

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday 18th February 2026, 10.00 am

**Councillors:** Tim Ball (Chair), Paul Crossley (Vice-Chair), Fiona Gourley, Ian Halsall, Hal MacFie, Toby Simon, Shaun Hughes, Dr Eleanor Jackson and John Leach

#### 88 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 89 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Tim Warren.

#### 90 DECLARATIONS OF INTEREST

In relation to item 3. 25/04242/FUL - The Coach House, Midford Road, Midford, Bath, Bath And North East Somerset, Cllr Crossley stated that he was the Council's representative on the Cotswold Area of Outstanding Beauty Board but as the Board had not been consulted on the application he did not consider he had an interest and would be participating in the debate and vote.

#### 91 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

#### 92 ITEMS FROM THE PUBLIC

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

#### 93 MINUTES OF THE PREVIOUS MEETING

**RESOLVED** that the minutes of the meetings of 21 January 2026 be confirmed as a correct record for signing by the Chair.

#### 94 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. 25/04124/FUL - 26 Wedgwood Road, Whiteway, Bath, Bath And North East Somerset, BA2 1NX**

The Planning Officer introduced the report which considered an application for the change of use from a single dwelling (C3) to 7-bedroom house in multiple occupation (HMO) (Sui Generis).

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

Cllr Sarah Moore was in attendance as ward councillor and raised the following points:

1. She questioned whether figures were accurate in relation to the calculation of the number of residential properties and number of HMOs.
2. She was concerned that there were non-registered HMOs which had not been taking into consideration and would put the percentage over the threshold of 10% in the 100m radius.
3. The plans were of concern; the smallest bedroom and bathrooms were too small and there were no detailed plans for the kitchen.
4. The cycle store at the back was only accessible through the communal area of the house and this was not ideal for tenants.
5. Although the property was served by bus services, these were subsidised and could not be guaranteed to continue in the long term.
6. There was a lack of on-street parking in the area and this would be exacerbated if the tenants had cars.
7. She asked the Committee to refuse the application.

In response to Members' questions, it was confirmed:

1. This application would not result in sandwiching of a residential property.
2. There were no residents parking zones in operation in the area.
3. In terms of whether the heating system needed to be upgraded, the property was Grade C rated which was the requirement for HMOs and so there was no planning requirement to upgrade.
4. The figures for residential properties/HMOs were calculated using the Council's mapping service and officers had no reason to believe these were inaccurate. If anyone was aware of HMOs operating without planning permission, this should be referred to the enforcement team for investigation. If the Committee required a further investigation of the figures, then a deferral was recommended.
5. In terms of the party wall and impact on the neighbouring property, building regulations would control construction.
6. The tenants would need to bring their bicycles through the communal area in the house to access the cycle store as the house was terraced and there was no separate access to the garden. It was considered that the rear garden was the safest location for the cycle store.

Cllr MacFie moved that the application be deferred to enable further clarification on

the figures of residential properties and HMOs within a 100m radius of the application site. This was seconded by Cllr Simon who requested a list of all properties and their status in order to make an informed assessment.

Cllr Halsall spoke in support of the motion to defer as the concentration of HMOs in the area was close to the threshold of 10%.

On voting for the motion, it was CARRIED (9 in favour and 0 against - UNANIMOUS).

**RESOLVED** that the application be deferred to enable further clarification on the figures of residential properties and HMOs within a 100m of the application site.

**2. 25/04650/FUL - 16 Alderley Road, Southdown, Bath, Bath And North East Somerset, BA2 1LB**

The Planning Case Officer introduced the report which considered an application for the change of use from a dwellinghouse (C3) to a house in multiple occupation (C4) including partial conversion of an existing garage.

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. Chris Jones, agent, supporting the application.

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

1. She expressed concern about the loss of an affordable family home and the impact on the community, such as the viability of local schools.
2. The increase in the number of adults living in the property could result in up to 6 cars and would have an impact on air quality in the area.
3. She was concerned about elements of the design such as the bathroom located next to the kitchen and that bins and bicycles would need to be transported through the communal area.
4. She asked the Committee to refuse the application.

In response to Members' questions, it was confirmed:

1. The bin store was located at the back of the house and bins would need to be brought through the communal living area to the front of the building for collection. This was not an unusual situation for terraced housing.
2. The location of the toilet would need to meet building regulations.
3. Officers did not consider that there was an unacceptable level of harm caused by overlooking.
4. The 3 parking spaces included in the plans did exceed the minimum requirement of 1 parking space.
5. It was not a planning consideration whether the dropped curves would prevent people parking on the road.
6. The development would be allowed under permitted development if it was not located within an area subject to an Article 4 Direction restricting
7. the conversion of residential properties into HMOs.
8. Officers did not consider there would be an impact on sewage/drainage as the

increase was from a 5-bedroom dwelling to a 6-bedroom dwelling.

Cllr Crossley opened the debate as ward councillor. He agreed that the application complied with HMO requirements but expressed concern about the loss of amenity to neighbouring properties and the loss of on street parking. This was seconded by Cllr Hughes who expressed reservations about the feasibility of the design. The Deputy Head of Planning - Development Management advised against the loss of on-street parking as being a reason for refusal as there was no right to park on a public highway and it was agreed that this reason be withdrawn

Cllr Halsall spoke in support of the motion due to the impact on residential amenity. He agreed with the need to retain affordable family homes.

Cllr Leach spoke against the motion as he did not consider there was a defensible reason to refuse the application.

Cllr Gourley spoke in support of the motion as she considered the design would impact on amenity of future residents.

On voting for the motion, it was NOT CARRIED (4 in favour and 5 against).

Cllr Jackson moved the officers' recommendation with an additional condition to ensure that the loft space could not be used for additional accommodation. This was seconded by Cllr Leach.

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

**RESOLVED** that the application be permitted subject to the conditions in the report and an additional condition to ensure that the loft space would not be used for additional accommodation.

### **3. 25/04242/FUL - The Coach House, Midford Road, Midford, Bath, Bath And North East Somerset**

The Planning Officer introduced the report which considered an application for the demolition of an existing two-storey dwelling, and replacement with a contemporary two-storey self-build dwelling in the green belt.

He confirmed the officers' recommendation that officers be granted delegated authority to permit the application subject to:

1. the submission of a Section 106 Unilateral Undertaking to secure the property as a self-build dwelling.
2. the conditions set out in the report.

There were no public representations on the application.

In response to Members' questions, it was confirmed:

1. The existing building was not of historic interest or significance.
2. There was no requirement for a separate application for the demolition of the existing dwelling as the site was not in a conservation area.

Cllr Gourley opened debate as local councillor and stated that the proposed

development would be more fit for purpose than the existing dwelling and would not be visible in the wider landscape. She moved the officers' recommendation that the application be permitted. This was seconded by Cllr Halsall who stated that he was satisfied the existing dwelling was not a heritage asset and that the benefits of replacing the current dwelling with a sustainable building outweighed the loss of the building.

Cllr Hughes raised concerns about the proposed materials, particularly in relation to the roof.

On voting for the motion, it was CARRIED (7 in favour and 2 against).

**RESOLVED** that officers be granted delegated authority to permit the application subject to:

1. the submission of a Section 106 Unilateral Undertaking to secure the property as a self-build dwelling.
2. the conditions set out in the report.

95 **TREE PRESERVATION ORDER 2025 - AMENITY LAND AT IVY AVENUE, SOUTHDOWN, BATH NO.334**

The Tree Officer introduced the report which considered a Tree Preservation Order which had been the subject of two objections. She drew attention to the update report which confirmed that one objection had since been withdrawn.

She advised that the officers' recommendation was that the Tree Preservation Order be confirmed without modification.

The following public representations were received:

1. Craig Harding, landowner, objecting to the Tree Preservation Order.
2. Neil Wood, local resident, supporting the Tree Preservation Order.

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

1. She had received representations from local residents who had expressed concern about the loss of the trees which had been felled on the site and were concerned about the loss of further trees.
2. The woodland formed part of an amenity that residents had a right to.
3. The site was an area of woodland and had an important role in supporting the stability of the hill as well as providing a habitat for wildlife.
4. She asked the Committee to approve the TPO to protect the remaining trees.

In response to Members' questions, it was confirmed:

1. The landowner could not be instructed to replant trees, but woodland designation would cover the regeneration and regrowth of tree stumps.
2. The TPO would control any future felling and if more than 5 cubic metres were to be felled in one calendar month then a felling license would be required. The Council would be consulted in this situation.

Cllr Crossley opened the debate as ward councillor and stated that there were few trees in the area and therefore the impact of losing trees was great. He moved the

officers' recommendation to approve the TPO. This was seconded by Cllr Jackson.

Cllr Hughes spoke in support of the motion and referred to the Council's declaration of an ecological emergency.

On voting for the motion, it was CARRIED (9 in favour and 0 against - UNANIMOUS).

**RESOLVED** that the Tree Preservation Order be approved.

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

The Committee considered the appeals report.

**RESOLVED** that the report be noted.

97 **QUARTERLY PERFORMANCE REPORT - 1 OCT - 31 DEC 2025**

The Committee considered the appeals report.

**RESOLVED** that the report be noted.

The meeting ended at 12.25 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 18 FEBRUARY 2026**

<b>MAIN PLANS LIST</b>			
<b>ITEM NO.</b>	<b>SITE NAME</b>	<b>NAME</b>	<b>SUPPORTING/ OBJECTING/ PARISH OR WARD COUNCILLOR</b>
1.	25/04124/FUL - 26 Wedgwood Road, Whiteway, Bath, Bath And North East Somerset	Cllr Sarah Moore	Ward Councillor
2.	25/04650/FUL - 16 Alderley Road, Southdown, Bath, Bath And North East Somerset	Chris Jones, agent	Supporting
		Cllr Dine Romero	Ward Councillor
3.	25/04242/FUL - The Coach House, Midford Road, Midford, Bath, Bath And North East Somerset	No speakers	
4.	Tree Preservation Order - Amenity land at Ivy Avenue, Southdown, Bath	Craig Harding, landowner	Objecting
		Neil Wood, local resident	Supporting
		Cllr Dine Romero	Ward Councillor

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**PLANNING COMMITTEE**

**18th February 2026**

**DECISIONS**

<b>Item No:</b>	01	
<b>Application No:</b>	25/04124/FUL	
<b>Site Location:</b>	26 Wedgwood Road, Whiteway, Bath, Bath And North East Somerset	
<b>Ward:</b> Twerton	<b>Parish:</b> N/A	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Change of use from single dwelling (C3) to 7 bedroom hmo.	
<b>Constraints:</b>	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, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, SSSI - Impact Risk Zones,	
<b>Applicant:</b>	Kbr Developments Ltd	
<b>Expiry Date:</b>	18th December 2025	
<b>Case Officer:</b>	Angus Harris	

**DECISION** Deferred for additional information

<b>Item No:</b>	02
<b>Application No:</b>	25/04650/FUL
<b>Site Location:</b>	16 Alderley Road, Southdown, Bath, Bath And North East Somerset
<b>Ward:</b> Southdown	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Change of use from dwellinghouse (C3) to small house in multiple occupation (C4) including partial conversion of existing garage.
<b>Constraints:</b>	Article 4 HMO, 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, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Kandoo Property Ltd
<b>Expiry Date:</b>	20th February 2026
<b>Case Officer:</b>	Nadin Qutaina

## 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 EPC Certificate (Pre-occupation)

Prior to the first occupation of the House in Multiple Occupation hereby approved, an Energy Performance Certificate showing that the property has an EPC rating of C, B or A shall be submitted to the local planning authority and approved in writing.

Reason: To ensure the property has a EPC Rating of C, B or A in accordance with the Bath and North East Somerset Houses in Multiple Occupation Supplementary Planning Document, and Policies H2 and CP1 of the Local Plan Partial Update.

### 3 Bike storage (compliance)

The garage as shown in drawing '0228-3-315E ' shall be retained for secure bicycle storage for at least 4 bicycles. If a replacement structure is required, details of a suitable equivalent shall be submitted for approval to the planning authority prior to installation and the approved structure shall be installed and permanently retained thereafter.

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.

#### **4 Loft room (compliance)**

The loft (as shown on plan 0228-3-318D) shall not be used as a habitable space or bedroom, and shall be used for storage purposes only

Reason: In the interests of residential amenity and a safe living environment in compliance with policy D6 of the Plan.

#### **5 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:**

0228-3-305C	EXISTING SITE PLAN
0228-3-306D	PROPOSED SITE PLAN
0228-3-310C	EXISTING GROUND AND FIRST FLOOR PLAN
0228-3-315E	PROPOSED GROUND AND FIRST FLOOR PLAN
0228-3-325C	PROPOSED ELEVATIONS
0228-3-301B	SITE LOCATION PLAN
0228-3-321B	EXISTING ELEVATION
0228-3-320B	EXISTING ELEVATIONS
0228-3-311B	EXISTING ROOF PLAN
0228-3-318D	PROPOSED ROOF 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](http://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](http://www.bathnes.gov.uk/cil). If you have any queries about CIL please email [cil@BATHNES.GOV.UK](mailto: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.

### **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.

<b>Item No:</b>	03
<b>Application No:</b>	25/04242/FUL
<b>Site Location:</b>	The Coach House , Midford Road, Midford, Bath
<b>Ward:</b> Bathavon South	<b>Parish:</b> South Stoke <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Demolition of existing two-storey dwelling, and replacement with a contemporary two-storey self-build dwelling.
<b>Constraints:</b>	Colerne Airfield Buffer, Agric Land Class 3b,4,5, Policy B4 WHS - Indicative Extent, Policy CP3 Solar and Wind Landscape Pote, Policy CP8 Green Belt, Policy CP9 Affordable Housing, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE2A Landscapes and the green set, Policy NE3 SNCI 200m Buffer, Ecological Networks Policy NE5, NRN Grassland Strategic Netwo Policy NE5, Strategic Nature Areas Policy NE5, NRN Woodland Strategic Networ Policy NE5, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr P Roper
<b>Expiry Date:</b>	6th January 2026
<b>Case Officer:</b>	Ed Allsop

**DECISION** Delegate to Permit subject to Section 106 Agreement as per Officer recommendation

**Bath and North East Somerset Council  
(Amenity land at Ivy Avenue, Southdown, Bath No.334)  
Tree Preservation Order 2025**

**DECISION** Unanimous vote to confirm Tree Preservation Order without modification

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