

## **PLANNING COMMITTEE**

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

Wednesday, 27th July, 2022, 11.00 am

**Councillors:** Sue Craig (Chair), Sally Davis (Vice-Chair), Shelley Bromley, Paul Crossley, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson, Hal MacFie, Brian Simmons and Matt McCabe

#### **20 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

#### **21 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Cllr Lucy Hodge and Cllr Matt McCabe was in attendance as her substitute.

#### **22 DECLARATIONS OF INTEREST**

Cllr Matt McCabe declared an interest in application 22/01093/REG03, Windsor Bridge, Windsor Bridge Road, Twerton, Bath due to his position as Cabinet Assistant as this was an application by Bath and North East Somerset Council. He confirmed he would withdraw from the meeting during consideration of this item and take no part in the debate or vote.

#### **23 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR**

There was no urgent business.

#### **24 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.

#### **25 MINUTES OF THE PREVIOUS MEETING**

Cllr Eleanor Jackson asked for an update on the application 21/02973/OUT, Parcel 3589, Silver Street, Midsomer Norton which was deferred from the previous meeting to allow officers to explore options for providing a pedestrian crossing as part of the development. The Planning Officer confirmed that the options were still being considered and it was likely that the application would come back to the next meeting in August.

Cllr Eleanor Jackson proposed that the minutes be confirmed as a correct record subject to the correct spelling of complement on page 10 and the inclusion of

“Norton” after Midsomer on page 11. This was seconded by Cllr Paul Crossley and;

**RESOLVED** that the minutes of the meeting held on Wednesday 29 June 2022 be confirmed as a correct record and signed by the Chair.

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

There were no site visit applications.

27 **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 and update report in relation to item no. 1 - 22/01093/REG03 Windsor Bridge, Windsor Bridge Road, Twerton, Bath.

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 Main decisions list attached as Appendix 2 to these minutes.

**Item No. 1**

**Application No: 22/01093/REG03**

**Site Location: Windsor Bridge, Windsor Bridge Road, Twerton, Bath**

Cllr Matt McCabe withdrew from meeting during consideration of the application.

Cllr Brian Simmons arrived late and therefore did not participate in the debate or vote.

The Case Officer introduced the report relating to the application to demolish the redundant gas pipeline bridge and secure public realm improvements and confirmed that the site spanned two wards, Westmoreland and Kingsmead. He reported that the site fell within the Bath World Heritage Site and part of it was in the conservation area and also that the River Avon was a site of nature conservation interest. He advised the Committee that different options were considered before demolition was agreed as the best way forward:

1. Do nothing. This would run the risk of parts of the bridge falling off into the river and/or towpath.
2. Repairing the bridge. This would be a major refurbishment with the risk of escalating costs as well as ongoing maintenance costs.
3. Repairing the bridge to use as a pedestrian/cycle route. There were difficulties in pursuing this option, the Council did not own the land and would

require a compulsory purchase order to access the route and there was no obvious connection point with Windsor Bridge Road. The Council had an active travel strategy which safeguarded nearby Locksbrook Bridge as a sustainable travel route.

He advised that the option to demolish the bridge would result in a loss of trees due to the temporary support structure required for the works, but that this had been reduced from 18 to 13 and replacement trees would be planted both on and off-site along the river line. The Committee noted that any refurbishment works would also have resulted in the loss of trees.

He confirmed the officer recommendation that the application be permitted.

The following public representations were received:

1. Chris Beaver, agent, speaking in support of the application.

In response to Members' questions, it was confirmed:

1. In relation to the mitigation for the bats, there would be both on-site and off-site mitigation including habitat replacement. The 12-month period was considered to be a reasonable timescale for the off-site mitigation.
2. The trees that had been saved were largely those on the edge of the site. Alternative methods had been considered to deconstruct the bridge and avoid the loss of further trees, but these had not proven to be viable.
3. Officers confirmed that the loss of trees would not cause significant harm in relation to Bath World Heritage Site/conservation area.
4. Officers would ensure the replacement trees would meet the objectives of the landscape scheme including appropriate size and species.
5. There would be a traffic management plan in place during the works and details of this would be contained in the Construction Management Plan.
6. There was a pre-commencement condition relating to archaeology to cover the eventuality of anything of historic interest being found on the site.
7. In terms of minimising costs by considering a partial restoration, the condition of the bridge meant that small scale interventions would not be appropriate.
8. Some residents of Windsor Castle had expressed concern about overlooking as a result of the demolition of the bridge, whilst others had welcomed the opening up of the view. Officers had concluded that there would be no significant loss of privacy to residents as a result of the application.
9. There were no plans to improve the appearance of Windsor Bridge as part of this application.
10. As well as the proposed cycleway over Locksbrook Bridge providing an east to west route, there was also an aspiration for a segregated cycling route on Windsor Bridge Road.

Cllr Sue Craig expressed disappointment about the loss of the trees, in particular the mature lime trees, but acknowledged that there was no viable alternative option.

Cllr Duncan Hounsell moved the officer recommendation to permit the application. This was seconded by Cllr Eleanor Jackson who, although also concerned about the loss of trees, stated that the bridge needed to be removed.

In supporting the motion, Cllr Sally Davis noted that Locksbrook Bridge had been identified as a more suitable option for an active travel route.

Cllr Paul Crossley acknowledged that there was no viable alternative to removing the bridge and that it was not as historically significant as other bridges that had been restored, but that he recognised that it was an important part of the history of the River Avon, and he hoped that this would be reflected in the on-site interpretation board. He also asked that the re-habitation of the bats be carefully managed.

On being put to the vote the motion was CARRIED (UNANIMOUS 8 in favour and 0 against)

**RESOLVED** that planning permission be granted subject to the conditions set out in the officer report.

Items 2 and 3 were considered together.

### **Item No. 2&3**

**Application No: 22/01448/FUL 22/01449/LBA**

**Site Location: Mill Farm, Vicarage Lane, Compton Dando**

The Case Officer introduced the report and advised the Committee of the comments of Compton Dando Parish Council which had been omitted from the report: The Parish Council supported the application and stated there would be no adverse impact on the greenbelt or on neighbouring properties, but there may be additional light spill as a result of the application. The Case Officer confirmed her recommendation that the application be refused.

The following public representations were received:

1. Richard Swann, applicant, speaking in support of the application.

In response to Members' questions, it was confirmed:

1. The concern about the design of the orangery was in the context of it being attached to a listed building, it was not a concern about the design in itself. Officers considered that the design was too grand and detracted from the listed building.
2. It was noted that the applicant had offered to retain the original materials in case a future owner wanted to remove the orangery but once the materials were removed it would affect the stonework and some level of repair would be required.
3. The view of officers was that the footprint of the proposed orangery was too large in the context of the listed building, but the volume was acceptable in terms of its location in the green belt. Officers were recommending refusal due to the footprint being too large and the design not being considered appropriate in the context of the setting.
4. The proposed windows would be timber framed. If the Committee was minded to grant consent, officers recommended that there should be a condition to ensure materials were agreed by the local authority in advance of construction.

Cllr Duncan Hounsell opened the debate as local member. He acknowledged that the applicant had personal reasons for wishing to extend the property but stated that the Planning Committee could not consider such personal circumstances and were

obligated to have special regard to the setting of the listed building.

Cllr Matt McCabe acknowledged that the proposed orangery was well designed but expressed concern that it did not sit well in the setting of a listed building. He moved the officer's recommendation that the application be refused. This was seconded by Cllr Eleanor Jackson who stated that the application was inappropriate in its setting. Cllr Shaun Hughes and Shelley Bromley concurred with this view.

Cllr Paul Crossley stated that he had reached a different conclusion about the design of the application and spoke in support of the application.

### **Vote on item No. 2**

On voting for the motion, it was CARRIED (9 in favour and 1 against)

### **Application No. 22/01448/FUL**

**RESOLVED** that the application be refused for the reasons set out in the officer report.

### **Vote on item No. 3**

On voting for the motion, it was CARRIED (9 in favour and 1 abstention)

### **Application No. 22/01449/LBA**

**RESOLVED** that the application be refused for the reasons set out in the officer report.

### **Item No. 4**

### **Application No: 22/00371/FUL**

### **Site Location: Windyridge, Newtown, Moorledge Road, Chew Magna**

The Case Officer introduced the report and confirmed that, although there would be no net volume gain in the green belt location as the proposal included the demolition of modern extensions and garage, the scale and design of the development in a prominent position would be detrimental to the amenity of the green belt and therefore the officer recommendation was to refuse the application.

The following public representations were received:

1. Richard Webb, applicant, in support of the application.

Cllr Vic Pritchard, in attendance as local member, raised the following points:

1. He supported the application and did not think the proposed extension would dominate the original building.
2. There was a variety of different dwellings in the surrounding area.
3. The street scene had previously been changed with the addition of the porch which the applicant was seeking to remove as part of the application along with the other modern extensions.
4. The new extension would be on a lower gradient than the existing and would

be more in keeping with the original cottage. A hazel hedge would screen the development and soften the visual impact.

5. The Parish Council supported the application as innovative and effective.
6. He supported the view of the Parish Council and asked the Committee to permit the application.

In response to Members' questions, it was confirmed:

1. The application was for one extension with two separate elements joined by glazing.
2. The development would be visible from the footpath.
3. The cottages were not listed or considered to be a heritage asset, but the Landscape Officer had advised that the proposal was situated in a highly sensitive location.

Cllr Paul Crossley expressed the view that the application was an imaginative solution which distributed the existing volume to the rear of the property and the removal of the porch would return the street scene to its original state. He stated that he had reached a different conclusion to the officer and felt that, on balance, the proposal was an improvement to the existing development.

Cllr Eleanor Jackson suggested that a site visit may be useful but on viewing additional plans displayed by the Case Officer to indicate how it would look from the footpath, she concluded that the design of the development was overbearing rather than being subservient to the original buildings and moved the officer recommendation that the application be refused. This was seconded by Cllr Brian Simmons. Cllrs Shaun Hughes, Shelley Bromley and Duncan Hounsell concurred with the view that the design of the proposed extension was not appropriate in the setting.

Cllr Matt McCabe stated that he disagreed with the officer's analysis and although the design could cause some harm, he did not consider this to be significant and he was minded to support the application. He noted that the proposal was likely to be more energy efficient than the existing dwelling.

On voting for the motion, it was CARRIED (8 in favour and 2 against)

**RESOLVED** that the application be refused for the reasons set out in the officer report.

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

The Committee considered the appeals report.

In response to a question, it was confirmed that a practising barrister had been appointed by the Council in relation to the appeal by Resourceful Earth, Charlton Road.

Cllr Eleanor Jackson gave an update that the appeal in relation to 3 Ruskin Road had been dismissed and thanked officers for their work in supporting the inquiry.

**RESOLVED** that the report be noted.

29     **QUARTERLY PERFORMANCE REPORT 1 APRIL - 30 JUNE 2022**

The Committee considered the Quarterly Performance Report.

Cllr Paul Crossley acknowledged the high percentage of applications being processed and officers' support in the appeals process.

In response to questions about the enforcement service, the Planning Officer confirmed that there had been an increase in the number of cases and some staffing changes in the team, but all posts were currently filled. He reported that there were 3 Enforcement Officers in post along with an Apprentice and the Enforcement Manager, however the Manager would be moving to a different role in the organisation at the end of the summer and therefore his role would be subject to a recruitment process.

**RESOLVED** that the report be noted.

The meeting ended at 2.48 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**MEMBERS OF THE PUBLIC AND REPRESENTATIVES SPEAKING AT  
THE MEETING OF THE PLANNING COMMITTEE ON WEDNESDAY 27  
JULY 2022**

MAIN PLANS LIST			
ITEM NO.	SITE NAME	NAME	FOR/AGAINST
1	22/01093/REG03 Windsor Bridge, Windsor Bridge Road, Twerton, Bath	Chris Beaver, agent	For
2&3	22/01448/FUL 22/01449/LBA Mill Farm, Vicarage Lane, Compton Dando	Mr Swann, applicant	For
4	22/00371/FUL Windyridge, Newtown, Moorledge Road, Chew Magna	Richard Webb, applicant	For
		Cllr Vic Pritchard (ward member)	

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**BATH AND NORTH EAST SOMERSET COUNCIL**

**PLANNING COMMITTEE**

**27th July 2022**

**DECISIONS**

Item No:	01	
Application No:	22/01093/REG03	
Site Location:	Windsor Bridge, Windsor Bridge Road, Twerton, Bath	
Ward:	Westmoreland	Parish: N/A
		LB Grade: N/A
Application Type:	Regulation 3 Application	
Proposal:	Demolition of redundant gas pipeline bridge and associated public realm and landscaping works	
Constraints:	Article 4 Bath Demolition Wall, Article 4 Reg 7: Estate Agent, Article 4 HMO, Colerne Airfield Buffer, Agric Land Class 3b,4,5, Air Quality Management Area, Policy B1 Bath Enterprise Zone, Policy B3 Twerton and Newbridge Riversid, Policy B4 WHS - Indicative Extent, Policy B4 WHS - Boundary, British Waterways Major and EIA, British Waterways Minor and Householders, Conservation Area, Contaminated Land, Policy CP9 Affordable Housing Zones, Cycle Route, District Heating Priority Area, Flood Zone 2, Flood Zone 3, HMO Stage 1 Test Area (Stage 2 Test Req), Policy LCR5 Safeguarded existg sport & R, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy NE1 Green Infrastructure Network, Policy NE2A Landscapes and the green set, Policy NE3 SNCI, Policy NE5 Ecological Networks, River Avon and Kennet & Avon Canal, SSSI - Impact Risk Zones, Policy ST2A Recreational Routes-Cycle Ro,	
Applicant:	B&NES Council	
Expiry Date:	4th May 2022	
Case Officer:	Chris Griggs-Trevarthen	

**DECISION**

**Permit**

<b>Item No:</b>	02	
<b>Application No:</b>	22/01448/FUL	
<b>Site Location:</b>	Mill Farm , Vicarage Lane, Compton Dando, Bristol	
<b>Ward:</b> Saltford	<b>Parish:</b> Compton Dando	<b>LB Grade:</b> II
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Erection of timber orangery	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, Policy M1 Minerals Safeguarding Area, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr and Mrs Swann	
<b>Expiry Date:</b>	1st July 2022	
<b>Case Officer:</b>	Danielle Milsom	

**DECISION**

**Refuse**

<b>Item No:</b>	03	
<b>Application No:</b>	22/01449/LBA	
<b>Site Location:</b>	Mill Farm , Vicarage Lane, Compton Dando, Bristol	
<b>Ward:</b> Saltford	<b>Parish:</b> Compton Dando	<b>LB Grade:</b> II
<b>Application Type:</b>	Listed Building Consent (Alts/exts)	
<b>Proposal:</b>	External alterations for erection of timber orangery	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Listed Building, Policy M1 Minerals Safeguarding Area, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr and Mrs Swann	
<b>Expiry Date:</b>	1st July 2022	
<b>Case Officer:</b>	Danielle Milsom	

**DECISION**

**Refuse**

<b>Item No:</b>	04	
<b>Application No:</b>	22/00371/FUL	
<b>Site Location:</b>	Windyridge, Newtown, Moorledge Road, Chew Magna	
<b>Ward:</b> Chew Valley	<b>Parish:</b> Chew Magna	<b>LB Grade:</b> N/A
<b>Application Type:</b>	Full Application	
<b>Proposal:</b>	Repair of core historic cottages, demolition of modern extensions and garage, construction of new extension.	
<b>Constraints:</b>	Bristol Airport Safeguarding, Agric Land Class 1,2,3a, Coal - Standing Advice Area, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy NE5 Ecological Networks, Neighbourhood Plan, SSSI - Impact Risk Zones, Policy ST8 Safeguarded Airport & Aerodro,	
<b>Applicant:</b>	Mr & Mrs Richard and Donnalee Webb	
<b>Expiry Date:</b>	29th July 2022	
<b>Case Officer:</b>	Christopher Masters	

**DECISION**

**Refuse**