

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday 24th September 2025, 10.00 am

Councillors: Tim Ball (Chair), Paul Crossley (Vice-Chair), David Biddleston, Ian Halsall, Hal MacFie, Ruth Malloy, Toby Simon, Shaun Hughes, John Leach and Tim Warren CBE

47 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

48 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Eleanor Jackson and Cllr Fiona Gourley. Cllr David Biddleston and Cllr Ruth Malloy were substituting.

49 DECLARATIONS OF INTEREST

Cllr Warren declared an interest in application 24/02489/EFUL - Parcel 1643, Middle Piece Lane, Burnett, Keynsham and withdrew from the meeting during consideration of the application.

50 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

51 ITEMS FROM THE PUBLIC

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

52 MINUTES OF THE PREVIOUS MEETING

The minutes of 17 September were not available and would be confirmed as a correct record at the October meeting.

53 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.

The Chair changed the order of the agenda, and the following application was considered first:

3. 25/01744/FUL - 30 Shaws Way, Twerton, Bath, Bath

The Planning Case Officer introduced the report which considered an application for a change of use from a 3-bedroom dwellinghouse (Use Class C3) to a 6-bedroom House in Multiple Occupation (HMO) (Use Class C4) and single-storey rear extension and alterations and bicycle and bin storage.

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

The following public representation was received:

1. Brian Maddocks objecting to the application.

Cllr Sarah Moore was in attendance as ward member and read a statement as summarised below:

1. She was objecting to the application.
2. The structure of the dwelling made it unsuitable for the change of use. The party wall was thin with no insulation. The structure was a metal frame with internal stud walls and there was no block work and nothing to attach an extension to without extensive works.
3. There would need to be significant internal changes before any soundproofing can take place, and this would cause a lot of disruption for the neighbours.
4. The proposed extension would replace the conservatory and would block the light for neighbouring properties.
5. Parking was a severe issue on the road, there was only space to park on one side of the road.
6. 40 local residents had objected to the application, there were too many HMOs in the area and this type of property was not suitable to be changed into a 6 bed HMO.

In response to Members' questions, it was confirmed:

1. The size of the bedrooms did meet the minimum size standard and sound insulation was included on the plans. It was also recommended that sound insulation be secured by a condition.
2. The size of the downstairs bedrooms did not include the ensuite bathroom.
3. The definition of sandwiching in relation to HMOs was a property with an HMO on either side.
4. The issues relating to the structure of the property and the logistics of building an extension would be covered by building regulations.
5. The applicant had not supplied a structural or acoustic report to support the application. In terms of the noise assessment condition, the criteria would be a modern acceptable level of noise.

Cllr Halsall opened the debate and acknowledged that the application was compliant in terms of the SPD relating to HMOs, but he was concerned about the impact on the residential amenity of neighbouring properties. He expressed the view that the application constituted over-development of a 3 bed-dwelling to accommodate 6 people and their associated activities, and this was contrary to Policy D6.

Cllr Hughes concurred with this view and stated that without structural and acoustics reports, there was insufficient evidence to reassure the Committee that the proposed development would not result in a loss of amenity to neighbouring properties. He confirmed that he would not support the officers recommendation to permit the application.

Cllr Warren moved that the officers' recommendation be overturned, and the application be refused due to the loss of amenity to neighbours and the over-development of the site. This was seconded by Cllr Crossley.

Cllr Malloy spoke in support of the motion and also raised concerns about the amenity of the future occupiers as well as concerns about parking.

The Team Manager – Development Management advised against including refusal reasons relating to parking or the amenity of future occupiers as the application was compliant in relation to parking standards and the bedrooms met the minimum size requirements.

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

RESOLVED that permission be refused for the following reason:

1. The application to change a framed 3-bed house into a 6-bed HMO~ would result in over development of the site and a loss of amenity for neighbouring properties due to noise and disturbance.

Cllr Warren withdrew from the meeting during consideration of the next application.

1. 24/02489/EFUL - Parcel 1643, Middle Piece Lane, Burnett, Keynsham, Bath

The Planning Case Officer introduced the report which considered an application for the installation, operation and decommissioning of a renewable energy generating station comprising ground-mounted photovoltaic solar arrays together with transformer stations, site accesses, internal access tracks, security measures, access gates, other ancillary infrastructure and landscaping and biodiversity enhancements.

She confirmed the officers' recommendation that permission be refused for the reasons set out in the report.

The following public representation was received:

1. Cllr Phillipa Paget raising concerns on behalf of Compton Dando Parish Council.
2. Richard Arthur/Rosemary Turner, objecting to the application.
3. Nick Leaney, agent, supporting the application.

Cllr Duncan Hounsell was in attendance as ward member and read a statement as summarised below:

1. He had asked for the application to be determined at committee to allow it to be debated in the public domain.
2. He had previously supported an application for a smaller solar farm in a nearby village and recognised the need for renewable energy in view of the climate emergency.
3. Planning policy did not support solar farms in every case, for example when developments would result an adverse impact on landscape.
4. The size of this application would mean that it would be highly visible in the landscape.
5. Development in the green belt was harmful by definition and there needed to be strong reasons to outweigh the harm.
6. A smaller site in this location could be acceptable.
7. He supported officers' recommendation to refuse the application due to the size and impact on the green belt and landscape.

In response to Members' questions, it was confirmed:

1. The number of the battery containers on the site was indicated on the plans. The containers were situated at the opposite side to the housing in Burnett. There was no proposal to include acoustic barriers, and this had not been requested by the Environmental Protection team.
2. Avon and Somerset Fire Service had requested a developer contribution towards fire hydrants in the event of the application being permitted.
3. In terms of meeting the Council's target of 110Mwe (Megawatt Electricity) level of Renewable Energy and Heat generation by 2029, 47Mwe had been installed since 2010 and there was a potential for an additional 86Mwe through consented applications.
4. The Environment Agency had reviewed the flood risk assessments and had withdrawn an initial objection on receipt of further information.
5. As to whether the application would be policy compliant if field 1 was excluded, this would require a full assessment. The applicant had chosen not to reduce the size of the proposed development.
6. The applicant had assessed alternative sites within a 4k radius, and it was the view of officers that this was not wide enough as there had been no consideration of smaller sites and sites outside of the green belt.

Cllr Hughes opened the debate and spoke in support of the officers assessment of the application. He moved the officers' recommendation to refuse the application. This was seconded by Cllr Crossley who stated that the application was too large and impactful and constituted inappropriate development in the green belt.

Cllr Halsall spoke in support of the motion and commented that although there was no objection to the principle of development, the scale was not appropriate and there should have been a wider sequential assessment.

Cllr Simon agreed that there would be an impact on the landscape, and that there would also be an impact on cyclists as Middlepiece Lane was part of cycle route.

Cllr Leach spoke against the motion to refuse the application as he expressed the view that due to the climate emergency, the balance lay with the benefits of generating renewable energy rather than harm to the green belt.

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

RESOLVED that the application be refused for the reasons set out in the report.

Cllr Warren returned to the meeting at this point.

23/03586/FUL - The Smallholdings, Claude Avenue, Twerton, Bath

The Planning Case Officer introduced the report which considered an application for the change of use of land and the erection of a storage building.

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

The following public representation was received:

1. John Branston, local resident, objecting to the application.
2. Morgan Jones, agent, supporting the application.

Cllr Jess David was in attendance as adjacent ward member and read a statement as summarised below:

1. The site sat along the boundary of the Southdown and Moorlands wards.
2. There was a history of ad hoc and unauthorised uses of the site including changes to the mud track which ran alongside Sandpits Park and the installation of a metal gate which resulted in an increase of vehicles using the track to access the site.
3. She was not objecting to the use of the site but had concerns around the vehicular access and the safety of the children using the park.
4. She requested an additional condition to ensure that the eastern access was not used and welcomed the plans for landscaping to create a natural barrier.

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

1. She was concerned about the impact on children's safety as the lane was used for children to get to the local primary school.
2. There had been an increase in drivers using the track to access units and she wanted a restriction on vehicles using the lane to avoid times when children were going to and from school.
3. The ground at the site was compacted and she was concerned about the impact on the waterway in Sandpits Park.
4. She would like to see a condition restricting noise levels.
5. She asked if the applicant could make a contribution to the school and church towards the upkeep of the lane.

In response to Members' questions, it was confirmed:

1. It was not possible to ask the applicants to make a contribution to the church and school for the upkeep of the lane.

2. It would not be reasonable to add a condition to restrict hours of vehicles accessing the site as other businesses on the site did not have this restriction and it could not be added retrospectively. There was an extant planning permission for a larger building on the site with no restrictions to hours of operation.
3. There was a condition for a landscaping scheme to prevent access from the eastern side, but it would also be possible to include an additional condition to block this access and remove the gate.
4. The ownership of the track was unknown. It was beyond the remit of the Planning Committee to instruct the Council to take ownership of the track in order to secure improvements.
5. There was no highway objection to the application as there was no material change from the existing use.
6. Vehicles associated with the proposed development would be low trucks used to transport scaffolding rather than heavy goods vehicles.
7. The predicted noise levels had been established by an acoustic report submitted with the application and considered by the Environmental Protection Team.
8. The site was classified as sui generis, and any other uses would require planning permission.

Cllr Crossley opened the debate as a ward member. He stated that there was a need for industrial land in the centre of Bath and the site had been used as an employment site for a long period of time but noted that there were mixed views from local residents about the use of the site. He expressed disappointment that it wasn't possible to secure improvements to the track as part of the planning permission.

Cllr Halsall suggested that the Committee consider delegating authority to officers to permit the application subject to an additional condition to secure the closure of the eastern access.

Cllr Simon acknowledged that the biodiversity net gain would result in a soft landscaping blockage of the eastern access to the site, but he would support an additional condition to secure the permanent closure of the access.

Cllr Warren moved that officers be delegated to permit the application subject to an additional condition to ensure that the existing eastern access was permanently closed. The was seconded by Cllr Halsall.

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

RESOLVED that officers be delegated to permit the application subject to the conditions set out in the report and an additional condition to ensure the eastern access to the site was permanently blocked.

54 **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 12.13 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services