

## **DEVELOPMENT MANAGEMENT COMMITTEE**

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

Wednesday, 24th August, 2016, 2.00 pm

|  |   |                                    |
|--|---|------------------------------------|
| Councillor Rob Appleyard   | - | Bath & North East Somerset Council |
| Councillor Jasper Martin Becker  | - | 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 David Veale   | - | Bath & North East Somerset Council |
| Councillor Neil Butters (in place<br>of Councillor Paul Crossley)      | - | Bath & North East Somerset Council |
| Councillor Vic Pritchard (in<br>place of Councillor Matthew<br>Davies) | - | Bath & North East Somerset Council |

#### **33 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

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

A Vice Chairman was not required on this occasion.

#### **35 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

The following apologies for absence were received:

Councillor Paul Crossley – Councillor Neil Butters acted as substitute  
Councillor Matthew Davies – Councillor Vic Pritchard acted as substitute

#### **36 DECLARATIONS OF INTEREST**

There were no declarations of interest.

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

There was no urgent business.

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

The 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 these items were discussed.

## 39 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

The Chairman informed members that the time of the meeting to be held on 19 October 2016 had been changed due to the Special Cabinet meeting also taking place that day. The meeting will now start at 12 noon to enable members to attend both meetings if they wished to do so.

## 40 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 27 July 2016 were confirmed and signed as a correct record.

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

The Committee considered:

- A report by the Group Manager (Development Management).
- 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 Committee's delegated powers, the applications be determined as set out in the decisions list attached as *Appendix 2* to these minutes.

### Item No. 1 (Site Visit List)

**Application No. 16/01581/FUL**

**Site Location: 104 Faulkland View, Peasedown St John, BA2 8TQ**

### Item No. 1 (Main Plans List)

**Application No. 16/01580/FUL**

**Site Location: 106 Faulkland View, Peasedown St John, BA2 8TQ**

The Case Officer reported on the applications and her recommendation to grant planning permission.

The registered speaker, Councillor Sarah Bevan, declared a disclosable pecuniary interest in these applications as her property was next door to 104 Faulkland View and would be affected by any decision made by the Committee. Councillor Bevan made a statement against the applications in her capacity as a private individual and then went on to speak against the applications in her capacity as Ward Councillor.

Officers explained that the proposal at 106 Faulkland View to introduce further hardstanding had been withdrawn. The application now proposed the extension of the garage to allow space for a car by removing the storage area at the rear. This would mean that there would be space for one vehicle in the garage and for one vehicle in front of the garage.

In response to a question from Councillor Jackson officers informed members that the Parish Plan for Peasedown St John relating to lorry parking would be a material

consideration but would carry little weight.

In response to a question from Councillor Butters officers explained that if permission were granted there would be a condition requesting that the garage be used principally for that purpose. If there was subsequently any other unauthorised use this would be investigated. Officers also confirmed that any problems caused to the damp course by this development would be a building control and not a planning issue.

Councillor Kew was minded to permit the applications as solutions could be found to resolve any damp course problems. He felt that there would be no loss of off street parking.

Councillor Kew moved to grant planning permission for both applications and this was seconded by Councillor Organ.

On being put to the vote it was **RESOLVED:**

- (1) By 6 votes for, 3 votes against and 1 abstention to **PERMIT** the application for 104 Faulkland View subject to conditions.
- (2) By 6 votes for, 2 votes against and 2 abstentions to **PERMIT** the application for 106 Faulkland View subject to conditions.

## 42 **MAIN 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 planning applications.
- An update report by the Group Manager (Development Management) on item 16/01609/FUL attached as *Appendix 3* to these minutes.
- 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 decisions list attached as *Appendix 4* to these minutes.

### **Item No. 2**

#### **Application No. 16/01609/FUL**

**Site Location: Castle Farm Barn, Midford Road, Bath – Change of use of agricultural barns to a flexible commercial use comprising farm shop and café**

The Case Officer reported on the application and her recommendation to grant planning permission. She informed the Committee that the wording of conditions 5 and 6 had now been revised.

The registered speaker spoke in favour of the application.

Councillor Butters stated that although Southstoke Parish Council had decided not to speak at this meeting they still did not support this application. It would be unsightly and inappropriate in this greenbelt location. The access was via a main road with poor visibility. Councillor Butters asked that this application be considered alongside the application for a 4 bed dwelling on the same site and suggested that a site visit should take place.

Officers advised the Committee not to amend the opening hours as mentioned by the applicant as this would require further consideration. If different opening hours were required in due course then a further application could be made at a future date.

Councillor Jackson pointed out that there was currently outline planning permission for the 4 bed dwelling with only the reserved matters still to be agreed. She felt that this application should be considered in its own right and noted that farms have the right to diversify.

Councillor Jackson then moved that planning permission be granted subject to the conditions set out in the officer report (as updated). This was seconded by Councillor Kew.

In response to a question from Councillor Pritchard officers explained that the farm used poly-tunnels to cultivate their produce all year round.

Councillor Roberts then asked further questions regarding the irrigation system and the application for the dwelling. She felt that a site visit would be helpful in this instance.

Councillors Jackson and Kew then agreed to withdraw their motion to enable a vote to be taken on the site visit proposal.

Councillor Butters moved that consideration of this application be deferred pending a site visit. This was seconded by Councillor Roberts.

The motion was put to the vote and there were 4 votes for, 5 votes against and 1 abstention. The motion was therefore **LOST**.

Councillor Jackson then moved that planning permission be granted subject to the conditions set out in the officer report (as updated). This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** by 5 votes for, 2 votes against and 3 abstentions to **PERMIT** the application subject to conditions.

### **Item No. 3**

#### **Application No. 16/02798/FUL**

**Site Location: 65 Canons Close, Southdown, Bath, BA2 2LN – Change of use from 4 bed HMO (C4) to 7 bed HMO (Sui Generis). Associated internal alterations including erection of partition walls, works to porch, new door and window, and change of wall structures to rear conservatory**

The Case Officer reported on the application and her recommendation to grant planning permission. She also stated that if planning permission were to be granted an additional condition would be added to limit the number of residents at the premises.

It was confirmed that the conservatory would remain as part of the shared reception area.

Councillor Roberts pointed out that there was a proposal to withdraw Council subsidy for one of the bus routes that served Rush Hill.

Councillor Appleyard moved that planning permission be granted subject to the conditions outlined in the officer report and the removal of the word “unrelated” from the occupancy condition to ensure that occupancy is limited to 7 persons only. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** by 7 votes for, 1 vote against and 2 abstentions to **PERMIT** the application subject to conditions.

#### **Item No. 4**

##### **Application No. 16/02530/FUL**

**Site Location: 23 Lymore Avenue, Twerton, Bath, BA2 1BA – Demolition of existing single storey rear extension and erection of side and rear single storey extension**

The Case Officer reported on the application and her recommendation to grant planning permission.

Councillor June Player, local ward member, spoke against the application.

Councillor Jackson stated that the kitchen looked to be very small. Officers explained that any issues relating to this could be dealt with by building control and/or environmental health as necessary.

Councillor Appleyard noted the large number of student accommodation in Lymore Avenue and the Council’s HMO policy. As this house was already an HMO he felt that it would be difficult to refuse the application and moved that planning permission be granted subject to conditions.

Officers suggested that a condition could be included to limit numbers to no more than 6 residents.

Councillor Pritchard stated that he felt there was too much student accommodation in this area and that this application, if permitted, would be to the detriment of the neighbouring property. There was adequate dedicated student accommodation in Bath and any further provision should be controlled. He then moved that the application be refused.

Officers explained that if the Committee wished to refuse the application it would have to demonstrate that just one additional bedroom was harmful.

Councillor Jackson then moved that consideration of this application be deferred

pending a site visit. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** by 6 votes for, 2 votes against and 2 abstentions to **DEFER** consideration of this application pending a site visit.

**Item No. 5**

**Application No. 16/00847/FUL**

**Site Location: 27 Albert Road, Keynsham, BS31 1AA**

The Case Officer reported on the application and her recommendation to grant planning permission.

The registered speakers spoke in favour of the application.

Councillor Organ pointed out that although this was a retrospective application, he felt that it had not had any major effect in the locality. Officers confirmed that if the business developed further and any extension was required then the applicant would be required to seek further planning permission to do this.

In response to a question from Councillor Kew officers explained that any changes to this property and the business, such as employing other people, extending the building, how the building was used etc would be considered on their own merits.

Councillor Organ moved that permission be granted subject to the conditions outlined in the officer report. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** unanimously to **PERMIT** the application subject to conditions.

**Item No. 6**

**Application No. 16/02107/LBA**

**Site Location: Under the Hill, Weston Road, Lower Weston, Bath**

The Case Officer reported on the application and her recommendation to refuse planning permission.

The registered speaker spoke in favour of the application.

Councillor Pritchard read out a statement on behalf of the ward councillor, Councillor Matthew Davies, in favour of the application.

In response to questions the Case Officer confirmed that there would be no loss of cornicing as a result of this application. It was also confirmed that from the front to the middle room was open plan. Officers explained that the property was listed alongside Briar House as it typified a domestic historic late Georgian building.

Councillor Jackson felt that the wedding doors should be preserved to retain the character of the dwelling. She stated that the proposed pair of wedding doors would dominate the room and be out of proportion. She then moved that the application be refused. This was seconded by Councillor Appleyard.

Councillor Kew stated that this application would not cause irrevocable harm and would facilitate modern living requirements. He also noted that Bath Preservation Trust had raised no objection.

The motion was then put to the vote and there were 4 votes for, 5 votes against and 1 abstention. The motion was therefore **LOST**.

Councillor Kew then moved that authority be delegated to officers to permit planning permission subject to conditions. This was seconded by Councillor Organ.

The motion was put to the vote and it was **RESOLVED** by 5 votes for, 4 votes against and 1 abstention to **DELEGATE TO PERMIT** planning permission subject to conditions.

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

The Committee considered the latest appeals report.

**RESOLVED** to **NOTE** the report.

**44 QUARTERLY PERFORMANCE REPORT APRIL - JUNE 2016**

The Committee considered the quarterly performance report from April to June 2016.

It was noted that the enforcement team was now fully staffed and that there was a triage system in place to deal with enforcement cases.

**RESOLVED** to **NOTE** the report.

The meeting ended at 3.55 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**