

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday 21st January 2026, 10.00 am

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

80 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

81 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Ian Halsall, Cllr John Leach and Cllr Toby Simon.

There were the following substitutions:

Cllr Ruth Malloy for Cllr Toby Simon

Cllr Duncan Hounsell for Cllr John Leach

82 DECLARATIONS OF INTEREST

Cllr Hounsell declared an interest in that he may be considered predetermined in relation to item 1 - 25/03496/FUL – 22 Tynig Road, Saltford and stood down from the Committee to speak as ward councillor and then withdrew from the meeting and took no further part in the debate or vote.

Cllr Jackson declared a disclosable personal interest in item 3 - 25/04547/TCA - 4 Meadow View, Radstock and withdraw from the meeting during consideration of the application.

In relation to item 2 - 25/02637/FUL - Barn, Bailbrook Lane, Lower Swainswick, Bath, Cllr Crossley stated that he was the Council's representative on the Cotswold Area of Outstanding Beauty Board and as the Board had not made a determination on the application plus considering the councillor code of conduct test for this interest, he held an open mind to the planning arguments and would be participating in the debate and vote.

83 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

84 ITEMS FROM THE PUBLIC

The Democratic Services Officer informed the meeting of the process for public

speakers to address the Committee.

85 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED that the minutes of the meetings of 17 December 2025 be confirmed as a correct record for signing by the Chair.

86 **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. 25/03496/FUL - 22 Tynning Road, Saltford, Bath and North East Somerset

The Planning Case Officer introduced the report which considered an application for the demolition of an existing bungalow and the construction of 5 new bungalows including a new access road off Tynning Road.

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

1. A Section 106 Agreement to cover a financial contribution for:
 - a. replacement tree planting for 12 replacement trees
 - b. a monitoring fees contribution of £468 per obligation
2. The conditions set out in the report with an amendment to condition 15 to include "(Hillside Trees January 2026)" after "Tree Protection Plan".

The following public representations were received:

1. A local resident, objecting to the application.
2. John Blake, architect, supporting the application.

Cllr Duncan Hounsell stood down from the Committee to speak as ward councillor and raised the following points:

1. Although he welcomed the late change to reduce 2 of the proposed bungalows from 4-bed to 2-bed, he objected to the application as he considered it to constitute over-development of the site due to loss of amenity to neighbouring residents and lack of amenity to future residents of the site.
2. The density of the development was also out of keeping with the character of the area.
3. The size of bathroom/toilet was too small for older people with accessibility requirements.
4. Garden space was negligible.
5. The proposed access road was on the wrong side of the plot.

6. Biodiversity Net Gain (BNG) was only achievable off-site, and it could have been achieved on-site with a lower density development.
7. Similar backland developments in Salford had been successful due to lower density.
8. He was aware of tilted balance arguments but considered the application to be contrary to policies.

At this point, Cllr Hounsell withdrew from the meeting and took no further part in the debate and vote in relation to the application.

Cllr Chris Warren was in attendance as ward councillor and read a statement summarised as below:

1. He objected to the application.
2. He recognised the contribution of backland developments but did not consider this application to be appropriate.
3. The proposed 5 properties constituted over-development of the site.
4. He was concerned the development would add to on-street parking.
5. He was also concerned about the loss of wildlife habitat.

In response to Members' questions, it was confirmed:

1. In determining whether an application constituted over-development, there needed to be consideration of any harms e.g. if there was an adverse impact on residential amenity or on the character of the area.
2. There was no specific policy requirement for a minimum outdoor space/garden. Policy D6 referred to sufficient amenity space and officers were of the view that this application was policy compliant.
3. The development was denser than others in the surrounding area, but a balance needed to be made between Policy D2 "Local Character and Distinctiveness" and the National Planning Policy Framework requirements for the efficient use of land in meeting the needs for homes.
4. In relation to BNG, offsite delivery was permissible. Less dwellings on site would have enabled more onsite provision but this needed to be balanced with other considerations such as the lack of a 5-year land supply.
5. The access road would not be adopted as the Highways Authority did not adopt roads of this scale. Comments had been raised that moving the access road would have less impact on residents, but the current location was a design choice that was considered acceptable by officers.
6. There was no Neighbourhood Plan for Salford.
7. In terms of sewer drainage, the drainage team was satisfied with the arrangements and there would be a drainage condition attached to the planning permission.

Cllr Hughes opened the debate and stated that although the site was in a sustainable location and there was a need for bungalows, he was concerned about over-development and the impact on the character of the area and the loss of amenity for existing residents and lack of amenity for future residents. He also expressed concern that BNG could not be met on-site and that there would be a loss of green space as a result of the development. He moved that the application be refused and this was seconded by Cllr MacFie.

The Team Manager – Development Management clarified that the application was policy compliant in relation to BNG and therefore this was not a valid reason for

refusal, but the loss of green space could be included in the reason relating to harm to amenity.

Cllr Gourley agreed that there was a need for more bungalows but shared concerns about the lack of amenity space.

Cllr Crossley spoke in support of the motion as he considered the application to constitute over-development which caused harm to the character to the village and a lack of amenity to residents.

Cllrs Warren and Jackson also spoke in support of the motion.

On voting for the motion, it was CARRIED (8 in favour and 0 against).

RESOLVED that the application be refused for the following reasons

1. Impact to character - the development constituted over-development with a lack of green and amenity space and would cause harm to the character and appearance of the area.
2. Harm to residential amenity - the development would have an overbearing impact on neighbouring properties resulting in a lack of privacy and there was a lack of amenity and green space for future occupiers.

Cllr Hounsell returned to the meeting.

2. 25/02637/FUL - Barn, Bailbrook Lane, Lower Swainswick, Bath, Bath and North East Somerset

The Planning Case Officer introduced the report which considered an application for the change of use and conversion of a barn into a single dwelling house

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. Cllr Peter Lewis, Batheaston Parish Council objecting to the application.
2. Angela Toms, on behalf of local residents objecting to the application.
3. Chris Dance, agent, supporting the application.

Cllr Joanna Wright was in attendance as an adjacent ward councillor and read a statement summarised as below:

1. The application site was located in an important position within the Green Belt, the Cotswold National Landscape and World Heritage Site setting.
2. Although the site was in an adjacent ward, the proposed development would impact on residents in Lambidge ward.
3. There was a history on the site including enforcement issues and damage to mature trees.
4. The development would result in a detrimental impact on residential amenity and if the application was permitted, there should be a condition to remove the first-floor window to prevent overlooking.
5. Neighbouring residents were concerned about the dwelling being used for short term lets.
6. There were also concerns about the impact on the public right of way.

7. Lighting would impact on dark skies.
8. This was an inappropriate development in the Green Belt, and the Committee was urged to refuse the application.

In response to Members' questions, it was confirmed:

1. The history of the site was relevant in terms of what permissions had been granted, but any enforcement issues were not relevant to this application, and a decision should be made on the application on its merits.
2. The barn was built in 2016 under permitted development rights, the agricultural use had since changed as there was a new owner.
3. The site was outside the housing development boundary.
4. The access was considered to be suitable for the proposed use. If the Committee considered that the track should be upgraded, this could be confirmed by a condition.
5. In terms of development in the Green Belt, there was an exception in NPPF which stated that a change of use was acceptable providing the development did not cause substantial harm.
6. It was accepted that the access to the site was likely to be by private car, but the site was close to the edge of an urban area and not considered to be in a remote isolated location. The nearest bus stop was on London Road West.
7. The dwelling could be converted to an HMO or holiday let without planning permission (as long as class C3 or C4), as it was outside the area of Bath covered by the Article 4 direction.
8. The nearest property was 55m from the development and officers did not think there was significant harm in terms of overlooking or residential amenity.
9. There would be 3 parking spaces which was consistent with parking standards.
10. Any further applications for barns on the site would need to prove agricultural use.

Cllr Warren opened the debate and stated that as this was a conversion of a redundant agricultural building rather than a new building, it would be difficult to find a reason to refuse the application. He moved the officers' recommendation to permit the development. This was seconded by Cllr Hounsell who stressed the need to apply current policies.

Cllr Jackson spoke against the motion, as she did not consider the current use to be redundant and was concerned that the development was not accessible without a car.

Cllr Hughes expressed concerns about the application in the context of its setting.

As mover of the motion, Cllr Warren confirmed that he did not think any additional conditions should be included.

On voting for the motion, it was CARRIED (5 in favour and 4 against).

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

Cllr Tim Warren left the meeting at this point.

Cllr Jackson declared an interest in the following item and withdrew from the

meeting.

3. 25/04547/TCA - 4 Meadow View, Radstock, Bath and North East Somerset

The Planning Case Officer introduced the report which considered a notification for tree works in a conservation area.

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

There were no public speakers.

Cllr Crossley moved the officers' recommendation. This was seconded by Cllr Gourley.

On voting for the motion, it was CARRIED (7 in favour and 0 against).

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

Cllr Jackson returned to the meeting.

4. 25/04609/TCA - Audley House, Park Gardens, Lower Weston, Bath, Bath and North East Somerset

The Planning Case Officer introduced the report which considered a notification for tree works in a conservation area

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

There were no public speakers.

Cllr Jackson moved the officer recommendation. This was seconded by Cllr Gourley

On voting for the motion, it was CARRIED (8 in favour and 0 against).

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

87 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 12.12 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
WEDNESDAY 21 JANUARY 2026**

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	SUPPORTING/ OBJECTING/ PARISH OR WARD COUNCILLOR
1.	25/03496/FUL - 22 Tyning Road, Saltford, Bath and North East Somerset	Speaker on behalf of local residents	Objecting
		John Blake, architect	Supporting
		Cllr Duncan Hounsell Cllr Chris Warren	Ward Councillor Ward Councillor
2.	25/02637/FUL - Barn, Bailbrook Lane, Lower Swainswick, Bath, Bath and North East Somerset	Cllr Peter Lewis	Batheaston Parish Council
		Angela Toms, on behalf of local residents	Objecting
		Chris Dance, agent	Supporting
		Cllr Joanna Wright	Adjacent Ward Councillor
3.	25/04547/TCA - 4 Meadow View, Radstock, Bath and North East Somerset	No speakers	
4.	25/04609/TCA - Audley House, Park Gardens, Lower Weston, Bath, Bath and North East Somerset	No speakers	

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BATH AND NORTH EAST SOMERSET COUNCIL
PLANNING COMMITTEE
21st January 2026
DECISIONS

Item No:	01
Application No:	25/03496/FUL
Site Location:	22 Tynning Road, Saltford, Bath And North East Somerset, BS31 3HL
Ward: Saltford	Parish: Saltford
	LB Grade: N/A
Application Type:	Full Application
Proposal:	Demolition of existing bungalow and construction of 5No. new bungalows including new access road off Tynning Road.
Constraints:	Colerne Airfield Buffer, Saltford Airfield 3km buffer, Agric Land Class 1,2,3a, Policy CP3 Solar and Wind Landscape Pote, Policy CP9 Affordable Housing, Housing Development Boundary, MOD Safeguarded Areas, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,
Applicant:	Mrs Sandy Vear
Expiry Date:	23rd January 2026
Case Officer:	Isabel Daone

DECISION REFUSE

1 Impact to Character

The proposals will result in an overdevelopment of the site with a quantum of development that results in a cramped layout and lack of green and amenity space, contrary to the character of the locality. The development is therefore in conflict with policies D2 and D7 of the Bath and North East Somerset Placemaking Plan.

2 Harm to Residential Amenity

The proposals, by virtue of the proposed layout, quantum and siting, will result in a loss of privacy and overbearing impact which will cause significant harm to the neighbouring occupiers. The lack of outdoor amenity space will harm the amenities of future occupiers. The proposals are therefore contrary to policy D6 of the Bath and North East Somerset Placemaking Plan.

PLANS LIST:

This decision relates to the following plans:

924/24/05N PROPOSED SITE PLAN
924/24/06C BUNGALOW A1 PLANS
924/24/07C BUNGALOW A1 ELEVATIONS
924/24/08C BUNGALOW B2 PLANS
924/24/09C BUNGALOW B2 ELEVATIONS

924/24/10B BUNGALOW C PLANS
924/24/11C BUNGALOW C ELEVATIONS
924/24/12B SURFACE WATER DRAINAGE PLAN
924/24/13A BUNGALOW A2 PLANS
924/24/14A BUNGALOW A2 ELEVATIONS
924/24/15A BUNGALOW B1 PLANS
924/24/16A BUNGALOW B1 ELEVATIONS

All received 18th December 2025

01A LOCATION PLAN

Received 4th September 2025

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 39 of the National Planning Policy Framework. The proposal was considered unacceptable for the reasons given and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

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:	02	
Application No:	25/02637/FUL	
Site Location:	Barn, Bailbrook Lane, Lower Swainswick, Bath	
Ward: Bathavon North	Parish: Batheaston	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use and conversion of a barn into a single dwellinghouse (C3 Use Class).	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agricultural Land Classification, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, Conservation Area, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Ecological Networks Policy NE5, NRN Woodland Strategic Networ Policy NE5, Neighbourhood Plan, All Public Rights of Way Records, SSSI - Impact Risk Zones,	
Applicant:	Mr Rob Fox	
Expiry Date:	23rd January 2026	
Case Officer:	Ben Burke	

DECISION PERMIT

1 Standard Time Limit (Compliance)

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

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

2 Parking (Compliance)

The areas allocated for parking and turning on approved location and block plan drawing referenced F179 25 201H shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure sufficient parking and turning areas are retained at all times in the interests of amenity and highways safety in accordance with policy D6 of the Bath and North East Somerset Placemaking Plan and policy ST7 of the Bath and North East Somerset Local Plan Partial Update and the Transport and Development Supplementary Planning Document.

3 Removal of External Staircase (pre-occupation)

The existing external staircase shall be removed prior to occupation of the dwelling hereby approved.

Reason: To ensure the proposal complies with the terms of the application and in the interests of the character and appearance of the area.

4 Bicycle Storage (Pre-occupation)

No occupation of the development shall commence until the bicycle store detailed on approved drawing F179 25 302 has been provided in accordance with this drawing. Thereafter, the bicycle storage shall be retained and maintained for the lifetime of the development.

Reason: To secure adequate off-street parking provision for bicycles and to promote sustainable transport use in accordance with policy ST7 of the Bath and North East Somerset Local Plan Partial Update and the Transport and Development Supplementary Planning Document.

5 Removal of Permitted Development Rights - No extensions or alterations (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, external alteration or enlargement of the dwelling(s) or other buildings hereby approved shall be carried out unless a further planning permission has been granted by the Local Planning Authority.

Reason: The introduction of extensions requires detailed consideration by the Local Planning Authority to ensure they do not result in unacceptable harm to the character and appearance of the area, visual amenity and/or openness of the Green Belt in accordance with policy CP8 of the Core Strategy, policy D2 and GB1 of the Placemaking Plan, policy GB3 of the Local Plan Partial Update and part 13 of the NPPF.

6 Removal of Permitted Development Rights - No outbuildings (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no garages or other free standing buildings shall be erected within the curtilage of the dwelling(s) hereby approved, other than those expressly authorised by this permission, unless a further planning permission has been granted by the Local Planning Authority.

Reason: The introduction of curtilage buildings requires detailed consideration by the Local Planning Authority to ensure they do not result in unacceptable harm to the character and appearance of the area, visual amenity and/or openness of the Green Belt in accordance with policy CP8 of the Core Strategy, policy D2 and GB1 of the Placemaking Plan, policy GB3 of the Local Plan Partial Update and part 13 of the NPPF.

7 Removal of Permitted Development Rights - No Windows (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no windows, external doors, roof lights or openings, other than those shown on the plans hereby approved, shall be formed in the dwelling, hereby approved, at any time unless a further planning permission has been granted.

Reason: To safeguard the character, appearance of the area, as well as the visual amenity and openness of the Green Belt in accordance with policy CP8 of the Core

Strategy, D2 and GB1 of the Placemaking Plan, policy GB3 of the Local Plan Partial Update and part 13 of the NPPF.

8 Implementation of Landscaping Scheme (Bespoke Trigger)

All tree and hedgerow planting shall be carried out in accordance with the details shown on the below approved drawing. The works shall be carried out prior to occupation of the dwelling, hereby approved, or in accordance with the programme of implementation agreed in writing with the Local Planning Authority.

Location and Block Plan, F179 25 201 I

Any trees or plants indicated on the approved scheme which, within a period of 10 years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the current or first available planting season with other trees or plants of species, size and number as originally approved unless the Local Planning Authority gives its written consent to any variation. All hard and soft

landscape works shall be retained in accordance with the approved details for the lifetime of the development.

Reason: To maintain and enhance the environmental quality and visual amenity of the area and Green Belt in accordance with policy D2 of the Placemaking Plan, policy GB3 of the Local Plan Partial Update and part 13 of the NPPF.

9 Plans List (Compliance)

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

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

PLANS LIST:

15 Jan 2026	F179 25 201 I	LOCATION AND BLOCK PLAN
05 Nov 2025	F179 25 301F	PLANS AND ELEVATIONS
04 Jul 2025	F179 25 302A	BIKE STORE PLANS AND ELEVATIONS PROPOSED

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.

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.

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:	25/04547/TCA
Site Location:	4 Meadow View, Radstock, Bath And North East Somerset, BA3 3QT
Ward: Radstock	Parish: Radstock
	LB Grade: N/A
Application Type:	Tree Works Notification in Con Area
Proposal:	Front garden: Red Cedar - reduce height by up to 2m. Regenerating stump by front door - remove. Mixed hedge (a line of conifers and shrubs) - trim by about a metre.
Constraints:	Conservation Area,
Applicant:	Cllr Eleanor Jackson
Expiry Date:	5th January 2026
Case Officer:	Mark Cassidy

DECISION NO OBJECTION

Item No:	04
Application No:	25/04609/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:	G1- 4 no Western Red Cedar, crown reduce by approximately 6-7m in height to allow more light to Beech and Atlas Cedar G2-2 no Leylandii trees, crown reduce by approximately 3m in height and 1-1.5m on sides G3-3 no Lawson Cypress, section fell as close to ground level as possible, to allow more light to Yew hedge
Constraints:	Conservation Area,
Applicant:	Hodge
Expiry Date:	12th January 2026
Case Officer:	Mark Cassidy

DECISION NO OBJECTION