC and DD- 018
Lighting assessment

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

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework. In considering whether to prepare a further application the applicant's attention is drawn to the original discussion/negotiation.

BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
3rd July 2024
DECISIONS

Item No:	01	
Application No:	24/01004/VAR	
Site Location:	Willow Barn , Sunnymead Lane, Bishop Sutton, Bristol	
Ward: Chew Valley	Parish: Stowey Sutton	LB Grade: N/A
Application Type:	Application for Variation of Condition	
Proposal:	Variation of conditions 2 (Plans List (Compliance)) and 5 (Garages (Compliance)) of application 20/03934/FUL (Erection of new garage/carport).	
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Ecological Networks Policy NE5, Strategic Nature Areas Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
Applicant:	Mr Wayne Pickford	
Expiry Date:	15th May 2024	
Case Officer:	Angus Harris	

DECISION PERMIT

1 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.

2 External Lighting (Bespoke Trigger - requires approval of details prior to installation of new lighting)

External lighting shall be installed and operated only in accordance with the approved details of lighting and downlight lamp models as set out in the full application, reference 20/03934/FUL, unless full details of proposed lighting design have first been submitted to and approved in writing by the Local Planning Authority; details to include proposed lamp models and manufacturer's specifications, proposed lamp positions, numbers and heights with details also to be shown on a plan; and details of all measures to limit use of lights when not required and to prevent upward light spill and light spill onto trees and boundary vegetation and adjacent land; and to avoid harm to bat activity and other wildlife. The lighting shall be installed maintained and operated thereafter in accordance with the approved details.

Reason: To avoid harm to bats and wildlife in accordance with policies NE3 and D8 of the Bath and North East Somerset Placemaking Plan.

3 Materials (Compliance)

The external walling materials to be used shall be of vertical timber weatherboarding. The roofing materials to be used shall be of slate roof tiles.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policies D1, D2, D3 and D5 of the Bath and North East Somerset Placemaking Plan and Policy CP6 of the Bath and North East Somerset Core Strategy.

4 Hard and Soft Landscaping (Compliance)

All hard and/or soft landscape works shall be carried out in accordance with the approved details submitted under application 20/03934/FUL. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme (phasing) agreed in writing with the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.

Reason: To ensure that the landscape scheme is implemented and maintained in accordance with Policies D1, D2 and NE2 of the Bath and North East Somerset Placemaking Plan.

5 Ancillary Use Only (Compliance)

The development hereby approved shall not be used other than for purposes ancillary to the main dwelling.

Reason: To ensure that the approved development complies with the use as proposed in order to define the terms and extent of the permission.

PLANS LIST:

This decision relates to the following plans:

Drawing	18 Mar 2024	01 REV 0	PROPOSED	OFFICE	AND	GARAGE
STORAGE - FLOORS PLAN						
Drawing	18 Mar 2024	01 REV 0	PROPOSED	OFFICE	AND	GARAGE
STORAGE- ELEVATIONS AND FLOORS PLAN						

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.

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.

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 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

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.