

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday 30th July 2025, 10.00 am

Councillors: Tim Ball (Chair), Paul Crossley (Vice-Chair), Deborah Collins, Fiona Gourley, Ian Halsall, Hal MacFie, Ruth Malloy, Shaun Hughes, Dr Eleanor Jackson and Tim Warren CBE

21 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

22 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Cllr Malloy was substituting for Cllr Simon who had submitted apologies for absence.

23 DECLARATIONS OF INTEREST

There were no declarations of interest.

24 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

25 ITEMS FROM THE PUBLIC

The Democratic Services Officer informed the meeting of the process for public speakers to address the Committee.

26 MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting held on Wednesday 2 July 2025 be confirmed as a correct record and signed by the Chair.

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

There no site visit applications for consideration.

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

The Committee considered:

1. A report and update report by the Head of Planning on the applications under the main applications list.
2. Oral statements by members of the public and representatives. A copy of the

speakers' list is attached as Appendix 1 to these minutes.

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. 25/01695/FUL - 6 Southdown Avenue, Southdown, Bath, Bath And North East Somerset

The Planning Officer introduced the report which considered an application for the change of use from a 3-bedroom dwelling (Class C3) to a 6-Bedroom HMO (C4).

She gave a verbal update to amend the recommendation to delegate to permit subject to an additional condition to those listed in the report to secure obscure glazing to the bathroom windows at the rear.

The following public representation was received:

1. Martin Allsop, local resident, objecting to the application.

Cllr Dine Romero was in attendance as ward Councillor read a statement as summarised below:

1. She was concerned that there was not sufficient amenity space for occupiers and also that there would be a loss of amenity for residents of neighbouring properties.
2. The building works on site were not in line with what had been outlined in the plans and there was a concern that the property may be converted to a 7-bed dwelling.
3. The conversion of the garage into a bedroom would have a detrimental impact on neighbours of the adjoining property.
4. There was a further concern that there would be an increase in pressure for parking in the wider area.
5. She asked the Committee to refuse the application due to the unacceptable amenity space for occupiers of the property and loss of amenity to neighbouring properties.

In response to Members' questions, it was confirmed:

1. The application was for converting a 3-bedroom dwelling (C3) to a 6-bedroom dwelling (C4). An application for a 7+ bedroom dwelling would be sui generis and would require a separate planning permission. In terms of the HMO concentration test, a 6-bed or a 7-bed dwelling would be counted as one unit.
2. Most of the bedrooms met the standard size requirements but 2 were slightly below. Officers considered the application to be compliant with policy D6 (residential amenity).
3. The communal living space was 23.3m²
4. Access to the rear of the dwelling would be through the house. Bicycles would need to be taken through the house to reach the cycle store at the rear.
5. If planning permission was granted, works would need to be in accordance with the submitted plans.
6. The application was policy compliant in terms of car parking and cycle parking provision.

Cllr Crossley opened the debate as ward Councillor and raised concerns about the density of the HMO; the lack of adequate community space, 2 of the bedrooms being below the recommended standard size and the loss of amenity to neighbouring properties. He moved that the application be refused as contrary to policy D6 on the grounds of over development of the site, loss of amenity to neighbouring properties and inadequate amenity space for occupiers of the property. This was seconded by Cllr Halsall.

Cllr Hughes spoke in support of the motion and also raised concerns that cycle parking was only accessible by carrying bikes through the house and this could encourage car use.

On voting for the motion, it was CARRIED (10 in favour and 0 against).

RESOLVED that the application be refused as contrary to policy D6 of the Placemaking Plan for the following reasons:

1. There was inadequate amenity space for occupiers of the property.
2. There would be a loss of amenity for neighbouring properties.
3. The application would result in over development of the site.

2. 25/00872/PIP - Highbanks, The Street, Stowey, Bristol

The Planning Officer introduced the report which considered a Permission in Principle application for the erection of 2 dwellings following the demolition of an existing detached annex.

He confirmed the officers' recommendation that permission in principle be granted.

The following public representations were received:

2. Mr & Mrs Webb, local residents, objecting to the application (statement read in absence).
3. Kevin Morley, agent, supporting the application.

Cllr David Harding was in attendance as ward Councillor read a statement as summarised below:

1. He acknowledged that there was a lack of 5-year land supply for housing which was a material consideration, but asked the Committee to note two points of principle:
 - a. Stowey was not a sustainable location, residents were reliant on using cars, public transport was limited and financially insecure and there was a lack of local amenities. The highways authority had recognised that Stowey was not a sustainable location.
 - b. The site was in the green belt.

In response to Members' questions, it was confirmed:

1. Officers had given limited weight to the use of delivery vehicles, as the site was accessible by smaller vans and delivery vehicles would currently be accessing the village.
2. In terms of whether the site could be regarded as infill, it did meet some of the definitions, e.g., D7 of the Local Plan, but not others, e.g., the neighbourhood plan.

3. The site was in the green belt. It had not been redefined as grey belt due to its unsustainable location. If permission in principle was granted, a detailed application for the two dwellings would need to meet the conditions relating to openness of the green belt.
4. If permission in principle was granted, there would still be an option to refuse a future planning application if details were not acceptable.
5. The number of dwellings in the permission in principle was the upper limit and so the detailed application could not be for more than 2 dwellings. The number of bedrooms would be considered as part of a detailed application.
6. The officer recommendation was to grant the permission in principle application due to tilted balance resulting from the lack of a 5 year land supply for housing. Officers acknowledged that the site was in an unsustainable location and contrary to policy.
7. Limited weight had been given to whether the site was on a sustainable cycle route and officers recognised that Stowey was a car dependent area.

Cllr Halsall opened the debate and acknowledged that the site was unsustainable and that there was an objection from the highways authority but felt that the Committee needed to support the officer recommendation to grant permission in principle due to the lack of a 5-year land supply for housing.

Cllr Jackson concurred with this view and moved the officers recommendation to grant permission in principle. This was seconded by Cllr Warren.

Cllr Gourley spoke in support of the motion in view of the need for small scale developments in rural areas.

Cllr Crossley spoke against the motion due to the unsustainable location.

On voting for the motion, it was CARRIED (9 in favour and 1 against).

RESOLVED that permission in principle be granted subject to the conditions set out in the report.

3. 25/00041/FUL - Parcel 6200, Moorledge Lane, Chew Magna, Bristol

The Planning Officer introduced the report which considered a retrospective application for the change of use from an agricultural field to a secure dog field with proposed fencing around the perimeter of the field and a proposed single storey mobile field shelter.

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

The following public representations were received:

1. Barney Paul Bonner, architect, supporting the application.

Cllr David Harding was in attendance as ward Councillor read a statement as summarised below:

1. He was objecting to the application on behalf of local residents and Parish Council on the following grounds:
 - a. Amenity – the noise from up to 6 dogs barking was likely to disturbance to

- local residents and was not in accordance with the Chew Valley Neighbourhood Plan which had an aspiration for tranquillity.
 - b. Sustainability – it was likely that users would drive to the site.
 - c. Unsuitable access – the access to the site was by a single track lane which was 3m wide with high banks in places.
2. If the Committee was minded to approve the application, he asked that consideration be given to conditions to reduce the opening hours in the early morning/weekends and bank holidays in the interests of residential amenity; fencing off the area to protect flora and redesignating the land as agricultural land if the site was no longer in use.

In response to Members' questions, it was confirmed:

1. The disposal of dog waste would be managed by the applicants using a private registered waste operator. The arrangements were set out in the management plan which would be secured by a condition (as set out in the update report).
2. The distance to the nearest residential dwelling was 50m. It would not have been proportionate to ask the applicant to provide a noise assessment. The noise levels would not be dissimilar to dogs in residential gardens, but any unacceptable noise could be addressed by the management plan.
3. The land was classified as grade 3a agricultural land. The NPPF designated 3a as high-grade agricultural land but the local plan only classified 1 and 2 as high grade. In terms of considering this application, weight had been given to the fact that the land was not being developed and could be reverted to agricultural land if the use ceased.
4. There would be an online booking system which would control the number of dogs to a maximum of 6 at any one time. There would be a 10-minute buffer period in between sessions.
5. There was no proposed lighting associated with the application.
6. In relation to impact on badger setts, the ecology team was satisfied that compliance with a wildlife mitigation scheme could be secured by a condition.
7. The field shelter was not defined as a building as it was a moveable structure and therefore consideration did not need to be given to whether it would cause harm in the green belt.

Cllr Warren opened the debate and stated that although he saw the benefits of this type of facility, in particular exercising dogs away from areas where sheep were grazing, he questioned whether this was the right location due to the proximity to residential dwellings.

Cllr Gourley commented that a managed facility would be advantageous in terms of controlling dog mess.

Cllr Halsall moved the officers recommendation to permit the application subject to the conditions in the report/update report and stressed the importance of the management plan to ensure the smooth running of the facility. He expressed the view that the noise levels would not be different to dogs in a residential garden. This was seconded by Cllr Gourley.

Cllr MacFie spoke against the motion on the grounds that he considered the site to be too close to neighbouring properties and that disturbance from dogs would have a detrimental impact on residential amenity.

Cllr Hughes agreed with concerns about a loss of amenity for residents, and also that the site was not in a sustainable location and access was likely to be by car.

Cllr Malloy also expressed concerns about the loss of grade 3a agricultural land.

On voting for the motion to permit the application, it was NOT CARRIED (4 in favour and 6 against).

Cllr Hughes moved that the application be refused due to the loss of amenity for local residents; the lack of sustainability of the site and the loss of grade 3a agricultural land. This was seconded by Cllr MacFie.

On voting for the motion, it was CARRIED (6 in favour and 4 against).

RESOLVED that the application be refused for the following reasons:

1. The site was in an unsustainable location.
2. Loss of grade 3a agricultural land.
3. Loss of amenity for local residents.

4. 25/01768/FUL - 41 Bloomfield Rise, Bloomfield, Bath

The Planning Officer introduced the report which considered an application for the installation of side and rear dormers.

He confirmed the officers' recommendation that the application be refused for the reason set out in the report.

The following public representations were received:

1. Tim Brind, applicant, supporting the application.

Cllrs Steve Hedges read a statement on behalf of himself, and fellow ward member, Cllr Joel Hirst summarised as below:

1. The applicant had undertaken detailed research to support his application and had demonstrated a willingness to cooperate with Planning Officers.
2. There was a significant lack of consistency on advice/ decision making on dormer windows extensions in the immediate area of the application.
3. A precedent for similar developments had been demonstrated in the same street and wider locality.
4. The proposed scheme was less prominent in visual impact than several existing permissions in more exposed locations.
5. The proposed design was proportionate, coherent with the character of the host dwelling, and consistent with planning policies CP6, D2, D5, and relevant provisions of the NPPF regarding contextual and high-quality design.
6. There would not be unacceptable harm to the character and appearance of the host dwelling and surrounding area.

In response to Members' questions, it was confirmed:

1. The application for both the side and rear dormer windows had been assessed as a whole and considered to be inappropriate.
2. The other dormer windows in the area had been approved between 2016-2021 and there had not been a substantial shift in relevant policies during that time.
3. There was no supplementary planning guidance relating to dormer windows.

Cllr Warren opened the debate and moved that the officers recommendation to refuse be overturned, and permission be granted as it would not be out of keeping due to the number of similar dormer extensions in the area. The motion was seconded by Cllr Halsall who expressed the view that the application would not have a detrimental effect on the house or the surrounding area.

Cllrs Collins and Jackson spoke in support of the application.

In speaking in support of the motion, Cllr Crossley also asked officers to consider whether there needed to be a policy review in relation to dormer windows.

On voting for the motion, it was CARRIED (10 in favour and 0 against).

RESOLVED that the application be permitted subject to appropriate conditions.

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

Cllr Halsall drew members' attention to the decision relating to Hartley Wood in Clutton, where the Inspector had allowed the appeal due to the lack of a 5-year land supply for housing.

RESOLVED that the report be noted.

30 **QUARTERLY PERFORMANCE REPORT 1 APRIL - 30 JUNE 2025**

Members welcomed the information and asked that future reports also include comparisons with neighbouring authorities.

In response to a question about the slight dip in the number of planning applications determined on time, the Deputy Head of Planning Development responded that there was no specific reason but this would continue to be monitored.

RESOLVED that the report be noted.

The meeting ended at 12.31 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
WEDNESDAY 30 JULY 2025**

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	SUPPORTING/ OBJECTING/ PARISH OR WARD COUNCILLOR
1	25/01695/FUL - 6 Southdown Avenue, Southdown, Bath, Bath And North East Somerset	Martin Allsop, local resident	Objecting
		Cllr Dine Romero	Ward Councillor
2	25/00872/PIP - Highbanks, The Street, Stowey, Bristol	Mr and Mrs Webb	Objecting
		Kevin Morley, agent	Supporting
		Cllr David Harding	Ward Councillor
3	25/00041/FUL - Parcel 6200, Moorledge Lane, Chew Magna, Bristol	Barney Paul Bonner, architect	Supporting
		Cllr David Harding	Ward Councillor
4	25/01768/FUL - 41 Bloomfield Rise, Bloomfield, Bath	Tim Brind, applicant	Supporting
		Cllr Steve Hedges	Ward Councillor

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BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
30th July 2025
DECISIONS

Item No:	01		
Application No:	25/01695/FUL		
Site Location:	6 Southdown Avenue, Southdown, Bath, Bath And North East Somerset		
Ward: Southdown	Parish: N/A	LB Grade: N/A	
Application Type:	Full Application		
Proposal:	Change of use from 3 bedroom dwelling (Class C3) to 6-Bedroom HMO (C4)		
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, HMO Stage 1 Test Area (Stage 2 Test Req), MOD Safeguarded Areas, Ecological Networks Policy NE5, SSSI - Impact Risk Zones,		
Applicant:	Forest Edge Properties		
Expiry Date:	1st August 2025		
Case Officer:	Danielle Milsom		

DECISION REFUSE

1 The change of use and conversion of the garage to a habitable space would result in overdevelopment of the site through insufficient space for occupiers, resulting in a harm to the occupier's amenity. The garage conversion would result in increased disturbance to neighbouring occupiers from overlooking and an increase in noise, impacting the neighbours privacy and amenity of 8 Southdown Avenue, contrary to policy D6 of the Placemaking Plan.

PLANS LIST:

This decision relates to the following plans:

Revised Drawing	12 Jun 2025	REV C	EXISTING	AND	PROPOSED
ELEVATIONS					
Revised Drawing	12 Jun 2025	REV C	EXISTING	AND	PROPOSED
FLOOR PLANS					
Revised Drawing	12 Jun 2025	REV C	EXISTING	AND	PROPOSED
PLAN					

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.

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 39 of the National Planning Policy Framework.

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

Item No:	02		
Application No:	25/00872/PIP		
Site Location:	Highbanks, The Street, Stowey, Bristol		
Ward: Chew Valley	Parish: Stowey Sutton	LB Grade: N/A	
Application Type:	Permission in Principle		
Proposal:	Permission in Principle for the erection of 2no dwellings following demolition of existing detached annex.		
Constraints:	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, LLFA - Flood Risk Management, Policy NE3 SNCI 200m Buffer, NRN Woodland Strategic Networ Policy NE5, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,		
Applicant:	Sovereign Financial Advisors Limited		
Expiry Date:	11th April 2025		
Case Officer:	Angus Harris		

DECISION PERMIT as per Officer Recommendation

Item No:	03	
Application No:	25/00041/FUL	
Site Location:	Parcel 6200, Moorledge Lane, Chew Magna, Bristol	
Ward: Chew Valley	Parish: Chew Magna	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use from Agricultural Field to Secure Dog Field. Proposed fencing around perimeter of the field. Proposed single storey mobile field shelter. (Retrospective)	
Constraints:	Bristol Airport Safeguarding, Agricultural Land Classification, Coal - Standing Advice Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, Policy M1 Minerals Safeguarding Area, Policy NE3 SNCI 200m Buffer, Neighbourhood Plan, Other Please specify, SSSI - Impact Risk Zones,	
Applicant:	Paws Up! Chew Valley Dog Adventures	
Expiry Date:	7th May 2025	
Case Officer:	Angus Harris	

DECISION REFUSE

1 The development would harm the amenity of the nearby residents as a result of excessive noise, during long periods of time each day. The development is contrary with Policy D6 of the LPPU and Part 12 of the NPPF.

2 The application site is within an unsustainable location. The development is contrary with Policy ST1 of the LPPU.

3 The application will result in the loss of the 'Best and Most Versatile Agricultural Land' as defined by the NPPF, contrary with Part 15 of the National Planning Policy Framework.

PLANS LIST:

This decision relates to the following plans:

Drawing FIELD	06 Jan 2025	DR001	SITE LOCATION PLAN - SECURE DOG
Drawing FIELD	06 Jan 2025	DR0010	PROPOSED SITE PLAN - SECURE DOG
Drawing	06 Jan 2025	DR0011	PROPOSED SITE PLAN - ACCESS
Drawing SHELTER	06 Jan 2025	DR0012	PROPOSED FENCING AND FIELD
Drawing FIELD	06 Jan 2025	DR002	EXISTING BLOCK PLAN - SECURE DOG
Drawing FIELD	06 Jan 2025	DR003	EXISTING AERIAL VIEW - SECURE DOG

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 39 of the National Planning Policy Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the stated reasons and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant chose not to withdraw the application and 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 original 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:	04
Application No:	25/01768/FUL
Site Location:	41 Bloomfield Rise, Bloomfield, Bath, Bath And North East Somerset
Ward: Odd Down	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Installation of side and rear dormers.
Constraints:	Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE3 SNCI 200m Buffer, SSSI - Impact Risk Zones,
Applicant:	Mr Tim Brind
Expiry Date:	1st August 2025
Case Officer:	Christopher Masters

DECISION Overturned - PERMIT

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