

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday 27th August 2025, 10.00 am

Councillors: Tim Ball (Chair), Deborah Collins, Ian Halsall, John Leach, Hal MacFie, Toby Simon, Shaun Hughes, Dr Eleanor Jackson and Tim Warren CBE

31 ELECTION OF VICE-CHAIR FOR THE MEETING

In the absence of Cllr Paul Crossley, the Chair asked for nominations for a vice-chair to be elected for the duration of the meeting.

RESOLVED that Cllr Ian Halsall be elected as vice-chair for the meeting.

32 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

33 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Paul Crossley. Cllr John Leach was in attendance as a substitute.

Apologies for absence were received from Cllr Fiona Gourley. Cllr Ruth Malloy was in attendance as substitute.

34 DECLARATIONS OF INTEREST

Cllr Tim Ball declared an interest in item 2 on the main plans list - 25/02460/FUL - St Michael's Doctors Surgery, Walwyn Close, Twerton, Bath as a registered patient at the surgery, and withdrew from the meeting during consideration of that item.

35 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

36 ITEMS FROM THE PUBLIC

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

37 MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting held on 30 July 2025 be confirmed as a correct record for signing by the Chair.

38 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. 25/01634/PIP - Land Adjacent To Greystones, Ashgrove, Peasedown St John, Bath

The Planning Officer introduced the report which considered a permission in principle application for an infill residential development of a minimum of 3 and a maximum of 5 dwellings.

He outlined the status in relation to green belt/grey belt as follows:

1. The application site was not found to strongly contribute to the green belt purposes (a), (b), or (d) and could be considered to be grey belt land.
2. The Local Planning Authority did not currently have a 5-year housing land supply, and the application site was found to be a sustainable location.
3. As such, the proposal could be considered appropriate development in the green belt, compliant with paragraph 155 of the National Planning Policy Framework.

He confirmed the officers' recommendation that permission in principle be granted subject to the conditions set out in the report.

The following public representation was received:

1. John Rooney, agent, supporting the application.

Cllr Karen Walker was unable to attend the meeting as ward member and a statement was read on her behalf as summarised below:

1. She considered the application site to be in the green belt and therefore should not be developed as there were no "very special circumstances".
2. She referred to the previous application on the site which was refused by the Council and dismissed by the Planning Inspector on appeal, due to the harm to the openness and inappropriateness of the development in the green belt.

In response to Members' questions, it was confirmed:

1. In terms of the proposed number of dwellings, if the Committee considered a particular number within the range of 3-5 to be unacceptable, there was an option to defer to seek an amendment to the description. However, this would require a re-consultation and an amended assessment of the application. If the Committee did not consider the range of 3-5 to be acceptable, it could refuse the application.
2. The number of bedrooms would be considered as part of the technical details application.

3. In terms of the agricultural land grading, the land was graded as 3. It was not known if this was 3a or 3b as the applicant was not required to provide this information for the permission in principle application. The field was currently not being used for an agricultural purpose. As to the possibility of the land being grade 3a, which was designated as “best and most versatile land” in NPPF, this was a material factor, but not a reason for refusal in itself as there were a number of other factors which needed to be taken into consideration such as the size of the site and whether it was part of a larger unit.
4. In terms of guidance for local authorities about ensuring the efficient use of land in considering planning applications, paragraph (130) of the NPPF referred.
5. The status of the track was an under used alternative access for the field and this would not be affected by the proposal.

Cllr Hughes opened the debate and expressed concern about the application in view of the current allocation of the site in the Local Plan as green belt and outside the housing developments boundary and the lack of clarification about whether the land was grade 3a or 3b agricultural land.

Cllr Halsall acknowledged the history of the site and the previous applications which had not been considered acceptable but recognised that the grey belt definition/lack of a 5 year land supply had changed the situation and that he was minded to support the application.

Cllr Simon moved the officers’ recommendation to grant permission in principle. He expressed a preference for 5 dwellings to maximise the number of homes and also felt there should be a developer contribution towards traffic calming measures but acknowledged that these were issues for the technical details stage. This was seconded by Cllr Collins who stated that it was difficult to see the harm outweighing the benefits of additional housing in the context of government guidance on grey belt.

Cllr Warren spoke in support of the motion, although he expressed a preference for a lower number of dwellings within the 3-5 range, but noted this was an issue for the technical details application.

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.

At this point in the meeting, Cllr Tim Ball withdrew, and Cllr Ian Halsall took the Chair.

2. 25/02460/FUL - St Michael's Doctors Surgery, Walwyn Close, Twerton, Bath

The Planning Officer introduced the report which considered a change of use from Class E(e) Doctor's Surgery into Class C4 HMO.

He confirmed the officers’ recommendation that permission be granted.

Cllr Sarah Moore was unable to attend the meeting as ward member and a

statement was read on her behalf as summarised below:

She was concerned that the application contravened policy for the following reasons:

- a. It would harm the amenity of adjoining residents through a loss of privacy, visual and noise intrusion.
- b. It would result in an unacceptable loss of accommodation in terms of mix, size and type.
- c. It would result in a loss of commercial use of the property.
- d. The obscured windows would provide no outlook for the residents of the HMO and the tilt windows would result in a loss of privacy of the neighbouring property.
- e. There was no outside space for the residents.

In response to Members' questions, it was confirmed:

1. Officers had concluded that "sandwiching" test did not apply as there was a large gap where the Doctors Surgery was located separating the site from the neighbouring property which would minimise any impact.
2. There was no car parking for the proposed HMO, but this was compliant with policy ST7. There would be bicycle parking facilities in the courtyard.
3. The site had previously been used as a dental practice and was currently vacant. There was no requirement for the applicant to market the vacant property. In terms of use, the site was classified as community use rather than commercial use and the officers assessment had found the change of use to be acceptable due to other dentist facilities being available in the locality.

Cllr Malloy noted that there was also an application for the site to be used as a pharmacy and stated that she was minded to support the application as a backup plan to keep the site in use.

Cllr Hughes stated that although there were some positive elements of the application in that it would bring an empty building back into use and it would not result in a loss of a family home, he had concerns around overlooking and privacy and the lack of parking.

Cllr Collins expressed concern that the sandwiching test had not been applied as rigorously as it could, due to the location of the car park, and that there would be a detrimental impact on the amenity of the occupiers of number 10 who would be sandwiched between two HMOs as well as the lack of outdoor amenity site for occupants of the proposed development.

Cllr Jackson moved that the application be refused due to the over development of the site resulting in an unacceptable loss of amenity and loss of an employment site as well as the reasons outlined in the statement from the ward Councillor.

The Team Manager – Development Management cautioned against the principle of the change of use as a reason as this had not been identified in previous applications and there would need to be a strong reason for a lack of consistency. He also advised against loss of employment site as a reason for refusal as the site was classified as community use rather than employment use and there was no requirement for marketing the empty property. This was accepted by Cllr Jackson and the reasons for refusal were clarified as:

1. Unacceptable loss of amenity by over development of site.

2. Impact of the use of car park on the occupiers of the HMO
3. Impact on neighbouring property caused by potential sandwiching across the car park.
4. Tightness of the outdoor amenity space.

This was seconded by Cllr Hughes.

Cllr Simon spoke against the motion and in favour of the officers' recommendation as there was no requirement to market the site and it was in a highly sustainable location.

Cllr Halsall raised reservations around amenity and "sandwiching" issues

Cllr Warren commented that the proposed development included good sized rooms for the occupants, and he was minded to support the application.

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

Cllr Simon moved the officers' recommendation to permit the application, and this was seconded Cllr MacFie.

On voting for the motion, it was CARRIED (6 in favour and 3 against).

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

At this point in the meeting, Cllr Ball resumed the Chair.

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

In noting the report, it was requested that further details of appeal decisions in relation to application determined by Planning Committee be circulated to members as a matter of course.

RESOLVED that the report be noted.

The meeting ended at 11.20 am

Chair

Date Confirmed and Signed

Prepared by Democratic Services