

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 9th March, 2022, 11.00 am

Councillors: Sue Craig (Chair), Sally Davis (Vice-Chair), Shelley Bromley, Vic Clarke, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson, Hal MacFie and Rob Appleyard (Reserve) (in place of Paul Crossley)

102 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

103 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Paul Crossley. Councillor Rob Appleyard attended as substitute.

104 DECLARATIONS OF INTEREST

There were no declarations of interest.

105 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

106 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.

107 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on Wednesday 9th February 2022 were confirmed and signed as a correct record.

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

The Committee considered:

A report by the Head of Planning on various planning applications.

An update report by the Head of Planning is attached as Appendix 1 to these minutes.

Oral statements by members of the public and representatives on items. A copy of the speakers' list is attached as Appendix 2 to these minutes.

RESOLVED that in accordance with the Committee's delegated powers, the applications be determined as set out in the Site Visit decisions list attached as Appendix 3 to these minutes.

Item No. 1

Application No. 21/00419/EFUL

Site Location: Resourceful Energy Anaerobic Limited Resourceful Earth Ltd, Charlton Field Lane, Queen Charlton, Bristol, Bath And North East Somerset 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

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

A representative from Compton Dando parish Council spoke against the application.

A representative of the local objectors spoke against the application

The agent spoke in favour of the application.

Councillor Alistair Singleton, local ward member, felt that the application falls short of what is required on the site and a large digester is not suitable on this site. The last application to come forward was a much smaller and better planned application but this new application is too large an operation for the site. The applicant has not justified the very special circumstances for development in the green belt, there is not enough waste in the local area for the planned development and feels there is enough capacity available elsewhere in the local area already for the planned waste site. The planned need for maize would make the site untenable as the transport to get this amount of material from distances outside of the local area would mean further journeys and more vehicle movements so outweighs the perceived environmental benefits outlined in this application.

Councillor Paul May, local ward member, felt the officers report is exceptional and agrees with the officer's decision to reject this application, the site is in the wrong place and has been ruined by past owners of the site, and if approved would have serious effects on the local community. There are not enough details on the traffic movements and narrow lanes nearby would cause major increased disruption around the site. The need for enforcement action on the existing site is needed as there are already infraction son the site that need to be dealt with and cannot be used as a justification to increase the size of the site as they are already in breach of what is allowed on this site.

Councillor Paul May read out a Statement on Behalf of Councillor Lisa O'Brien, local ward member, 750 additional homes in near proximity since the last application, uncovered dumping/storage sites for the waste will also lead to more smells emitting from the site and more vehicle movements per day in the maize harvest, with spores from the maize for 8 weeks traveling through the local area by road from far and wide, the local farmers should not be encouraged to grow more maize as this crop is not positive for the soil as it creates more run off and effects the fertility of the soil, causing serious damage to the land. This local land would be better used for food production as would reduce food milage and there is no need for this extra capacity for this planned site as there is already oversupply in the local area for this function.

Councillor Alan Hale, local ward member, highlighted the traffic and transport issues in the area highlighting several pinch points and increased pollution this application would produce. He felt there is a significant chance of the increased collisions on the roads due to these extra HGV movements on the local roads that are not suitable due to various restricted locations close to the site. 112 extra HGV journeys a day and 196 extra during the harvest period.

The Case Officer responded to a question as follows:

- she was not able to respond to the question in regard to the detrimental effects of growing maize and any way of mitigating the perceived detriment with the perceived benefits of the digester.

Cllr Hounsell felt that the planning case for showing very special circumstances for building in the green belt has not been met, and that the applicant has only looked at opportunities this application is perceived to give and not actually shown any special circumstances for this site. The applicant has not shown that they have done enough to look for a more suitable site for this facility. The wider highway issues caused by this development in a mainly rural location not suitable for HGV movements that would be required. The closest lorry park to this site is Gordano services so in the applicants plan for lorry movements this means that HGV's and waste will be coming from and traveling from much further afield than is expected in the application. In the application it states that there will be minor adverse harm due to decrease in air quality for those living nearby especially for vulnerable groups, so surely this evidence provided shows that loss of amenity for those living nearby. There is already increased massing and height which is unauthorised. Effects the openness of the green belt site. Incompatibility of highways plan with the travel plan for Queen Charlton

Cllr Hounsell Moved that the application is refused in accordance with the case officer's report with further reasons regarding loss of amenity for those living nearby due to an adverse harm due to decrease in air quality for those living nearby especially for vulnerable groups, Incompatibility of construction management plan with the travel plan for Queen Charlton, loss of openness of the green belt in the southern quarry section. Seconded by Cllr Clarke.

Cllr Davis not the right place for this facility and supports the case officer's recommendation and highlights the increased number of objectors for this facility.

Cllr Appleyard supports the case officer's recommendation

Cllr Jackson agreed with Cllr Hounsell especially as there has been no justification in this location as there is no local need for this facility

Cllr Hodge wanted clarification for the extra reasons for refusal

The senior planning officer clarified how the extra reasons would affect the reasons for refusal

The Highways officer is aware of a new scheme for Queen Charlton but has not had adequate detail to suggest that the plan could not be able to be carried out alongside this.

Cllr Hounsell suggested that his motion is amended to state that there is potential for conflict for the construction management plan with the travel plan for Queen Charlton

The motion was put to the vote, and it was RESOLVED unanimously to REFUSE the application subject to the conditions set out in the report, and three additional reasons regarding loss of amenity for those living nearby due to an adverse harm due to decrease in air quality for those living nearby especially for vulnerable groups, potential for conflict for the construction management plan with the travel plan for Queen Charlton, loss of openness of the green belt in the southern quarry section.

109 **MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered:

A report by the Head of Planning on various planning applications.

An update report by the Head of Planning attached as Appendix 1 to these minutes.

Oral statements by members of the public and representatives. A copy of the speakers' list is attached as Appendix 2 to these minutes.

RESOLVED that in accordance with the delegated powers, the applications be determined as set out in the Main decisions list attached as Appendix 4 to these minutes.

Items 1,2 and 3

Item No. 1

Application No. 21/05528/VAR

Site Location: Bath Rugby Club, Bath Recreation Ground, Pulteney Mews, Bathwick, Bath Variation of condition 1 of application 20/00135/VAR (Variation of conditions 1 and 2 of application 17/01637/FUL to allow the stands and related development to remain in situ for a further 2 years (until 30th May 2022) and the retention of the east stand during summer 2020 (Erection of temporary spectator stand along the eastern side of the playing field including associated

works and ancillary facilities comprising floodlighting, toilets, food and bar facilities within structure. (Amended location 3 metres to the east of stand granted planning permission 12th February 2016 (LPA ref. 15/05237/FUL). Structure and capacity to remain as approved.))).

Item No. 2

Application No. 21/05529/VAR

Site Location: Bath Rugby Club, Bath Recreation Ground, Pulteney Mews, Bathwick, Bath Variation of condition 1 of application 20/00136/VAR (Variation of condition 1 of application 15/05235/FUL to allow the stands and related development to remain in situ for a further 2 years (until 30th May 2022) (Part demolition of existing permanent West Stand (retaining rear wall and concrete slab) together with terraces in north west corner of the site and removal of existing temporary stands and seating; erection of temporary covered West Stand and seating, including camera gantry, uncovered seating and associated works and ancillary facilities including retention of existing floodlighting, erection of boundary fence with new access gates onto riverside path, provision of toilets and food and bar facilities within temporary stand (temporary application for a period of up to four years).)).

Item No. 3

Application No. 21/05530/VAR

Site Location: Bath Rugby Club, Bath Recreation Ground, Pulteney Mews, Bathwick, Bath Variation of condition 1 of application 20/00137/VAR (Variation of condition 1 of application 15/05237/FUL to allow the stands and related development to remain in situ for a further 2 years (until 30th May 2022) (Erection of temporary spectator stands along the north and eastern sides of the playing field; erection of hospitality boxes to either side of the retained south stand; erection of control box and screen/scoreboard between north and east stands including fence enclosure. Associated works and ancillary facilities comprising floodlighting, and toilets, food and bar facilities within temporary north and east stands (temporary application for period of up to four years)).

The Chair explained the procedure to allow an efficient meeting taking all three applications but splitting when it comes to the debate and separate votes and the speakers have three lots of time.

The Case Officer reported on the three applications and his recommendations to permit.

Four members of the public spoke against the applications

The agent spoke in favour of the applications.

Councillor Manda Rigby, local ward member for Bathwick, felt that exceptional circumstances have not been shown in this application as this does not feel like a temporary application as it has been the same for ten years, and feels meaningful communications are not being carried out by the applicant. Poor timescale planning by the applicant has meant that these applications are even required. If the committee is minded permitting it limits the application for two years, the condition to remove the stand in the summer months is kept, and the due diligence is carried out as if it was a full application, with updated surveys, security and travel plans completed

The Case Officer then responded to questions as follows:

- Regarding the covenant/legal matters quoted by the speakers, these are not material considerations for planning
- Regarding the Covid pandemic delaying plans for two years and why not just extending for two years, the officer stated that the committee can choose how long to set the consent for, but the officers view is that the usual timeline of 12 months to carry out and get planning permission then additional 3 years is the normal time for consent to be granted to allow time for developer to get everything ready and for construction to start/complete.
- There is no agreement or timetable given by the applicant but there have been pre-application enquiries regarding the future planning application for the site.
- To achieve planning permission and the rest of what is required within two years would seem quite a tight timescale to allow for this to be completed, as in report a 4-year timescale is recommended.
- The Club have been updating their travel plan and think the last time was completed in 2019, it would be a perfectly reasonable thing to add to the permission if minded to.
- The condition to remove the stand each year is still within the conditions and will not change with these updated applications as the conditions stay the same.
- Adding to the condition wording, with a reasonable time frame, is not the officer recommendation but could be added if the committee feels it is required.

Cllr Appleyard stated that there are frustrations from lots of parties regarding these and possible future applications on this site. He feels the timescale is the main issue with these applications and takes the officer's professional opinion and reasons for the timescale as stated due to time taken to get planning permission and the team and builders in place for any possible future development. He then moved the officer recommendation to permit. This was seconded by Cllr Davis.

Cllr Hughes has concerns and that four years needs to be a maximum, and it would be better sooner to get a long term solution to the site.

Cllr Davis thinks it's difficult as the conditions that the committee would like to put on this application are not possible, but the updated travel plan would be an additional

condition she would be happy to see added.

Cllr Appleyard stated that he was happy for this extra condition to be added to his proposal to permit.

Cllr Bromley reasonable timescale as indicated by officers and would allow time for all the necessary work to be completed but would also like to see an updated security plan.

Cllr Craig would prefer in two years' time to be being asked to extend again with a half-built stand rather than wait four years for anything to be happening.

Cllr Clarke considers it needs to be looked at on planning grounds as the commercial and other aspects are not within the remit. The applicant really needs to get moving and be communicating their future plans at the earliest opportunity and get moving on their plans immediately if these applications are permitted.

Cllr Hounsell would have preferred 3 years rather than four and implores the applicant to get a proper plan in place and timeline for future plans.

Cllr MacFie feels four years is too long an extension and could not support this.

Cllr Hodge agrees with Cllr MacFie that four years is too long and would prefer three years.

Cllr Hounsell stated that after hearing from other Councilors he will not now support the original motion as he would prefer three years rather than four.

Cllr Jackson feels four years is too long and we could be back in four years in the same situation, three years could be agreed but two would be better.

Cllr Hughes feels four years gives timescale for them to get the job done

Vote on Item No. 1

Application No. 21/05528/VAR

The motion to delegate to permit to approve the officer recommendation with an updated travel plan was put to the vote and the motion was REFUSED, 5 votes in favour, 5 against. The Chair used her carrying vote against the motion.

A new motion was proposed by Cllr Hounsell and seconded by Cllr Hodge to approve the officer recommendation with the term limited to 3 years and to delegate for an updated travel plan

The motion to delegate to permit to approve the officer recommendation with the term limited to 3 years and for an updated travel plan was put to the vote and it was RESOLVED unanimously to APPROVE the application for the reasons set out above.

Vote on Item No. 2

Application No. 21/05529/VAR

Motion proposed by Cllr Davis and seconded by Cllr Clarke to approve the officer recommendation with the term limited to 3 years and to delegate for an updated travel plan

The motion to delegate to permit to approve the officer recommendation with the term limited to 3 years and for an updated travel plan was put to the vote and it was RESOLVED unanimously to APPROVE the application for the reasons set out above.

Vote on Item No. 3

Application No. 21/05530/VAR

Motion proposed by Cllr Jackson and seconded by Cllr Bromley to approve the officer recommendation with the term limited to 3 years and to delegate for an updated travel plan

The motion to delegate to permit to approve the officer recommendation with the term limited to 3 years and for an updated travel plan was put to the vote and it was RESOLVED unanimously to APPROVE the application for the reasons set out above.

Item No. 4

Application No. 21/03682/FUL

Site Location: Church Farm, Church Lane, Priston, Bath, Bath And North East Somerset Erection of two dwellings and associated works, to follow demolition of existing equestrian related barns.

The Case Officer reported on the application and her recommendation to permit.

A representative from Priston parish council spoke against the application.

Two members of the public spoke against the applications

The agent spoke in favour of the application.

The Case Officer then responded to questions as follows:

- The properties do have a close boundary but have no windows on that side so no overlooking, and have a shared driveway, so residential amenity between the two acceptable. They are detached and have a gap between the properties.
- In the report it gives the reasons for why it is defined as developed land.
- During the application the applicant changed from the use of a septic tank.
- The condition on lighting states that no external lighting is currently allowed.
- Equestrian use is considered to qualify for brown field site status.

Cllr Davis is happy to accept the offers recommendation new plan not as high as current barns in the location, and proposes to accept the offers recommendation seconded by Cllr Hounsell

The motion was put to the vote 4 votes in favour, 5 votes against and 1 Abstentions.

Cllr Jackson proposed a site visit seconded by Cllr Bromley

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 0 votes against and 3 Abstentions to DEFER consideration of the application pending a SITE VISIT.

Items 5 and 6 were heard together

Item No. 5

Application No. 21/03965/FUL

Site Location: Manor House, Watery Lane, Burnett, Keynsham, Bristol

Installation of solar PV panels and ground source heat pump pipe work to eastern paddock to provide renewable energy sources for manor house.

Connection of pipework to existing lower ground floor plant room.

Item No. 6

Application No. 21/03966/LBA

Site Location: Manor House, Watery Lane, Burnett, Keynsham, Bristol Internal and external alterations for the installation of solar PV panels and ground source heat pump pipe work to eastern paddock to provide renewable energy sources for manor house. Connection of pipework to existing lower ground floor plant room.

The Case Officer reported on the applications and his recommendations to permit.

A representative from Compton Dando parish council spoke against the application.

Two members of the public spoke against the applications

The agent spoke in favour of the application.

Councillor Alistair Singleton, local ward member, with the challenge of supporting the climate change this applicant has been worked through the planning system and all the correct procedures followed and looked at, there is objections to this development, and these must be considered. All recommendations from the specialist officers must be addressed, but the benefits of this application he believes it is right to recommend this application.

The Case Officer then responded to questions as follows:

- We do not have the figures for any surplus going back into the grid
- No other sites for the location of the panels were provided as this location will have the best amount of solar gain and the least amount of loss of trees as only one tree would require removal and the furthest point away from the Manor House and St Michaels Church.
- The gap between the arrays is required I assume to avoid obstruction.
- The siting in the location would allow continuity of boundary as this side already has a hedge planning and the other boundary goes onto the highway without hedging.
- There has been no request to look at putting the solar panels on the roof of the listed building.
- The hedge planting condition requires the hedge to exceed the height of the panels and security fencing.
- A consideration was made to minimizing the view from and towards a listed building.

Cllr Hounsell stated that it is needed to look at the application in front of the committee and not what could be possible, this application has gone through the planning process. There have been many comments from people today about not being able to picture the location or how it will look like so he felt that it would be helpful for members to view the location and moved that consideration of the application be deferred pending a site visit, seconded by Cllr Bromley.

Vote Item No. 5
Application No. 21/03965/FUL

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 2 votes against and 1 Abstentions to DEFER consideration of the application pending a SITE VISIT.

Vote Item No. 6
Application No. 21/03966/LBA

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 2 votes against and 1 Abstentions to DEFER consideration of the application pending a SITE VISIT.

During this Item Cllr Jackson had to leave the room and did not vote on these applications due to her absence as she did not hear all the debate.

Item No. 7

Application No. 21/05364/FUL

Site Location: 16 Broadlands Avenue, Keynsham, Bristol, Bath And North East Somerset, BS31 2DU Erection of front, side and rear extension. Provision of attic conversion and garden room.

The Case Officer reported on the application and her recommendation to permit.

There were no speakers on this item.

The Case Officer then responded to questions as follows:

- The Impact of light would decrease light to one window next to the property but would not because a significant loss of light overall.
- There are various extensions to neighboring properties so fits within the local building character.
- The rear lane has a lot of buildings and has various cars parked along it; the proposed garden room is within the applicants plot so may only be affected during construction.
- Mainly the objections as outlined in report were regarding over development of the site.

Cllr Clarke proposed a site visit and seconded by Cllr Hodge.

The motion was put to the vote and it was RESOLVED by 6 votes in favour, 2 votes against and 2 Abstentions to DEFER consideration of the application pending a SITE VISIT.

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

The Committee considered the appeals report.

RESOLVED to NOTE the report.

The meeting ended at 4.09 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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