

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 4th July, 2012

Present:- Councillor Gerry Curran in the Chair
Councillors Sally Davis (Substitute for Martin Veal), Nicholas Coombes, Liz Hardman, Eleanor Jackson, Malcolm Lees, David Martin, Douglas Nicol, Bryan Organ, Vic Pritchard (Substitute for Les Kew), David Veale and Brian Webber

Also in attendance: Councillors John Bull, Nathan Hartley and Jeremy Sparks

13 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

14 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

15 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Les Kew and Martin Veal and their respective substitutes were Councillors Vic Pritchard and Sally Davis. An apology was also received from Councillor Neil Butters.

16 DECLARATIONS OF INTEREST

Councillor Eleanor Jackson declared a personal and non-prejudicial interest in the planning application at Filers Coaches, Wick Lane, Stanton Wick (Item 1, Report 10) as she was acquainted with the Director of the Company but did not consider that it affected her judgement of the application and would therefore speak and vote on the matter. Councillor Nicholas Coombes declared a personal and non-prejudicial interest in the application at Paulton Engine, Hanham Lane, Paulton (Item 2, Report 10) and would therefore remain in the meeting and vote on the matter.

17 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none

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

The Senior Democratic Services Officer informed the meeting that there were members of the public etc wishing to make statements on the planning applications in Report 10 and that they would be able to do so when reaching those Items in that Report.

19 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

The Chair read out a Question previously submitted by Councillor Nigel Roberts relating to replacement of a wall on land at the rear of 4 Bloomfield Drive, Bath, and possible enforcement action. The Chair read out a reply on progress of this matter.

20 MINUTES: 6TH JUNE 2012

The Minutes of the meeting held on Wednesday 6th June 2012 were approved as a correct record and were signed by the Chair

21 MAJOR DEVELOPMENTS

The Senior Professional – Major Development gave Members an Update on the following major developments:

Former Cadbury's site, Keynsham – Taylor Wimpey were the selected developer who had submitted a Master Plan but there were archaeological concerns that needed to be addressed

K2, Keynsham – An application had been received for discharge of conditions and some demolition work had commenced which had raised some contamination issues

Bath Spa Railway Station – The vaults were being fitted out with most being let which were expected to be open in time for Christmas

Bath Spa University, Newton Park – Work had now commenced on the first phase of development

Members asked questions on some of the developments to which the Officer responded. At the request of a Member he gave an update on the key elements of the development at the former Alcan Factory, Midsomer Norton.

The Senior Planning Officer gave an update on Bidwells Metals sites at Bath Old Road and Clandown as regards unauthorised works being undertaken on which enforcement action was being investigated.

Members noted the reports.

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

The Committee considered

- A report by the Development Manager on various applications for planning permission etc
- An Update Report by the Development Manager on Item Nos 2-5, the Report being attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc on Item Nos 1-5, 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 Filers Coaches, Wick Lane, Stanton Wick – Variation of Condition 4 of application WC6174/E to increase number of coaches kept on site from 12 to 20 (continued use of land as a coach depot on land at Pensford Colliery, Pensford, Bristol) – The Case Officer reported on this application and his recommendation to refuse permission. The public speakers made their statements on the application which were followed by a statement by the Ward Councillor Jeremy Sparks who spoke in support of the proposal.

Members asked questions about the proposal regarding size of coaches, routes, other sites to be considered etc. The Case Officer responded. As a result, Councillor Doug Nicol felt that there was insufficient information to make a decision. He therefore moved that the application be deferred in order to allow the applicant to provide further information regarding routes served by the additional coaches, the size of coaches, the benefits to the local community and the suitability of other available sites for a depot for the additional coaches. The motion was seconded by Councillor Vic Pritchard who felt that the applicants needed to be given an opportunity to show that there were special circumstances that existed that would allow the proposed increase in use. The benefits to the community needed to be specified. Members briefly debated the motion including whether there were other possible sites that could accommodate the extra coaches. The Chair summed up the debate and stated that special circumstances should be provided in order to allow this proposal in the Green Belt. The motion was then put to the vote. Voting: 10 in favour and 2 against. Motion carried.

Item 2 Paulton Engine, Hanham Lane, Paulton – Extension and alteration of existing 3 bed house to provide 2 further bedrooms and dining room, and demolition of 1960's single storey extension; reconstruction of roofless outbuilding to provide garage, workshop and studio over; erection of a pair of semi-detached 2 bed holiday cottages; repair of derelict pigsties to provide potting sheds with bat loft; rebuilding of derelict stable; roofing and repair of 2 walls as open woodshed; lean-to greenhouse to replace kennels; rubbish clearance within site; and landscape improvements – The Case Officer reported on this application and his recommendation to refuse permission. He drew Members' attention to the Update Report which added 2 further reasons for refusal. The public speakers made their statements on the application which were followed by a statement by the Ward Councillor John Bull who raised various issues and felt that a Site visit would be useful.

Councillor Liz Hardman opened the debate and considered that this was a good opportunity to preserve some industrial heritage. The proposal had a number of good points in its favour although there were also some concerns. She felt that a site visit would assist Members' consideration. Councillor Bryan Organ felt that the site could be developed but that consideration should be deferred for a site visit in order to see the access to the site and assess the proposed layout in the context of its surroundings, and he so moved. The motion was seconded by Councillor Eleanor Jackson. The Chair summed up the debate and considered that a site visit would be worthwhile to assess this complex site. The motion was put to the vote. Voting: 11 in favour and 1 against. Motion carried.

Item 3 The Beacon, Mount Beacon, Beacon Hill, Lansdown, Bath – Erection of new dwelling within existing domestic curtilage with refurbishment of existing garage building – The Case Officer reported on this application and his recommendation to refuse permission. He referred to the Update Report which informed of an objection by the Bath Preservation Trust and that, as an ecology report had now been submitted, the second reason for refusal had been withdrawn. The applicants' agent made a statement in support of the application.

Members discussed the design of the proposal and the implications for the trees. Councillor Nicholas Coombes, on the basis that the proposal was not detrimental to the character and appearance of the Conservation Area, it would not be readily visible and was a good design, moved that the recommendation to refuse permission be overturned and that permission be delegated to the Development Manager subject to appropriate conditions. The motion was seconded by Councillor Vic Pritchard.

Members debated the motion. Issues of land stability, design and glazing were discussed. Members were fairly divided in their opinions of the proposal. It was felt that the issue of glazing could be covered by a specific condition to minimise reflection and light pollution. The mover and seconder agreed to this condition being included. After further discussion, the motion was put to the vote, voting being 7 in favour and 5 against. Motion carried.

Item 4 Farleigh House, 17 Bath Road, Peasedown St John – Change of use of public land to private garden and erection of a palisade fence – The Case Officer reported on this application and his recommendation to refuse permission. The Update Report provided Officer comments on further representations received from the applicant. The applicant made a statement in support of the proposal which was followed by a statement by the Ward Councillor Nathan Hartley who spoke in favour of the application.

Councillor Eleanor Jackson considered that the proposal would aggravate anti-social behaviour on a well-used footpath and that the site would benefit from some planting. She therefore moved the Officer recommendation to refuse permission. The motion was seconded by Councillor Vic Pritchard.

Members debated the motion and asked questions to which the Case Officer responded. Some Members considered that there were benefits to both the applicant and the community by the site being taken over as a private garden particularly as the fence could be moved back to the inside of the garden once new planting on the boundary had matured. Other Members felt that the fence would create an oppressive "tunnel" effect which would not be to the benefit of users of the footpath or to its appearance. The motion to refuse permission was put to the vote. Voting: 5 in favour and 7 against. Motion lost.

The Team Leader – Development Management advised the Committee that, if they were minded to grant permission, appropriate conditions would need to be imposed including landscaping, a time period of 5 years (unless agreed otherwise) before the fence could be moved to the other side of the new planting, and removal of permitted development rights. In this regard, another application would be required but there would be no fee charged. Councillor Doug Nicol moved that permission be delegated

to Officers accordingly which was seconded by Councillor Brian Webber. The motion was put to the vote and was carried, 7 voting in favour and 5 against.

Item 5 Breach Farm, Lower Bristol Road, Clutton – Erection of a two storey rear extension to enlarge the kitchen and add utility, wc, bedroom with en suite

– The Case Officer reported on this application and his recommendation to refuse permission. The Update Report provided the Officer’s comments on further representations received from the applicants as regards increase in volumes. The applicants’ agent made a statement in favour of the proposal.

A Member felt that the extension would be an improvement to the property. Councillor Nicholas Coombes considered that the extension would have a detrimental effect on the adjoining property and would be inappropriate development in the Green Belt and therefore moved the Officer recommendation to refuse permission. The motion was seconded by Councillor Liz Hardman.

After a brief discussion, the motion was put to the vote. Voting: 8 in favour and 2 against with 2 abstentions. Motion carried.

23 QUARTERLY PERFORMANCE REPORT - JANUARY TO MARCH 2012

The Committee considered the report of the Development Manager which provided Members with performance information across a range of activities within the Development Management function for the period from 1st January to 31st March 2012.

Members asked questions to which the Team Leader – Development Management responded. They complimented Officers on improved performance figures. The Chair referred to the appointment of additional Officers in the Enforcement Team and thanked Development Control staff for their hard work.

The Committee noted the report.

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

Members noted the report

The meeting ended at 4.40 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services