

## **DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING**

### **BATH AND NORTH EAST SOMERSET**

#### **MINUTES OF DEVELOPMENT CONTROL COMMITTEE**

Wednesday, 23rd October, 2013

**Present:-** Councillor Gerry Curran in the Chair

Councillors Ian Gilchrist, Liz Hardman, Eleanor Jackson, Les Kew, Douglas Nicol, Bryan Organ, Vic Pritchard (In place of Martin Veal), Manda Rigby, Nigel Roberts, David Veale and Brian Webber

Also in attendance: Councillors Cherry Beath, David Bellotti, Ben Stevens and Tim Warren

#### **75 EMERGENCY EVACUATION PROCEDURE**

The Senior Democratic Services Officer read out the procedure

#### **76 ELECTION OF VICE CHAIR (IF DESIRED)**

A Vice Chair was not desired

#### **77 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There was an apology for absence from Councillor Martin Veal whose substitute was Councillor Vic Pritchard. Councillor Malcolm Lees had sent his apologies but without a substitute being appointed.

#### **78 DECLARATIONS OF INTEREST**

Councillor Manda Rigby stated that, with regard to the application at Beechen Cliff School (Item 7, Report 10), she was the Chair of Bath City FC which sometimes hired venues with floodlighting. However, she did not consider that this amounted to an interest. Councillor Les Kew declared a non-pecuniary interest in the same application as his grand-daughter attended the School. However, he did not consider that this prejudiced his ability to consider the application. They would both therefore speak and vote on the application.

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

There were no items of urgent business. However, the Chair informed the meeting that the 3 applications at Horseworld, Whitchurch (Items 1-3, Report 10) had been withdrawn from the Agenda and would not be considered at this meeting. He read out a statement which set out the reasons for this action.

#### **80 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 planning applications in

Reports 9 and 10 and that they would be able to do so when reaching those Items on the Agenda. He advised that the Chair had extended the amount of speaking time on 2 applications in view of the number of people wishing to speak. The Chair informed the speakers that the display or circulation of photographs, photo-montages etc were not allowed.

## **81 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

The Chair stated that Councillor Brian Webber had given notice of Questions relating to enforcement matters. The Questions and Responses had been circulated.

Councillor Webber thanked the Officers for the replies.

## **82 MINUTES: 25TH SEPTEMBER 2013**

The Minutes of the previous meeting held on Wednesday 25<sup>th</sup> September 2013 were approved as a correct record and signed by the Chair

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

The Committee considered

- The report of the Development Manager on an application for planning permission at 16 Southstoke Road, Combe Down, Bath
- Oral statements by members of the public etc on this application, the Speakers List being attached as *Appendix 1* to these Minutes

**RESOLVED** that, in accordance with their delegated powers, the application be determined as set out in the Decision List attached as *Appendix 2* to these Minutes

**16 Southstoke Road, Combe Down, Bath – First floor extension over existing property resulting in two storey dwelling. Two storey rear extension and 2 single storey side extensions** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

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

A Member enquired as to the significance of the proposal being situated within the World Heritage site as it was not in the Green Belt or the Conservation Area. The Team Leader – Development Management replied that it was a material consideration and, if Members felt that the proposal would adversely affect the wider setting of the World Heritage site, then this could be a reason for refusal. Members discussed the history and arts and crafts character of the existing building. Members also considered the size of the proposed extensions, possible loss of light, the effect on the adjoining residents and the impact of the proposal on the private drive. The Case Officer responded to some queries raised concerning these issues. Some Members felt that it was overdevelopment and would be an unacceptable intrusion on adjoining properties. There would also be a loss of symmetry with the adjoining property.

Councillor Les Kew pointed out that the property was neither listed nor situated in the Conservation Area. He felt that the proposal would not have a great impact on the adjoining residents and therefore moved that the Officer recommendation to grant permission with conditions be approved which was seconded by Councillor Doug Nicol.

Members debated the motion. A Member was concerned about the loss of character and overlooking. Another Member felt that there would not be any adverse impact on the street scene. The Chair summed up the debate.

The motion was then put to the vote. 9 voting in favour and 3 against. Motion carried.

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

The Committee considered

- The report of the Development Manager on various applications for planning permission etc
- Oral statements by members of the public etc, the Speakers List being attached as *Appendix 1* to these Minutes
- An Update Report by the Development Manager on Item Nos 6 and 7, which report is attached as *Appendix 3* 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.

**Items 1-3 Horseworld, Staunton Lane, Whitchurch – (1) Hybrid planning application for enabling residential development of up to 125 dwellings and associated demolition, highways infrastructure and landscaping works. The Outline component comprises 118 dwellings including associated demolition, highways infrastructure and landscaping works; and the Detailed component comprises the redevelopment of 6 curtilage listed dwellings including associated demolition, highways infrastructure and landscaping works adjacent to the Grade II listed Staunton Manor Farmhouse; (2) erection of new visitor centre for the Horseworld Charity including associated highways infrastructure, parking provision and landscaping; and (3) conversion of curtilage listed building including selective demolition, extensions, internal and external works – These applications were withdrawn from the Agenda and were not discussed.**

**Item 4 Agricultural Haulage Building and Yard, Pinkers Farm, Middle Street, East Harptree – Erection of 8 houses and 4 workshops and provision of a new access road (Resubmission) –** 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 various provisions relating to Education, Open Space and Recreational Facilities, Transport, Off-Site Drainage, and Affordable Housing; and (B) subject to the prior completion of the above Agreement, authorise the Development Manager to grant permission subject to conditions (or

such conditions as she may determine). He stated that the Policy quoted on page 116 of the Report should refer to Policy HG8.

The public speakers made their statements against and in favour of the proposal. The Ward Councillor Tim Warren made a statement and considered that the application should be deferred for a Site Visit.

It was moved by Councillor Les Kew to defer for a Site Visit to view the site in the context of its surroundings and assess the access road. The motion was seconded by Councillor Liz Hardman.

Members debated the motion. A Member considered that information should be provided at the next meeting as regards the issues of a Grampian condition being imposed in relation to the slurry pit, and also the feasibility of workshops being provided.

The motion was put to the vote and was carried, 11 voting in favour and 0 against with 1 abstention.

(Note: Councillor Doug Nicol left the meeting at this point and did not return)

**Item 5 No 56 Stonehouse Lane, Combe Down, Bath – Erection of 3 dwellings with 2 garages and amendments to existing access drive** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

The public speakers made their statements against and in favour of the proposal. The Ward Councillor Cherry Beath made a statement and felt that the application should be refused.

The use of materials was discussed. Councillor Eleanor Jackson moved the Officer recommendation to grant permission with conditions on the basis that the materials and colour of render were covered by condition. It was pointed out by Officers that the recommended Condition 2 would cover this aspect. The motion was seconded by Councillor Les Kew.

Members debated the motion. Some concern was expressed regarding the design, possible overlooking at Plot 3 and the scale of the development.

The motion was put to the vote. Voting: 7 in favour and 4 against. Motion carried.

**Item 6 No 63 Warminster Road, Bath – Erection of replacement dwelling following demolition of existing dwelling (Revised proposal)** – The Case Officer reported on this application and his recommendation to grant permission subject to conditions. The Update Report recommended an additional condition relating to bats.

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

On the basis that he considered that the replacement building was of poor design quality, it was moved by Councillor Bryan Organ to refuse permission which was seconded by Councillor Vic Pritchard.

Members debated the motion. The quality of the design was discussed and a few Members were disappointed with the windows in the roof. The bay windows at first floor level were also criticised. However, a number of Members considered that the individual design did not warrant refusal.

On the basis of the debate, Councillor Bryan Organ withdrew his original motion and moved that the application be deferred for negotiations regarding the proposed design and a revised application be resubmitted to the Committee. This was seconded by Councillor Les Kew. The Team Leader – Development Management considered that it was likely that the revised application would be submitted to the meeting in December. The Chair summed up the debate.

The motion was put to the vote and was carried, 6 voting in favour and 5 against.

(Note: After this Item at 4.05pm, the meeting adjourned for 5 minutes for a natural break)

**Item 7 Beechen Cliff School, Kipling Avenue, Bear Flat - Variation of Condition 5 of application ref 11/00573/VAR (Variation of Condition 3 of application ref 10/00540/FUL in order to substitute submitted sports lighting report/assessment with a new lighting proposal (Provision of a synthetic pitch to replace existing sports pitch and an additional 5-a-side synthetic sports pitch, both with sports fencing and lighting) –** The Case Officer reported on this application and his recommendation to grant permission subject to conditions. The Update Report recommended an additional condition relating to submission of a comprehensive management plan. The Officer summarised further representations that had been received and informed the meeting of technical issues including measuring light spill and some projections based on calculations.

The public speakers made their statements against and in favour of the proposal. The Ward Councillor Ben Stevens made a statement expressing some concerns about the application which was followed by a statement by Councillor David Bellotti, Ward Member for Lyncombe (the adjoining Ward) commenting positively on various aspects of the proposal.

Councillor Eleanor Jackson opened the debate. She considered that there was a need for these facilities for the school and the wider community. It was important that a Management Plan was included as a condition as recommended in the Update Report. She therefore moved approval of the Officer recommendation to grant permission with conditions. The motion was seconded by Councillor Les Kew who felt that this was an important community facility and should be supported.

Members debated the motion. Councillor Ian Gilchrist (the Ward Member on the Committee) considered that there would be a greater impact on local residents and the application should be refused. A Member referred to monies being provided for improved facilities at Odd Down. Another Member felt that the facilities for young people were good but the light pollution was disappointing. It was suggested that a site visit could be helpful to assess the effect of the lighting at night. Another Member disagreed as floodlighting was already provided and this proposal was just seeking to extend the hours to 9pm. A Member was reassured by the conditions for a 6 month assessment and a Management Plan. There was a full debate with some differences of opinion being expressed regarding the impact of the proposal. The

Team Leader – Development Management gave advice regarding the recommended Condition 5 which related to an assessment of the lighting after 6 months operation.

The motion was put to the vote. Voting: 6 in favour and 4 against with 1 abstention. Motion carried.

**Item 8 Forge Cottage, 7 High Street, Wellow – Replacement of a single storey flat roofed extension to Forge Cottage with a two storey extension, elevational alterations and associated works** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

Councillor Vic Pritchard moved the Officer recommendation to grant permission with conditions which was seconded by Councillor Les Kew.

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

**Item 9 Park House, Station Road, Keynsham – Erection of conservatory** – The Case Officer reported on this application and her recommendation to grant permission subject to conditions.

Councillor Bryan Organ moved the Officer recommendation to grant permission with conditions which was seconded by Councillor Les Kew.

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

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

Councillor Liz Hardman referred to the appeal decision to allow a loft conversion with dormer at 35 Maple Gardens, Bath. She felt that a policy on dormers was required. The Chair stated that he would discuss the matter with Officers.

Councillor Manda Rigby referred to the appeal lodged relating to Gibbs Mews, Walcot Street, Bath, and queried whether appeals could continue to be lodged indefinitely. The Team Leader – Development Management stated that enforcement notices could be served where there had been a refusal and no further negotiation was possible; also, in circumstances where two decisions to refuse permission for the development had been made within the last 2 years, another similar planning application could be refused to be registered by the Council. The Chair requested that Officers e-mail the Ward Members with the appropriate information regarding this site.

The report was noted.

The meeting ended at 5.27 pm

Chair(person) .....

Date Confirmed and Signed .....  
Prepared by Democratic Services