

## DEVELOPMENT MANAGEMENT COMMITTEE

### Minutes of the Meeting held

Wednesday, 18th November, 2015, 2.00pm

Councillor Rob Appleyard - Bath & North East Somerset Council  
Councillor Jasper Martin Becker - Bath & North East Somerset Council  
Councillor Matthew Davies - Bath & North East Somerset Council  
Councillor Sally Davis - Bath & North East Somerset Council  
(Chairman)  
Councillor Ian Gilchrist (In place of Councillor Paul Crossley) - Bath & North East Somerset Council  
Councillor Eleanor Jackson - Bath & North East Somerset Council  
Councillor Les Kew - 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

#### 70 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

#### 71 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required

#### 72 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There was an apology for absence from Councillor Paul Crossley whose substitute was Councillor Ian Gilchrist

#### 73 DECLARATIONS OF INTEREST

There was none

#### 74 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There were no items of urgent business. However, the Chairman informed the meeting that the item at Horseworld, Staunton Lane, Whitchurch (Item 9, Report 9) had been withdrawn from the Agenda.

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

The Senior Democratic Services Officer informed the meeting that (1) there were no speakers on items other than planning applications; and (2) there were members of the public etc. wishing to make statements on planning applications who would be able to do so when reaching their respective items in Report 9.

## 76 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There was none

## 77 MINUTES: 21ST OCTOBER 2015

The Minutes of the previous meeting held on Wednesday 21<sup>st</sup> October 2015 were approved as a correct record and were signed by the Chairman

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

The Committee considered

- A report by the Group Manager – Development Management on various applications for planning permission etc.
- An Update Report by the Group Manager on Item Nos. 1, 3 and 9, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos. 1, 2 and 4-9, 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 Proposed development site, Roseberry Road, Twerton, Bath – Mixed use regeneration comprising the erection of 6 buildings to accommodate up to 175 flats, flexible business employment floor space (Use Class B1) (up to 4,500 sq m gross), local needs shopping (up to 1,350 sq m gross), together with all associated development including demolition of existing buildings, site remediation, construction of new access roads and riverside walkway/cycle path, landscaping and tree planting** – The Case Officer reported on this application and her recommendation to (A) authorise the Head of Legal and Democratic Services to enter into a S106 Agreement to secure the terms outlined in the report; and (B) subject to the prior completion of the Agreement, authorise the Group Manager to grant permission subject to conditions. She referred to the Update Report which recommended 2 further Conditions and a delegation to Officers to amend the wording of some Conditions. The Case Officer stated that the flexible business floor space should read 4,500 sq m (not 6,000 sq m as stated in the Report).

The public speakers made their statements against and in favour of the proposals which was followed by a statement by the Ward Councillor June Player who also spoke on behalf of the other Ward Councillor Colin Blackburn against the proposals.

Members asked questions for clarification purposes to which Officers responded.

Councillor Les Kew considered that the development on this brownfield site would improve its appearance and the access road. The density was satisfactory and it would be a mixed use providing high quality office space. He therefore moved the Officer recommendation which was seconded by Councillor Bryan Organ.

Members debated the motion. Some concerns were expressed regarding car parking, retail use, scale and design. The Group Manager – Development Management responded to these points. Some Members considered that the site had been semi-derelict for too long and that opening up the river to pedestrian access was an important factor. It was confirmed that the illustrative drawings showed access to the river and a cycle path through the site.

The Chairman summed up the debate and put the motion to Approve to the vote which was carried, 9 voting in favour and 0 against with 1 abstention.

**Item 2 No 151/152 High Street, Twerton, Bath – Erection of 7 residential units following demolition of existing building (Revised proposal)** – The Planning Officer reported on this application and the Case Officer’s recommendation to delegate to Officers to grant permission subject to conditions.

The public speakers made their statements against and in favour of the application which was followed by a statement by the Ward Councillor June Player.

Members asked questions for clarification purposes to which Officers responded.

Councillor Les Kew welcomed the application and considered that this was not overdevelopment. He drew attention to the Conservation Officer’s comments in the Report who supported the proposals subject to appropriate conditions. After receiving a satisfactory answer to his query about the window in the side elevation of the adjoining property, he moved the Officer recommendation which was seconded by Councillor Jasper Becker.

Councillor Rob Appleyard stated that he felt that he needed to declare an interest in this application as he was a Director of Curo which may own the parking spaces referred to in the Report. He would therefore not participate in the consideration of the application.

Members debated the motion. Concerns were expressed regarding the intensification of the use of the site and the impact this would have on the area. The use of the rear access and parking were also concerns. The Group Manager stated that these points had been taken into account by Officers in their consideration of the application and that any increased level of use was not, in the view of Officers, sufficient to justify refusing the application. A Member pointed out that this was a sustainable development in a residential area of the City.

The motion was then put to the vote. Voting: 7 in favour and 1 against with 1 abstention.

(Note: Afterwards Councillor Rob Appleyard returned to participate in the meeting)

**Item 3 Garage blocks between 60 and 100 Greenvale Drive, Timsbury – Erection of 2 three bedroom semi-detached houses with parking spaces following demolition of 8 single garages (2 blocks of 4) (Outline application with access and layout to be determined and all other matters reserved)** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. The Update Report gave her comments on a late

objection received. She recommended that a further condition be added and the wording of Condition 2 be amended.

Councillor Bryan Organ considered that the application should be deferred for a Site Visit to consider the surroundings and the parking situation. The motion was seconded by Councillor Les Kew.

After a short debate, the motion was put to the vote and was carried, 9 voting in favour and 0 against with 1 abstention.

**Item 4 No 1 Sydenham Terrace, Tynning Road, Combe Down, Bath – Erection of 1 three bed dwelling and single storey rear extension to existing house following demolition of single storey side extension and some outbuildings –**

The Case Officer reported on this application and his recommendation to grant permission subject to conditions.

The applicant's agent made a statement in support of the proposals which was followed by statements by the Ward Councillor Cherry Beath and Bob Goodman expressing concerns about the proposals.

Councillor Caroline Roberts considered that the application should be deferred for a Site Visit to assess the proximity to other dwellings, access and parking – she so moved. The motion was seconded by Councillor Matthew Davies.

The motion was put to the vote and was carried, 5 voting in favour and 1 against with 4 abstentions.

**Item 5 No 2 Southstoke Road, Combe Down, Bath – Installation of side and rear dormers to create loft conversion (Resubmission) –** The Case Officer reported on this application and her recommendation to refuse permission.

The applicant's agent made a statement in support of the proposals which was followed by statements by the Ward Councillor Cherry Beath and Bob Goodman in support of the application.

Councillor Eleanor Jackson considered that the proposal would destroy the symmetry of this pair of semi-detached houses and therefore moved the Officer's recommendation but this was not seconded.

Councillor Caroline Roberts considered that the proposal overcame the previous reasons for refusal and was policy compliant. She therefore moved that the recommendation be overturned and that permission be granted which was seconded by Councillor Matthew Davies.

Members debated the motion. A Member considered that, if the dormers were in proportion to the house, there would not be a problem. Another Member queried whether adapting or increasing the size of a house for possibly modern day living standards was a material consideration. The Group Manager – Development Management stated that personal circumstances were rarely a material consideration of more than very limited weight. In this case, he advised that there would be harm to the symmetry of the pair of semi-detached houses and that the side dormer was in a prominent location and was a large dormer which was

considered to harm the host building. Regarding the previous application, Members needed to consider whether the reasons for refusal had been overcome. Councillor Les Kew considered that this proposal respected the host dwelling and was symmetrical. He stated that applications for dormer windows were always a great cause for debate in the Committee and that some debate was needed on the matter generally to give some direction in Members' consideration of such applications. Councillor Bryan Organ considered that a new camera was required to provide Members with a better presentation of applications. In response to a Member's query, the Group Manager stated that Officer's reports provided a guide to Members' consideration of such applications and they were always available to provide professional advice; however, a Member Workshop could be held to consider this issue. He advised Members that the motion would need to be amended to delegate to Officers to grant permission subject to appropriate conditions which was accepted by the mover and seconder.

The motion was put to the vote and was carried, 8 voting in favour and 1 against with 1 abstention.

**Item 6 Pantiles, Wick Road, Bishop Sutton – Erection of 2 storey rear extension and internal alteration to existing dwelling (Resubmission)** – The Planning Officer reported on this application and the Case Officer's recommendation to refuse permission.

The applicant's agent made a statement in favour of the application which was followed by a statement by the Ward Councillor Vic Pritchard supporting the application.

Members asked questions for clarification purposes to which Officers responded.

Councillor Les Kew considered that the front elevation would be improved and there were various design styles of houses in the village so conformity was not required. The Parish Council supported the application. He considered that the scheme was acceptable and therefore moved that the recommendation be overturned and that Officers be delegated to grant permission subject to appropriate conditions. The motion was seconded by Councillor David Veale.

Members debated the motion. Councillor Rob Appleyard was concerned about the design of the rear extension. Councillor Eleanor Jackson stated that the extension did not go beyond the rear building line and considered that it did not detract from appearance of the host dwelling – a condition could be added for screening. Councillor Bryan Organ stated that the site was not in the Conservation Area or the Green Belt so volume increase would not be a consideration. The Group Manager – Development Management advised that there was no objection in principle to a rear two storey extension but this was a large extension above the existing eaves level and did not resemble or respect the host dwelling. He also advised that, whilst the site was not in the Conservation Area, it was still incumbent on Members to consider whether the proposal respects and complements the appearance of the host building. In response to a Member's query about a possible appeal if the application was refused, he replied quoting from the NPPF stating that good design was a key element. He confirmed that the reason for Members overturning the Officer recommendation would be that the development was not visually harmful and it complied with Policy.

The motion was then put to the vote and was carried, 6 voting in favour and 1 against with 3 abstentions.

**Items 7&8 The Old Parsonage, Main Street, Farrington Gurney – (1) Erection of single storey lean-to extension (Resubmission); and (2) internal and external alterations to include erection of single storey lean-to extension (Resubmission)** – The Planning Officer reported on these applications and the Case Officer’s recommendations to refuse permission/consent.

The public speakers made their statements in favour of the proposals.

Councillor Les Kew (Ward Member on the Committee) considered that the application should be deferred for a Site Visit to understand the listed building more fully and he so moved. The motion was seconded by Councillor Bryan Organ.

The motion was put to the vote and was carried, 9 voting in favour and 0 against with 1 abstention.

**Item 9 Horseworld, Staunton Lane, Whitchurch – Comprehensive Masterplan and Design principles for the proposed redevelopment of the land at Whitchurch pursuant to Policy RA5 of the Bath and North East Somerset Core Strategy 2014** – This item was withdrawn from the Agenda

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

The Committee considered the report of the Group Manager – Development Management on Planning Appeals.

Members commented on the appeal against non-determination at Romway, Wells Road, Westfield, Radstock, and some applications the subject of appeal being decided at “Chair Referral” level. The Group Manager commented on the Romway appeal explaining why an appeal had been lodged; he also stated that the designation of “Chair Referral” would be altered to either “Committee” or “Delegated” in future in this report.

The report was noted.

**80 QUARTERLY PERFORMANCE REPORT - JULY TO SEPTEMBER 2015**

The Committee considered a report by the Group Manager – Development Management which provided performance information across a range of activities within the Development Management function.

The Group Manager briefly took Members through the Report and responded to some queries by Members.

The report was noted.

The meeting ended at 4.55pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**