

## **DEVELOPMENT MANAGEMENT COMMITTEE**

### **Minutes of the Meeting held**

Wednesday, 1st July, 2015, 2.00 pm

Councillor Sally Davis in the Chair

Councillor Rob Appleyard - Bath & North East Somerset Council  
Councillor Jasper Martin Becker - Bath & North East Somerset Council  
Councillor Paul Crossley - Bath & North East Somerset Council  
Councillor Donal Hassett (In place of Councillor Matthew Davies) - Bath & North East Somerset Council  
Councillor Eleanor Jackson - Bath & North East Somerset Council  
Councillor Bryan Organ - Bath & North East Somerset Council  
Councillor Caroline Roberts - Bath & North East Somerset Council  
Councillor David Veale - Bath & North East Somerset Council  
Councillor Karen Warrington (In place of Councillor Les Kew) - Bath & North East Somerset Council

#### **13 EMERGENCY EVACUATION PROCEDURE**

The Senior Democratic Services Officer drew attention to the emergency evacuation procedure as set out on the Agenda

#### **14 ELECTION OF VICE CHAIRMAN (IF DESIRED)**

A Vice Chairman was not required

#### **15 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Matthew Davies and Les Kew whose respective substitutes were Councillors Donal Hassett and Karen Warrington

#### **16 DECLARATIONS OF INTEREST**

There was none

#### **17 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none

#### **18 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS**

The Senior Democratic Services Officer informed the meeting that there were two members of the public wishing to make statements on the Tree Preservation Order at Bathford (Report 10) and that they would be able to do so when reaching that item

on the Agenda. There were also a number of people wishing to make statements on the planning applications in Report 9 and that they would be able to do so when reaching their respective items in that Report.

## 19 **ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

There were no items notified by Members in advance of the meeting. However, Councillor Eleanor Jackson expressed her gratitude on behalf of the residents in Frome Road, Radstock, regarding the diligence and vigilance shown by Officers in arranging for the clearance of a rat-infested garden in Frome Road. The Chairman stated that the message would be passed to the appropriate Officers.

## 20 **MINUTES: 10TH JUNE 2015**

The Minutes of the previous meeting held on Wednesday 10<sup>th</sup> June 2015 were approved as a correct record and were signed by the Chairman

## 21 **PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered

- The report of the Group Manager – Development Management on various applications for planning permission etc.
- An Update Report by the Group Manager on Item 5, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos. 1-6, a copy of the Speakers List being attached as *Appendix 2* to these Minutes

**RESOLVED** that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached as *Appendix 3* to these Minutes

**Item 1 Leacroft House, Bristol Road, West Harptree – Erection of new dwellings, access, landscaping and attenuation pond and refurbishment of Leacroft House following demolition of Leacroft Bungalow and outbuildings associated with former builder's yard** – The Case Officer reported on this application and her recommendation to Delegate to permit subject to conditions. She referred to some small amendments to the report which included a correction to the plans list so that the plan ending 001 referred to plan ending 001 revision B instead and that a further condition would need to be added relating to landscaping management.

The applicants' agent made a statement in favour of the proposal. Councillor Liz Richardson made a statement on behalf of the Ward Councillor Tim Warren who was unable to attend the meeting.

Councillor Eleanor Jackson opened the debate. She considered that the number of houses would alleviate some of the pressure for housing and that affordable housing would be included in the scheme. There was an attenuation pond included which would help to sustain wildlife and the appearance of the site would be vastly improved from its current state. She therefore moved approval of the

recommendation which was seconded by Councillor Paul Crossley.

Members debated the motion and discussed the issue of affordable housing and how it would be integrated into the scheme. Councillor David Veale considered that a good percentage of the proposed houses were outside the housing boundary. The appearance and condition of the land and buildings was poor as they had been misused. He considered that there was no pressure to build more houses and queried whether it would be useful to hold a site visit. The Team Manager – Development Management stated that the scheme was policy compliant and in accordance with the Core Strategy and Emerging Plan regarding the number of proposed houses. He also stated that when housing figures for villages like West Harptree were produced they took account of the smaller ‘windfall’ sites within the existing housing boundary. Furthermore, a significant advantage of developing larger sites such as this was that an element of affordable housing would be included. It was also considered that there was no detrimental effect on the AONB but if members were minded to refuse the application the Team manager suggested that a site visit should take place beforehand.

The motion to Delegate to permit subject to conditions was put to the vote. Voting: 4 in favour and 5 against with 1 abstention. Motion lost.

Councillor Bryan Organ therefore moved that consideration be deferred for a Site Visit in order to view the site in the context of its surroundings which was seconded by Councillor David Veale. Voting: 6 in favour and 1 against with 3 abstentions. Motion carried.

**Items 2&3 Town Hall, The Island, Midsomer Norton – (1) Internal and external alterations for the refurbishment and extension of existing Town Hall to reinstate ground floor market hall and improve access throughout (Ref 15/01299/LBA); and (2) refurbishment and extension of existing Town Hall to reinstate ground floor market hall and improve access throughout (Ref 15/01298/FUL) -** The Case Officer reported on these applications and her recommendations to refuse consent/permission.

A representative of the applicants and members of the public made statements in favour of the proposal. The Ward Councillor Chris Watt then made a statement supporting the applications.

Members asked questions for clarification to which the Case Officer responded.

Councillor Bryan Organ opened the debate. He stated that there had been no objections to the application. It was not a large extension and the building had been in public use for a long time. The proposal would continue and extend its use for the community of Midsomer Norton. He considered that the scheme was acceptable and therefore moved that the recommendations be overturned and that permission/consent be granted. The motion was seconded by Councillor Paul Crossley.

Members debated the motion. Most Members supported the motion as it was considered that this was an exciting and bold scheme in sympathy with the current building - it would be a new phase in the life of the building and a community asset. Issues were raised of whether a pitched roof could be included as recommended by

the Victorian Society and whether the building would be fully accessible for the disabled. The Officers replied that a condition could not be imposed for such a roof to be included and that suitable provision had been made for disabled access which was in any event a building regulations issue. The Team Manager – Development Management requested that the motion be revised to ‘Authorise Officers to grant permission/consent’ so that appropriate conditions could be imposed which was accepted by the mover and seconder.

The motion to Delegate to consent with appropriate conditions was put to the vote. Voting: 8 in favour and 2 against. Motion carried.

Then the motion to Delegate to permit the related planning application with appropriate conditions was put to the vote. Voting: 8 in favour and 1 against with 1 abstention. Motion carried.

**Item 4 Land adjoining old Methodist Church, High Street, Twerton, Bath – Construction of 4 one bedroom flats with associated landscaping (Revised proposal)** – The Case Officer reported on this application and her recommendation to refuse permission. She reported on a letter of objection from the adjoining resident who couldn’t attend the meeting.

The applicant’s agent made a statement in favour of the proposal.

Councillor Paul Crossley considered that the scheme provided useful accommodation in a sustainable location. He therefore moved that the recommendation be overturned and that permission be granted. The motion was not seconded.

In view of the impact on the adjoining resident, Councillor Bryan Organ moved the Officer recommendation which was seconded by Councillor Rob Appleyard.

The motion to refuse was put to the vote. Voting: 8 in favour and 1 against with 1 abstention. Motion carried.

**Item 5 Greenacre, Warminster Road, Freshford – Erection of 1 detached dwelling with new vehicular access off Midford Lane and associated works** – The Case Officer reported on this application and her recommendation to refuse permission. The Update Report provided further information from the Ecology and Highways Officers and an update on the Freshford and Limpley Stoke Neighbourhood Plan. She reported on a comment received from the Limpley Stoke Parish Council who did not support the scheme.

A representative of Freshford Parish Council and the applicants’ agent made a statement in support of the proposal. This was followed by a statement by the Ward Councillor Neil Butters who supported the proposal.

Members asked various questions for clarification regarding the Green Belt and the Neighbourhood Plan to which the Officers responded.

Councillor Rob Appleyard did not support the proposal and therefore moved the Officer recommendation which was seconded by Councillor Eleanor Jackson. There was some opposition to the motion as it was felt that the scheme, which was of a

modern design and didn't follow the vernacular of surrounding houses, could still be supported.

The motion to refuse was put to the vote. Voting: 7 in favour and 3 against. Motion carried.

**Item 6 Shortwood Common Cottage, Hook Lane, Hinton Blewett – Erection of 2 storey side and rear extension following demolition of existing kitchen area and detached garages** – The Case Officer reported on this application and his recommendation to refuse permission.

The applicant made a statement in support of the proposal. The Chairman then read out a statement from the Ward Councillor Tim Warren (who couldn't attend the meeting) in support of the application.

Councillor Eleanor Jackson considered that the proposal was inappropriate for its location due to its design and public realm and townscape considerations. She therefore moved the Officer recommendation which was seconded by Councillor Caroline Roberts. However, Councillor Roberts had not been present for the introduction by the Case Officer and under the recently adopted Members Planning Code of Conduct was not allowed to participate in the consideration of the application. She could not therefore second the motion. It was subsequently moved by Councillor Bryan Organ and seconded by Councillor David Veale that consideration be deferred for a Site Visit to enable the site to be viewed in the context of its surroundings.

The motion to defer for a Site Visit was put to the vote. Voting: 8 in favour and 2 abstentions. Motion carried.

## 22 **TREE PRESERVATION ORDER - LAND BETWEEN MEADOW PARK AND BOX ROAD, BATHFORD**

The Committee considered (1) a report by the Senior Arboricultural Officer (i) referring to this Tree Preservation Order provisionally made on 31st March 2015 to protect woodland which it was considered made a contribution to the landscape and visual amenity of the locality; (ii) stating that an objection to the Order had been received from the owner of the woodland; and (iii) recommending that the Order be confirmed without modification; (2) an Update Report by the Senior Arboricultural Officer referring to the receipt of a representation from a resident of Meadow Park regarding a lease attached to the deeds of their property regarding the woodland; and (3) oral statements by a representative of the Parish Council and a member of the public supporting the Order.

The Senior Arboricultural Officer gave a power point presentation on the main points raised within the report and stated that the issue of the lease raised by a local resident was a private law matter which was not relevant to consideration of the report.

Members asked questions to which the Officer responded. Councillor Paul Crossley considered that this was an important woodland in a built-up area and that it needed to be managed under the control of a tree preservation order. He therefore moved approval of the recommendation which was seconded by Councillor Bryan Organ.

The Members voted unanimously in favour.

**RESOLVED** that the Order entitled “Bath and North East Somerset Council (Land between Meadow Park and Box Road, Bathford No. 7) Tree Preservation Order 2015” be confirmed without modification

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

The Committee noted the report.

Councillor Paul Crossley considered that it would be useful if future reports could include a reference to those applications to which the Chairman had not agreed to requests by Councillors to come before the Committee. The Chairman agreed.

The meeting ended at 4.35 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**