

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 16th December, 2015, 2.00pm

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 Matthew Davies - Bath & North East Somerset Council
Councillor Sally Davis - 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 Martin Veal (In place of Councillor David Veale) - Bath and North East Somerset Council

Also attending: Councillors Colin Blackburn, Charles Gerrish, Francine Haerberling, Paul May, June Player, Brian Simmons and Karen Warrington

81 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required

82 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

83 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There was an apology for absence from Councillor David Veale whose substitute was Councillor Martin Veal

84 DECLARATIONS OF INTEREST

There was a declaration of disclosable interest by Councillor Rob Appleyard on Parcel 0006 Maynard Terrace, Clutton (Item 1, Report 10) as he is a Director of Curo, the applicants, and he would therefore leave the meeting for its consideration. Councillor Les Kew also declared an other interest in this application as a family member lives in Maynard Terrace. He also declared an interest in the Consultation on the Masterplan at Horseworld, Whitchurch (Item 2, Report 10) as his family holds land adjoining the site and therefore he would leave the meeting for the consideration of these items.

85 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was none. However, the Chairman informed the public that the applications at The Old Parsonage, Farrington Gurney, had been withdrawn and therefore would

not be considered at this meeting.

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

The Senior Democratic Services Officer informed the meeting that there were a number of people wishing to make statements on planning applications and that they would be able to do so when reaching their respective items in Reports 9 and 10.

87 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

Councillor Paul Crossley raised the issue of whether this Committee would be webcast in the future which was a matter he had raised earlier in the year. The Chairman replied that she should be able to respond to this question at the next meeting in January.

88 MINUTES: 18TH NOVEMBER 2015

The Minutes of the previous meeting held on Wednesday 18th November 2015 were approved and signed by the Chairman as a correct record

89 SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- The report of the Group Manager – Development Management on applications for planning permission etc.
- An Update Report by the Group Manager on Items 1, 3 and 4, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item No 1, 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 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 her recommendation to grant permission subject to conditions. She referred to the Update Report which contained the Highways Officer's comments on parking in the area.

The applicant's agent made a statement in favour of the proposals.

Councillor Les Kew considered that it was a beneficial site visit and was a sensible application and good use of the space. Parking would always be a problem here as it was in any other area of the City. He therefore moved the Officer recommendation which was seconded by Councillor Eleanor Jackson who considered that it would be an improvement to the street scene and would enhance the Conservation Area and it was in a sustainable location. Councillor Paul Crossley disagreed and considered

that it was overdevelopment which would impact on neighbours and create further parking problems in the area.

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

Item 2 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.

Members asked questions to which Officers responded. There was concern regarding the location of the houses and insufficient space for the turning circle into garages. Councillor Martin Veal considered that this was overdevelopment with an unsympathetic design and an unacceptable loss of off-street parking – it would not suit the character of the neighbourhood. For these reasons, he moved that the recommendation be overturned and that permission be refused which was seconded by Councillor Bryan Organ.

Members debated the motion. It was generally considered that this was a good location and an acceptable design which would complement the existing houses. The Team Manager – Development Management pointed out that that this was an outline application with details to be approved.

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

It was therefore moved by Councillor Eleanor Jackson to approve the Officer recommendation to grant permission subject to conditions which was seconded by Councillor Paul Crossley. The motion was put to the vote and was carried, 7 voting in favour and 3 against.

Items 3&4 The Old Parsonage, Main Street, Farrington Gurney – (1) Internal and external alterations to include erection of single storey lean-to extension (Resubmission) (Ref 15/03632/LBA); and (2) erection of single storey lean-to extension (Resubmission) (Ref 15/03574/FUL) – These applications were withdrawn from the Agenda

90 **MAIN 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 planning applications etc.
- An Update Report by the Group Manager on Item Nos 4 and 8, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc. on Item Nos 1-5, 7-10 and 12, 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 4* to these Minutes.

Item 1 Parcel 0006 Maynard Terrace, Clutton – Modification of Planning Obligation 12/01882/OUT to reduce the affordable housing provision to 33% (Erection of 36 dwellings and associated works - Revised submission) – The Case Officer reported on this application and her recommendation that the Officers be authorised to amend the S106 Agreement as the proposed reduction in the level of affordable housing to 33% would comply with Core Strategy Policy CP9 and as such the S106 Agreement should be modified accordingly. The application was to reduce the amount of affordable housing and consideration needed to be given to whether the reduction to 33% would make the scheme viable - other planning issues were not up for debate.

The public speakers made their statements against and in favour of the application. The Ward Councillor Karen Warrington made a statement against the proposal.

Councillor Eleanor Jackson had attended the public local inquiry on the appeal and was aware of the issues. She considered that this was a reasonable application and that it was better to use Curo than a private developer. She moved the Officer recommendation to amend the S106 Agreement which was seconded by Councillor Paul Crossley.

Members debated the motion. The Group Manager – Development Management stated that Members needed to consider whether the 53% affordable housing originally proposed was now not deliverable. The land was allocated in the Core Strategy and part of the 5 year land supply. The risk of costs against the Council on an appeal against a refusal should be taken into account. In response to a Member's query, he stated that the case for viability was confidential. He summed up that the report showed the development would be unviable at over 33% affordable housing provision and that this had been independently assessed and agreed. If Members wanted to see further details, then the matter would need to be deferred for a private briefing session to go through the viability appraisal.

The motion was put to the vote. Voting: 4 in favour and 4 against. The Chairman decided to use her second and casting vote in favour and therefore the vote was carried, 5 voting in favour and 4 against.

(Note: Councillors Rob Appleyard and Les Kew were not present for this matter in view of their interests declared earlier in the meeting)

Item 2 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 & North East Somerset Core Strategy 2014 – The Case Officer reported on this Consultation and her recommendation that the submitted Masterplan be agreed. She read out the Council's policy statement on the matter and reported on further representations received.

The public speakers made their statements against and in favour of the proposals. The Ward Councillor Paul May then made a statement (1) advising that he had been attending local meetings on behalf of the Chairman in her capacity as Ward Councillor to maintain the Chairman's impartiality on the matter; and (2)

recommending that the North-South route be reinstated or that the matter be deferred for further consultation. The Highways Officer gave advice on the route and the changes that had taken place.

Members asked questions for clarification to which Officers responded. Councillor Paul Crossley moved that the general principles of the Masterplan should be agreed but that the North-South link be reinstated with three access roads to the site. The motion was seconded by Councillor Matthew Davies.

Members asked questions for clarification and debated the motion. In response to a Member's question, the Case Officer stated that the North-South route was contentious and a Transport Assessment was required. The Masterplan would agree the principles of future development but there was still the detailed design stage for developers to submit their proposals.

Councillor Eleanor Jackson moved an amendment that the general principles of the Masterplan be agreed but that further consultation be undertaken with local residents regarding highway options so that they can indicate their support accordingly. The motion was not seconded.

Members continued to discuss the matter. It was generally felt that the Masterplan could be agreed in general terms but that access roads and the North-South route needed to be reassessed. Councillor Paul Crossley stated that this was a large extension to the village – a bus route and three access roads were preferable. He therefore amended his motion to the Masterplan being approved but not the presumption to sever the North-South route. Significant work was required to the transport options with a better bus route facility. There needed to be full engagement with the community on these issues. The motion was seconded by Councillor Matthew Davies.

Members briefly debated the motion. It was pointed out by one Member that there had been no reference to the effect on roads in Stockwood and therefore highway issues needed to be assessed on a wider basis than just the roads round or through the site.

The motion was put to the vote and was carried unanimously.

(Note: Councillor Les Kew was not present for this matter in view of his interest declared earlier in the meeting)

Item 3 Broadmead, Broadmead Lane, Keynsham – Development of land off Broadmead Lane for a marina which comprises 326 berths and designed to accommodate a variety of craft sizes; a marina facilities building with 24 hour access to toilets, showers and laundry together with daytime access to a reception and chandlery; car parking for a maximum of 144 cars will be designed for a series of satellite car parks screened by suitable vegetation; and a tearoom and office included within the facilities building – The Case Officer reported on this application and her recommendation to refuse permission.

The public speakers made their statements against and in favour of the application.

Councillor Bryan Organ, the Ward Member on the Committee, stated that this was a

major and significant application. He moved that it be deferred for a Site Visit in view of various issues to be considered including access, parking and the cycle route. The Group Manager – Development Management emphasised the reasons for refusing the application, some of which would not be changed or overcome by visiting the site and suggested that a Site Visit may not be necessary in this case.

The motion was put to the vote and was carried, 6 voting in favour and 4 against.

After the vote, Members requested that, at the site visit, an example of the narrowness of the access be provided and it was also suggested that the Newbridge Marina could be viewed as an example of a working marina.

Item 4 Playing Field, Former Mod, Ensleigh, Granville Road, Lansdown, Bath – Outline planning permission for the erection of 1 210 place primary school (Use Class D1), up to 95 residential units (Use Class C3), associated infrastructure and open space. Approval of access with all other matters reserved – The Case Officer reported on this application and his recommendation to (A) authorise the Planning and Environmental Law Manager to enter into a S106 Agreement to secure Affordable Housing; Education; Open Space; Highway works; and (as recommended in the Update Report) Construction Obligations; and (B) subject to the prior completion of the above Agreement, authorise the Group Manager to grant permission subject to conditions. He recommended that a further Condition be added.

A representative of Charlcombe Parish Council made a statement against the application.

Members discussed the proposals and raised various issues including the fact that a drop-off and collection point for children had not been included in the application and the possible increased use of Colliers Lane and Charlcombe Lane – more analysis was required of the road network. The Case Officer responded that, although illustrative, a loop road was included in the proposals and also access from Granville Road which would provide a pinch point to limit cars in the loop road. Space for a drop-off point was available adjoining Lansdown Road but no official point was being provided. Councillor Paul Crossley considered that children from the new development would use the school but couldn't speculate on where attendees would live. The loop road should be included as part of the scheme. It needed to be developed quickly. He therefore moved the Officer recommendation but including a Condition for the loop road to be included. This was seconded by Councillor Eleanor Jackson.

Members debated the motion. Councillor Martin Veal felt that further consideration should be given to the concerns expressed by Members.

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

Item 5 Land rear of Unit 3, Lymore Gardens, Oldfield Park, Bath – Erection of 8 flats – The Case Officer reported on this application and her recommendation that permission be granted subject to conditions.

The public speakers made their statements against and in favour of the application.

The Ward Councillors June Player and Colin Blackburn made statements expressing various concerns about the proposals and requesting that members make a Site Visit before determining the application.

Councillor Paul Crossley considered that a Site Visit was not necessary. He felt that the proposals did not meet the views of the Appeal Inspector and that there were reasons for refusing the application, namely, insufficient parking, poor access for vehicles and pedestrians including no provision for disabled people. On these grounds, he moved that permission be refused which was seconded by Councillor Martin Veal.

Members debated the motion. The reasons for refusal were generally supported and it was also felt that this was not a good location adjoining industrial buildings and emergency vehicles would have difficulty in accessing the site. The Officers pointed out that the Fire Authority had not objected to the application and that it had to be considered on its merits taking into account the Inspector's views on the earlier appeal and that the Inspector had not concluded that there would be harm to neighbouring amenity. These issues did not form part of the refusal.

The motion was put to the vote and was carried, 7 voting in favour and 1 against with 2 abstentions.

(Note: At this point in the meeting, the Committee heard the comments of Councillor Neil Butters on the application at Castle Farm Barn, Midford (Item 8) as he had to leave the meeting before its consideration)

Item 6 New Kingdom Hall, Charlton Road, Keynsham – Erection of a three storey block comprising 8 residential apartments following demolition of existing buildings (access and layout to be determined with all other matters reserved) – 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 provision of affordable housing; and (B) subject to the completion of the above, authorise the Group Manager - Development Management to grant permission subject to conditions.

The Ward Councillor Brian Simmons declared that he is a Member of the Conservative Club adjoining the site and made a statement against the application. The other Ward Member, Councillor Charles Gerrish, then made a statement informing that he was not a Member of the Conservative Club and was also against the application.

Members asked questions for clarification to which Officers responded. Councillor Paul Crossley considered that this was an acceptable application and was not overdevelopment. He therefore moved the Officer recommendation which was seconded by Councillor Rob Appleyard.

Members debated the motion and expressed some concerns.

The motion was put to the vote and was carried, 7 voting in favour and 1 against with 1 abstention.

(Note: Councillor Caroline Roberts was absent from the meeting for this application)

Item 7 No 96 Charlton Road, Keynsham – Erection of 1 two bed bungalow, front porch to existing dwelling and creation of parking – The Case Officer reported on this application and her recommendation to refuse permission.

The applicant's agent made a statement in support of the application.

Councillor Bryan Organ felt that there were some inconsistencies in this application as other similar applications had been granted permission. On the basis that there was sufficient space to erect a small bungalow, there was no problem with car parking with direct access off the road, he moved that the recommendation be overturned and Officers be authorised to grant permission subject to appropriate conditions. The motion was seconded by Councillor Les Kew.

Members debated the motion. It was considered that this was a sustainable location and there would not particularly be a problem for cars parked on the site. The Highways Officer advised that, in his opinion, there would be a hazard to highway users from this application which was on a difficult junction with Ashcroft Avenue.

After a short debate, the motion was put to the vote. Voting: 6 in favour and 3 against. Motion carried.

(Note: (1) Councillor Caroline Roberts was absent for this application; and (2) Councillor Rob Appleyard left the meeting)

Item 8 Castle Farm Barn, Midford Road, Midford – Erection of an agricultural workers dwelling (Outline application with all matters reserved) – The Case Officer reported on this application and her recommendation to grant permission subject to conditions. The Update Report gave the Officer's Assessment on the reasons for the development.

The public speakers made their statements against and in favour of the application. A statement by the Ward Councillor Neil Butters had been considered earlier in the meeting.

As she could appreciate the need for the development, Councillor Eleanor Jackson moved the Officer recommendation which was seconded by Councillor Bryan Organ.

After a short debate, the motion was put to the vote and was carried, 7 voting in favour and 1 against with 1 abstention.

Item 9 Waterleat, Mead Lane, Saltford – Installation of rooftop pavilion following removal of existing pitched roof (Resubmission) – The Planning Officer reported on this application and the recommendation to refuse permission.

The applicant's agent made a statement in support of the application which was followed by a statement by the Ward Councillor Francine Haerberling who also supported the application.

Councillor Les Kew felt that the application was acceptable in Green Belt terms, it reduced the volume of the property and would be an improvement on the existing design and not harmful to amenity. On this basis, he moved that the

recommendation be overturned and that Officers be authorised to grant permission subject to appropriate conditions. The motion was seconded by Councillor Bryan Organ.

Some Members disagreed and considered that it was overdevelopment and would detrimentally affect the street scene. The Team Manager – Development Management gave advice reinforcing the recommended reasons for refusal.

The motion was put to the vote and was carried, 5 voting in favour and 3 against with 1 abstention.

(Note: After this decision, Councillor Paul Crossley left the meeting)

Item 10 West House Farm, Back Lane, Hinton Blewett – External alterations to remove 18 existing single glazed windows, replace with painted hardwood framed double glazed windows and install pennant stone sub-cills – The Case Officer reported on this application and her recommendation to refuse permission.

The Chairman read out the comments of the Ward Councillor Tim Warren who supported the application and couldn't attend the meeting.

Councillor Eleanor Jackson referred to the situation if permission was refused and enforcement action would be required and that it would not be expedient to do so. This one style of fenestration in this location was acceptable. There were also benefits from the application of heat conservation and energy efficiency. Councillor Les Kew considered that the design of new windows was fine and that there would not be any harm to the character of the building. On this basis, he moved that the recommendation be overturned and that Officers be authorised to grant permission which was seconded by Councillor Bryan Organ.

The motion was put to the vote and was carried unanimously.

Item 11 No 5 Hatfield Buildings, Widcombe, Bath – Internal and external alterations to existing extension and installation of glazed roof light – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

Councillor Eleanor Jackson moved the Officer recommendation which was seconded by Councillor Martin Veal.

The motion was put to the vote and was carried unanimously.

Item 12 No 15 Station Road, Keynsham – Erection of rear extension to facilitate the conversion of 4 two bedroom town houses with parking and associated works (Revised proposal) – The Case Officer reported on this application and his recommendation to grant permission subject to conditions.

The applicants' agent made a statement in favour of the proposal which was followed by a statement by the Ward Councillor Charles Gerrish who read out a statement by the adjoining resident and then expressed his own concerns about the application.

Councillor Bryan Organ considered that the application had not been properly thought out. It was overdevelopment at a dangerous junction in a congested area with a narrow access to Pool Barton; it would also impact detrimentally on the adjoining resident. On this basis, he moved that the recommendation be overturned and that permission be refused. The motion was not seconded.

Members went on to discuss the proposed development and asked various questions. The Officers responded that it may be difficult to defend on appeal and there was always the possibility of costs being awarded against the Council. Members considered that the concerns expressed were not sufficient to outweigh the benefits of the scheme.

The motion was put to the vote and was carried, 6 voting in favour and 2 against.

Item 13 No 17 Foxcombe Road, Newbridge, Bath – Installation of new white Upvc windows to replace existing timber windows – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

Councillor Caroline Roberts moved the Officer recommendation which was seconded by Councillor Les Kew. The motion was put to the vote and was carried 7 voting in favour and 0 against with 1 abstention.

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

The report was noted

The meeting ended at 7.45pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services