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To All Members of the Planning and Development Committee: Cllrs Dave Biddleston, David Brassington, Deb Cooper, Clive Fricker (Chair), Alan Greenfield, Brian Simmons and Jonathan Wallcroft.

c.c. All other Councillors

Dear Councillor

You are invited to a meeting of the **PLANNING & DEVELOPMENT COMMITTEE** on **Monday 7<sup>th</sup> March 2022** commencing at 7.30pm in the Baptist Church, High Street, Keynsham

Signed on 28<sup>th</sup> February 2022

**Dawn Drury**

By Dawn Drury, Acting Town Clerk

**EMERGENCY EVACUATION PROCEDURE**

Procedures will be presented at the start of the meeting.

Arrangements are in place for the safe evacuation of disabled people.

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THIS MEETING MAY BE FILMED OR RECORDED (PLEASE REFER TO THE TOWN COUNCIL'S PROTOCOL ON THE FILMING AND RECORDING OF LOCAL COUNCIL AND COMMITTEE MEETINGS (adopted August 2014).

## PLANNING & DEVELOPMENT COMMITTEE AGENDA

### 1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

### 2. DECLARATIONS OF INTEREST

To receive any Declarations of Interest under Keynsham Town Council's Code of Conduct (adopted on 16<sup>th</sup> April 2019) issued in accordance with the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, SI No. 1464 and as per Standing Order 3(v).

### 3. DISPENSATIONS

In accordance with Standing Order 13, to consider any requests for dispensations (for disclosable pecuniary interests) prior to the item(s) being discussed, that Members may only become aware of during the meeting itself and to receive any disclosures of decisions as per item 7 of Keynsham Town Council's Dispensations Policy and Procedure Guide.

#### RECOMMENDATION:

To receive requests for dispensations (for disclosable pecuniary interests) prior to an individual item(s) being discussed, that Members may only become aware of during the meeting itself.

### 4. RECORD OF PREVIOUS MEETINGS

#### RECOMMENDATION:

That the Minutes of the Planning & Development Committee meeting held on Monday 7<sup>th</sup> February 2022 (previously circulated) be confirmed as a true record and signed by the Chairman.

### 5. PUBLIC PARTICIPATION

In accordance with Standing Order 3(e), Members of the Public will have the opportunity to ask the Chairman any question concerning, or make observations upon, the business of the Council, at the start of the meeting, provided notice of the question along with the name and address of the member of public has been given to the Town Clerk at least four clear days before the meeting where possible, and in any case to the Chairman before the meeting. This also applies to all Committees of the Council.

#### RECOMMENDATION:

That the Chairman respond to any questions/observations. If the matter is not already tabled on the Agenda, the Council may move a motion to refer the matter to be itemised on the agenda of a successive meeting, but it cannot make any decisions on any matters raised at this meeting unless considered under a further item on this particular Agenda.

## **6. QUESTIONS ON NOTICE BY MEMBERS**

In accordance with Standing Order 3(e) (iv) a Member may ask the Chairman any question concerning the business of the Council, provided that notice of the question has been given to the Town Clerk at least 4 clear days before the meeting where possible, and in any case to the Chairman before the meeting. The Chairman must rule out of order any statement that is not a question, and no question should lead to or result in a resolution with financial or staffing considerations. The options available to the Chairman in respect of a response include deferring the matter to a future Committee, providing an answer verbally at the meeting or providing an answer in writing.

## **7. SITE VISITS**

To determine whether the Committee would wish to undertake site visits in relation to any of the planning applications listed below; if so, to adjourn the meeting for a specified period of time so as to undertake site visits, in accordance with Standing Order 10 (xvi).

## **8. CONSULTATION ON PLANNING APPLICATIONS**

- 8.1 22/00379/FUL – 2 Avon Road  
Alterations to existing garden room to form garden room and utility room, including replacement of pitched roof with flat roof and new external wall.
- 8.2 22/00138/FUL – Unit 12D Broadmead Lane Industrial Estate, Broadmead Lane  
Extension of existing workshop.
- 8.3 22/00433/FUL – 5 Cherwell Road  
Demolish existing attached garage and create new detached 4 bed dwelling.
- 8.4 22/00279/FUL – Flat 3, Helena Court, Dapps Hill  
Replacement of windows.
- 8.5 22/00493/FUL – 5A Farleigh Road  
Removal of existing and installation of new, rendered external wall insulation at 5-11 Farleigh Road, 22-28 Warwick Road and 30-52 Warwick Road.
- 8.6 22/00163/FUL – Trojan Blinds, 43 High Street  
Change of use from retail to restaurant Class E (6).
- 8.7 22/00334/FUL – Durley Hill House, Old Bristol Road  
Removal of existing lean-to conservatory to south elevation and erection of orangery, replacement of modern uPVC windows with sash windows. Improved external access route and enlarging of existing lightwells.

- 8.8 22/00335/LBA – Durley Hill House, Old Bristol Road  
Internal and external alterations to include removal of existing lean-to conservatory to south elevation and erection of orangery, replacement of modern uPVC windows with sash windows. Improved external access route and enlarging of existing lightwells.
- 8.9 22/00619/FUL – 39 St Francis Road  
Erection of single storey side and rear extensions to replace existing conservatory, single storey rear extension and garage.
- 8.10 22/00414/FUL – 31 Torridge Road  
Erection of 1 detached bungalow.

### **TREWORKS NOTIFICATIONS**

- 8.11 22/00469/TCA – 1 Back Lane  
T1 – Sycamore – prune and tidy as large branch snapped off. T2 – Walnut – prune.
- 8.12 22/00239/TPO – 29 Wellsway  
T1 (Sycamore) – Crown thin of 25% to allow penetration of dappled light. T2 (Sycamore) – Remove 1 x lower limb on northern aspect to allow penetration of dappled light.

## **9. PLANNING APPLICATIONS DETERMINED BY B&NES COUNCIL**

Notification of the following decisions that have been received.

### **PERMITTED**

- 9.1 21/05376/FUL – 8 Albert Road  
Erection of two storey rear/side extension following demolition of existing conservatory and lean to and internal remodelling. (Support).
- 9.2 21/05167/VAR – Keynsham Paper Mill, Avon Mill Lane  
Variation of condition 11 (Plans List) of application 21/01225/FUL (Erection of a new warehouse). (Support).
- 9.3 21/05669/FUL – 248 Bath Road  
Erection of side and rear extensions. (Support).
- 9.4 21/05449/FUL – 20A Charlton Park  
Erection of two storey side and front extension and single storey rear extension. (Object).
- 9.5 22/00048/FUL – 2 Holcombe Grove  
Erection of extension to rear of property for provision of bedroom and level access shower room within existing single storey extension. (Support).

- 9.6 21/05452/FUL – 69 Lockingwell Road  
Hip to gable loft extension/conversion and interior remodel. (Support).
- 9.7 21/05497/VAR – Wellfield House, Parkhouse Lane  
Variation of condition 14 of application 21/00150/FUL (Residential development of 4 dwellings and associated works). (Support).
- 9.8 21/05137/FUL – 65 St Ladoc Road  
Erect 1 no. three bedroom attached house. (Object).
- 9.9 21/05609/FUL – Pavilion, Keynsham Cricket Ground, Wellsway  
Extension of existing patio area/timber decking and associated works. (Support).
- 9.10 21/04872/FUL – Robinia House, 120 Wellsway  
Erection of two storey rear and single storey side and rear extensions with new front porch. (Support).
- 9.11 21/05710/FUL – 196 Wellsway  
Creation of loft extension. (Support).

## **REFUSED**

- 9.12 21/05546/FUL – 8 The Avenue  
Erection of first floor side extension. (Support).

## **WITHDRAWN**

- 9.13 21/05120/FUL – Land Rear of 56 to 76 Bath Hill  
Erection of 7 dwellings. (Object).
- 9.14 21/05231/FUL – Land Opposite No. 65 Sherwood Road  
Erection of one dwelling following demolition of garage. (Object).
- 9.15 21/04938/FUL – 35 Walden Road  
Erection of one dwelling with parking and associated works. Installation of dropped kerb to form off-street carparking. (Object).

## **10. APPEAL DECISION**

**Appeal Ref: APP/F0114/W/21/3285550 - 2 Ellsbridge Close, Keynsham  
BS31 1TB – Appeal dismissed (see page 8)**

## 11. ITEMS FOR INFORMATION

### A) 21/00419/EFUL – RESOURCEFUL EARTH LIMITED – CLIMATE CHANGE RESPONSE (Document attached)

- (i) To receive and note the latest document on this application.

### B) 21/5364/FUL – 16 Broadlands Avenue

As the case officer's recommendation was contrary to the comments of the Town Council, the application was referred to the Chair of B&NES Planning Committee in line with the Council's Scheme of Delegation. The Chair has decided that the application will be heard at the next committee on 9<sup>th</sup> March and the Councillors will debate and make the decision.

### C) 21/05137/FUL – 65 St. LADOC ROAD

In accordance with the Council's Scheme of Delegation, this application was referred to the Chair of the Planning Committee given that the officer's recommendation was contrary to the comments of the Town Council. The Chair has decided to delegate the decision to officers. Formal confirmation of the decision will be received when the application is determined.

### D) 21/05449/FUL – 20A CHARLTON PARK

The Town Council objected to the above planning application. This is contrary to case officer's recommendation to approve it, which triggered a referral to the Planning Chair to decide if it should go to committee.

Cllr Craig has considered the recommendation and has confirmed that the decision can remain delegated. A copy of the report is available to view on the B&NES Planning Portal.

The case officer will now proceed with issuing an approval.

### E) 21/05194/FUL - 15 BARNARD WALK. KEYNSHAM

The Town Council objected to the above planning application. This is contrary to the case officer's recommendation to approve it, which triggered a referral to the Planning Chair to decide if it should go to committee.

Cllr Craig has considered the recommendation and has confirmed that the decision can remain delegated. A copy of the report is available to view on the B&NES Planning Portal.

The case officer will now proceed with issuing an approval.

## F) Durley Grange – Durley Lane

Acting Town Clerk to provide information.

12. LIST OF OUTSTANDING PLANNING APPLICATIONS (SEE PAGES 13 – 16)

13. DATE OF NEXT MEETING

### RECOMMENDATION:

That the next scheduled meeting of this Committee will be held in the **Baptist Church, High Street, Keynsham on Monday 28<sup>th</sup> March 2022 at 7.30 p.m.**

## **Appeal Ref: APP/F0114/W/21/3285550**

### **2 Ellsbridge Close, Keynsham BS31 1TB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by M Smith against the decision of Bath and North East Somerset Council.
- The application Ref 21/01200/OUT, dated 11 March 2021, was refused by notice dated 27 August 2021.
- The development proposed was described as 'Proposed development of 2 x 3 bedroom houses with a private driveway and 6 parking spaces'.

### **Decision**

The appeal is dismissed.

### **Preliminary Matters**

2. The application was made in outline with all matters reserved for future consideration. Therefore, all elements of the submitted drawings which relate to reserved matters have been regarded as indicative. I have determined the appeal on this basis.

3. The development was described on the application form as 'proposed development of 2 x 3 bedroom houses with a private driveway and 6 parking spaces'. During the course of the application, revised plans for one dwelling were submitted. Consequently, on the decision notice and appeal forms the development was described as 'outline application (with all matters reserved) for the erection of 1no. detached house with a private driveway and 2 parking spaces'. Notwithstanding this change, the proposed development is clear from the submitted drawings, which show one proposed dwelling. The appeal has been determined on the basis of the submitted plans.

### **Main Issue**

4. The main issue is the effect of the proposed development on the character and appearance of Ellsbridge Close.

### **Reasons**

5. The site is a section of the side and rear garden at 2 Ellsbridge Close. Ellsbridge Close is a short street with two dwellings fronting onto Bath Road, the sides of which face the street along the entrance to the close. The main section of Ellsbridge Close consists of six detached dwellings, including No 2, located in an arc around a circular turning head at the end of the street. These dwellings are large and sit within generous plots which widen to the rear. Whilst the design and detailing of the dwellings varies, and several have been altered and Appeal Decision APP/F0114/W/21/3285550 <https://www.gov.uk/planning-inspectorate> 2



extended, they all front onto the circular turning head and feature a relatively uniform setback.

6. The recent development of dwellings which adjoin the site to the east, and the ongoing development of dwellings to the south, have changed the character and appearance of the wider surroundings, and are visible to some extent from the street at Ellsbridge Close. Despite this, Ellsbridge Close remains a confined and clearly defined setting, and it is the character and appearance of this immediate context within the proposal which needs to be assessed.

7. The prevailing character of Ellsbridge Close is one of large dwellings, in large plots, with a regular set back and a strong arc of frontages which define the street. No 2 sits within this context and reflects these characteristics.

8. The proposed development would introduce a new 3 bedroom dwelling, set well back from the street, largely behind the dwelling at No 2. The existing garage at No 2 would be removed to make way for what would need to be a relatively long private drive to serve the proposed dwelling. As such, the proposed dwelling would have no street frontage and would not relate positively to the public realm. No 2 currently has a very large garden and would be left with a good sized garden. The proposed dwelling would also be served by a garden of an adequate size. Nevertheless, the subdivision of the plot would result in neither the existing nor the proposed dwelling having the large gardens which are characteristic of Ellsbridge Close. Other dwellings have incidental buildings to the rear, including 7 and 8 Ellsbridge Close where the buildings are relatively large and visible from the street. However, incidental buildings which are visually and functionally subservient to the main dwelling cannot be directly compared to the proposed independent dwelling. There is no evidence of any other separate dwellings to the rear of frontage dwellings on Ellsbridge Close, which is the context within which the proposal would be viewed. The application is in outline with all matters reserved, but given the site constrains, the indicative drawings give a good indication of the type of development that would occur on site. The proposed detached dwelling behind No 2 would not respond appropriately to the site context in terms of layout, siting, set-back, or plot patterns and fails to contribute positively to the established character and distinctiveness of Ellsbridge Close.

9. Due to its location the proposal would be classed as backland development. Policy D7 of the Bath and North East Somerset Placemaking Plan 2017 (PP) seeks to control infill and backland development. It states that backland development could be supported if set criteria are met. The criteria are that the development is not contrary to the character of the area; is well related and not inappropriate in height, scale, mass and form to the frontage buildings; there is no adverse impact to the character and appearance, safety or amenity of the frontage development; and it is not harmful to residential amenity. As set out above, the proposed dwelling would be contrary to the character of the area and would not respect the character of the frontage development. As a result, it would fail to meet the full extent of the policy criteria so would not be supported as backland development. Visibility of the proposed dwelling from the street would be limited, and I have no substantive evidence which would lead me to conclude that the development would have an unacceptable impact on safety or amenity. However, these factors do not overcome the failure to meet the full requirements of Policy D7. Appeal Decision APP/F0114/W/21/3285550 <https://www.gov.uk/planning-inspectorate> 3 10. My attention has been drawn to examples of other dwellings in the wider area which the appellant refers to as examples of backland development. Details of these are not before me, but I have considered the examples provided. I acknowledge that the examples do not have direct street frontage, but the location and context of each is quite different to the appeal site, meaning they are not read in the same context as the proposal before me. In any event, each case must be considered on its own merits and impacts and direct parallels are not easily drawn.

11. I conclude that the proposed detached house with a private driveway and parking would cause unacceptable harm to the character and appearance of Ellsbridge Close. Consequently, the development would not comply with Policies D1, D2, D5 and D7 of the PP. Together, amongst other things, these policies seek to ensure that development is well designed and responds appropriately to the site context, and that backland development is resisted where it would be contrary to the character of the area. Furthermore, the proposed development would not accord with the National Planning Policy Framework which seeks to achieve well designed places. However, given the scale and nature of the proposal I do not find conflict with Policy D4 of the PP, which focuses on ensuring development makes appropriate connections.

### **Other Matters**

12. I acknowledge that the development would provide an additional dwelling in a location with good access to facilities and was supported by Keynsham Town Council. These factors do not outweigh the harm identified above and do not lead me to determine the appeal otherwise than in accordance with the development plan.

13. I note that the main parties have disagreed about the age of the dwellings on Ellsbridge Close, about whether a site visit was made prior to the determination of the application, and about the interpretation of pre application advice on a previous scheme for the site. I have assessed this appeal on the basis of all information provided to me and following a full site visit and consideration of the current character and appearance of the site and its surroundings.

14. The application subject to this appeal is in outline, with all matters reserved, including access. Therefore, a detailed assessment of access arrangements has not been made, but I note comments made by both parties.

## Conclusion

15. For the reasons given above and taking into account the development plan as a whole and all other matters raised, I conclude that the appeal should be dismissed.

*Helen Davies*

INSPECTOR

**PLANNING APPLICATIONS UNDETERMINED BY BATH & NORTH EAST SOMERSET COUNCIL FOR A PERIOD OF 8 WEEKS OR LONGER as of 31<sup>st</sup> January 2022**

**NOTE: 8 WEEKS FOR MINOR APPLICATIONS AND 13 WEEKS FOR MAJOR APPLICATIONS**

**20/02673/OUT - Land Parcel 0005 Bath Road**

Residential and related development comprising approximately 213 dwellings replacement sports pitch to facilitate expanded primary school, means of access thereto, associated open space, landscaping, access roads, footways/cycleways and infrastructure works. Update requested from Tessa Hampden (case officer) on 22.10.2020. Update requested from case officer on 19.01.2021. Update requested from the case officer Tessa Hampden on 06.05.2021.

10.08.2021 – Target decision date - 16.02.2021 – update requested from Case Officer. The Case Officer has reported that there are ongoing negotiations on this in particular application with regards to the impact upon the highway network and ecology.

18.01.2022 – Revised drawings submitted 12.11.2021 – Highways & Ecology reports submitted December 2021

**20/03152/FUL - Development site next to Somerdale Pavilion Trajectus Way**

Erection of 44 no. Extra care units (Use Class C2) and ancillary works including landscaping. Update requested from Chris Griggs-Trevarthen (case officer) on 05.01.2021. Update requested from case officer on 19.01.2021. Update from the case officer received on 25<sup>th</sup> January 2021 – B&NES have just received some revised plans which are available to view on the website. Update requested from the case officer Chris Griggs-Trevarthen on 06.05.2021.

10.08.2021 – Target decision date – 07/05/2021 – update requested from Case Officer. The Case officer is awaiting some further landscape information from the applicant. He is hoping this will be received soon. He hopes to be in a position to make a recommendation by the end of the month.

08.10.2021 Email received stating that this application will be heard by the B&NES Planning Committee on 20<sup>th</sup> October 2021.

18.01.2022 – Full B&NES Committee Report dated 13.10.2021 Case officer contact regarded the decision. The case officer has reported that there was a committee resolution to approve, but B&NES are still negotiating the s106 agreement which will need to be signed before any planning permission is issued.

**21/00419/EFUL - Resourceful Earth Limited**

Development of an Anaerobic Digester Facility (including retention of the existing Feedstock Reception Building, Digester Tank (x5), Storage tank, CHP engine (x4) Transformer, GRP Substation, GRP Technical room (x5) and Gas Equipment) to produce both gas and electricity

for injection into the local grid networks, alongside the restoration of the former Queen Charlton Quarry Site with ecological and landscape enhancements

10.08.2021 – Target decision date – 01.10.2021 – Case Officer Martin Almond

18.01.2022 – Highways’ submission added to portal 10.02.22 – Objection.

### 21/00701/OUT - Treetops Nursing Home St. Clement's Road

Outline application (with landscaping reserved) for the erection of a three-storey building comprising of 39 no. self-contained flats (use class C3) following demolition of care home.

10.08.2021 – Target decision date – 21.05.2021 – Update requested from case officer Chris Griggs-Trevarthen. B&NES have received notification of a non-determination appeal which has been submitted to the Planning Inspectorate. This means that Council will not be making the decision on this application. However, if the Council had determined the application we would recommend refusal on several grounds and will therefore be defending the appeal.

We have not yet received a start letter from the Planning Inspectorate (which will contain the relevant appeal information) and I don’t anticipate this arriving until September.

18.01.2022 Update requested from the case officer. The case officer has reported that this application has been submitted for a non-determination appeal, but B&NES have not yet had confirmation of a start date or the procedure from the Planning Inspectorate. It will appear as pending consideration on our system until we receive the start letter.

### 21/01184/VAR - Stockwood Vale Golf Club Stockwood Lane

Variation of condition 7 (floodlighting operation hours) of application 96/02434/FUL (Lighting and external works and landscaping to driving range)

13.01.2022 – further light spill data submitted by the applicant 15.12.2021. Updated requested from case officer Samantha mason 18.01.2022

10.08.2021 – Target decision date – 30.07.2021 – Update requested from case officer Samantha Mason. I The Case Officer is currently awaiting ecology information and lux lighting plans from the agent. She hopes to receive this in the next week or so and will add it to the file as soon as received. She will then reconsult with the council ecologist on the impacts.

18.01.2022 the case officer reported that the requested ecology information has now been submitted by the agent. This is currently out to consultation with the Council’s ecologist, the response should have been with her by now, unfortunately B&NES ecologists have a backlog and are running behind, she is hoping to receive their comments in the next 2 weeks. Once received she should then hopefully be in a position to make a decision.

### 21/01825/RES - Lays Farm Business Centre, Lays Farm Trading Estate

Approval of reserved matters to approve appearance, layout, scale and landscaping of the site in regard to application 18/05696/OUT (Outline planning application for the demolition of existing industrial buildings and erection B1 Business buildings and 8 no. dwellings)

**10.08.2021 – Target decision date – 30.07.2021 – Update requested from Case Officer Emma Watts. The Case Officer is currently in discussions with the agent over revisions to the proposals. There are some revised plans online, but these are likely to be superseded by further revisions.**

**18.01.2022 – Highways’ submission dated 07.01.2022 on portal – no objections but conditions added.**

### **21/01785/FUL - Telecommunications Mast 121577 Broadlands School St Francis Road**

Replacement of the existing 15 m monopole (17.9 m to the top of the antennas) with a new 20m monopole (top of antennas), accommodation 6 no. antennas, 1 no. microwave dish, the installation of RRU's, the replacement/installation of equipment within the existing cabin, along with minor ancillary works).

**10.08.2021 – Target decision date – 08.06.2021 – Update requested from Case Officer Dominic Battrick**

**18.01.2022 – Update requested from case officer Dominic Battrick** -The application is in the process of being referred to the Chair and Vice Chair of the Planning Committee to decide whether the application will be called in to committee or delegated to officers for determination. Once the case officer is informed of the outcome of this referral (within the next few weeks), he will contact the Town Council again.

### **21/02343/VAR - Taylor Wimpey Residential Development Parcel 4200 Park Road**

Variation of condition 9 of application 12/03589/VAR (Variation of conditions 15, 16, 17 and 18 of application 09/04351/FUL allowed on appeal 22nd July 2011 (Hybrid planning application for a housing led mixed use development comprising 285 dwellings, retail accommodation, flexible business/employment floor space, affordable housing, formation of new vehicular, pedestrian and cycle accesses, pedestrian and cycle improvements to Parkhouse Lane, formal and informal public open space including junior playing pitch and associated changing rooms and parking facilities, together with landscaping and tree planting and ancillary works including drainage (Full Application) and extension to Castle Primary School (Outline Application, All Matters Reserved)) to enable highway works on Park Road to commence prior to the completion of the further contaminated land investigations which will be undertaken upon demolition of buildings on the site).

**10.08.2021 – Target decision date – 13.08.2021 – Case Officer Dominic Battrick.**

**18.01.2022 Update requested from case officer Dominic Battrick. The case officer has report that this application is still being assessed and discussed with the Lead Local Flood Authority.**

### 21/04626/FUL - Ashfield, Stockwood Vale

Proposed ridge height increase and dormer extension to provide further accommodation in roof. Installation of side balcony to master bedroom.

18.01.2022 - Delegated report by case officer to refuse application on portal 08.12.2021. Signed off by Vice Chair 08.12.2021 – updated requested from case officer 18.01.2022

The case officer has reported that this application is scheduled to be presented to the Planning committee on the 9<sup>th</sup> February 2022. She is recommending refusal due to the cumulative volume increase to this property within the green belt.

### 21/04507/FUL - Proposed Cafe, 223 Trajectus Way

Erection of no. 4 dwellings (Use Class C3) and associated works

18.01.2022 – Arboricultural and Natural England submissions made to planning portal 10.01.2022. The case officer has reported that the recommendation for the application is permission, contrary to the comments of the Town Council and as such the application was referred to the Chair of the Committee. It has been decided that the decision for the application will be made at the next Planning Committee on 9<sup>th</sup> February 2022.