

**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](http://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](http://www.bathnes.gov.uk/cil). If you have any queries about CIL please email [cil@BATHNES.GOV.UK](mailto: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

<b>Item No:</b>	03	
<b>Application No:</b>	25/00041/FUL	
<b>Site Location:</b>	Parcel 6200, Moorledge Lane, Chew Magna, Bristol	
<b>Ward:</b> Chew Valley	<b>Parish:</b> Chew Magna	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Change of use from Agricultural Field to Secure Dog Field. Proposed fencing around perimeter of the field. Proposed single storey mobile field shelter. (Retrospective)	
<b>Constraints:</b>	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,	
<b>Applicant:</b>	Paws Up! Chew Valley Dog Adventures	
<b>Expiry Date:</b>	7th May 2025	
<b>Case Officer:</b>	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](http://www.bathnes.gov.uk/cil)

<b>Item No:</b>	04
<b>Application No:</b>	25/01768/FUL
<b>Site Location:</b>	41 Bloomfield Rise, Bloomfield, Bath, Bath And North East Somerset
<b>Ward:</b> Odd Down	<b>Parish:</b> N/A <b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application
<b>Proposal:</b>	Installation of side and rear dormers.
<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, SSSI - Impact Risk Zones,
<b>Applicant:</b>	Mr Tim Brind
<b>Expiry Date:</b>	1st August 2025
<b>Case Officer:</b>	Christopher Masters

**DECISION**    Overturned - PERMIT