

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 21st September, 2016, 2.00 pm

Councillors: Sally Davis (Chair), Rob Appleyard, Jasper Becker, Matthew Davies, Liz Hardman (in place of Eleanor Jackson), Les Kew, Caroline Roberts, Will Sandry (in place of Paul Crossley), David Veale, Martin Veal (in place of Bryan Organ)

45 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

46 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

47 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from:

Councillor Paul Crossley (substitute Councillor Will Sandry)
Councillor Eleanor Jackson (substitute Councillor Liz Hardman)
Councillor Bryan Organ (substitute Councillor Martin Veal)

48 DECLARATIONS OF INTEREST

Councillor Matthew Davies made a declaration in relation to item number 9 of the applications for planning permission report (63 Purlewent Drive, Upper Weston, Bath). He stated that he had objected to this application and would therefore speak in his capacity as a Ward Member and then withdraw from the meeting when the item was discussed.

Councillor Rob Appleyard made a declaration in relation to item number 1 of the applications for planning permission report (Former GWR Railway Line, Frome Road, Radstock). Councillor Appleyard stated that he is a non-executive director of the Curo Board and although Curo did not have any connection to this particular phase of the development he would not vote on the application.

49 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

50 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.

51 **ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS**

The Chairman informed members that item 10 of the planning applications report (Church Farm Derelict Property, Church Hill, High Littleton) had been withdrawn from the agenda.

She also asked members to note that the annual tour of completed development sites would take place on 7 October 2016.

52 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 24 August 2016 were confirmed and signed as a correct record.

53 **SITE VISIT 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.
- Oral statements by local ward councillors. 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 decisions list attached as *Appendix 3* to these minutes.

Item No. 1

Application No. 16/02530/FUL

Site Location: 23 Lymore Avenue, Twerton, Bath – 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.

Councillors June Player and Colin Blackburn, local ward members, spoke against the application.

Officers clarified that no precedent would be set by a decision on this item as each planning application should be considered on its own merits.

Councillor Roberts moved that the application be refused due to the adverse impact on the neighbouring amenity and street scene. She stated that there were a large number of extensions and loft conversions in this area and gardens were becoming smaller. If this continued it could lead to more HMOs in the area. The motion was seconded by Councillor Matthew Davies.

Councillor Kew understood the concerns of the local members and residents; however, he felt that there was little difference between this house and others in the area. He could not support refusal and agreed with the officer recommendation to grant planning permission.

Councillor Sandry felt that if this were an application to create a new HMO then it would now be refused. The materials to be used were not very thoughtful and the extension appeared quite large.

Officers pointed out that the extension was flat roof only and so should not greatly affect the street scene and that natural stone was proposed for the walling. The Group Manager also advised that the degree of projection beyond the rear of the neighbouring property was not significant enough to result in significant harm to neighbouring amenity.

The motion was put to the vote and it was **RESOLVED** by 6 votes for and 4 votes against to **REFUSE** the application due to the adverse impact on the neighbouring amenity and street scene.

54 **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 items 1, 2, 7, 8 and 9 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 decisions list attached as *Appendix 4* to these minutes.

Item No. 1

Application No. 16/1016/RES

Site Location: Former GWR Railway Line, Frome Road, Radstock – Approval of reserved matters in relation to outline application 13/02436/EOUT for access, appearance, layout, scale and landscaping for area 1 (phase 3 of the development)

The Case Officer reported on the application and his recommendation to grant planning permission. He confirmed that amended plans had now been received showing that natural stone will be used on primary elevations and the chimneys. He explained that the exact area of the public square was currently unclear but that this should not affect consideration of the application.

The registered speakers spoke for and against the application.

In response to questions regarding parking for the development the Case Officer confirmed that some of the car parks shown on the plan were not public car parks. However, the car parks that could most easily be used by residents were the Waterloo Road car park and the car park near the library. These were both large car parks which normally have availability. There was a shortfall of 10 spaces for the development in terms of each dwelling having a parking space, it is in a town centre location and is a highly sustainable development with excellent access to public transport. The Case Officer gave full details of all car parks in the vicinity and the number of spaces in each including disabled parking. He explained that there was no scope to undertake further studies regarding parking. He stated that there were a substantial amount of car parking spaces in the area and that the development would not have a severe impact on parking in this location as there was adequate capacity.

In response to a question regarding land ownership for the public open space the Case Officer stated that discussions between the developer and the Co-op who owned the land were ongoing. However, this would not prevent the development from going ahead.

Councillor Sandry moved that planning permission be granted subject to the conditions outlined in the officer report. He felt that the parking was adequate and that the development would be positive for Radstock.

Councillor Kew seconded the motion stating that he felt traffic movement was good and that there would be ample parking space.

Councillor Hardman stated that she still believed parking was an issue and that there was a shortfall of 95 spaces. An appropriate level of car parking should be provided before permitting the application. She pointed out that the view of the Highways Team was that the proposed parking provision was inadequate. She also stated that parking was problematic during the working day and asked the Committee to refuse the application.

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

Note: Councillor Appleyard withdrew from the meeting while this application was considered.

Item No. 2

Application No. 16/03359/FUL

Site Location: Bath Sea Cadet Corps, St John's Road, Bathwick, Bath, BA2 6PX – Mixed use development comprising replacement accommodation for the Sea Cadets with student accommodation (18 Studios) following demolition of existing buildings

The Case Officer reported on the application and his recommendation to grant planning permission. He pointed out that he would add to the conditions the advice note regarding urban gulls.

The registered speakers spoke for and against the application.

A statement was read out on behalf of the local ward member, Councillor Peter Turner in support of the application.

The Case Officer then responded to a number of questions from members as follows:

- Although it would be possible to look into the neighbouring garden from the flat roof area this would only be used for maintenance purposes.
- Communal waste facilities would be provided for the student accommodation and a bin store was indicated on the plans.
- There was short stay parking in the area but no on-site parking. This would be controlled by the student management plan which would be in place. The access to the property was for pedestrians only.
- The proposed footprint of the new building was slightly larger than before; however, the new building would be taller. The development was not intended to intensify the use of the accommodation but to upgrade it.

Councillor Appleyard stated that he was sympathetic to the proposed changes. There was a balance to be struck between retaining the building for use by the sea cadets by creating student accommodation and the potential impact on local residents. The building itself would be improved by the development.

Councillor Kew stated that this was a very good application and would provide an excellent facility for young people in the area. It was architecturally interesting. He then moved that planning permission be granted subject to the conditions proposed by the Case Officer.

Councillor Veal seconded the motion and stated that he believed the application would improve the area. Although he understood the concerns of residents he felt that the Construction and Environmental Management Plan would be in place to deal with the issues raised. He had previously visited the site and noted that the existing building was in poor condition. The proposal offered a sensitive approach and would ensure a sustainable future for the Sea Cadets.

Councillor Sandry supported the motion and felt that the design was very good and would safeguard the future of the Sea Cadets. The student accommodation was comparatively small and would provide a mixed community.

Councillor Hardman supported the application and the building design. She believed that the conditions to be imposed would provide protection to neighbours in respect of parking and refuse concerns.

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

Item No. 3

Application No. 16/03047/FUL

Site Location: 12 Junction Road, Oldfield Park, Bath, BA2 3NH – Erection of single storey rear and side extension following demolition of existing outbuilding and conservatory to increase occupancy of HMO from 5 to 6

The Case Officer reported on the application and her recommendation to refuse planning permission. She informed the members that the item had been brought to Committee because the plans had been drawn by a local councillor.

The registered speaker spoke for the application.

Councillor Sandry moved that planning permission be refused for the reasons set out in the report. This was seconded by Councillor Veal.

The motion was put to the vote and it was **RESOLVED** by 8 votes for, 1 vote against and 1 abstention to **REFUSE** the application.

Item No. 4

Application No. 16/02631/FUL

Site Location: 39 High Street, Keynsham, BS31 1DS – Erection of two storey building to the rear of 39 High Street to facilitate 2 self-contained flats (Resubmission)

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

The registered speaker spoke for the application.

Councillor Brian Simmons, local ward member, spoke against the application and it was noted that the other local member, Councillor Charles Gerrish was also opposed to the development for the reasons outlined in the report.

Councillor Appleyard noted that the proposed development would be closing a gap and queried whether this would lead to the adjacent alleyway becoming darker. Officers stated that there would be a degree of enclosure but that this would not be excessive.

Councillor Kew noted the objections raised but pointed out that the site was within the housing development boundary. He felt it was a good use of this piece of land and stressed the importance of using the correct materials. He then moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Appleyard.

Councillor Hardman felt that the agent had taken all the issues raised on board and noted that there would be a Construction Management Plan.

It was noted that there may be plans to make the path a public right of way but this would not affect the proposal as the path would not be blocked.

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

Item No. 5

Application No. 16/03168/FUL

Site Location: 1 Magdalen Avenue, Lyncombe, Bath, BA2 4QB – Erection of first floor rear extension and rendering of the existing ground floor rear extension (Revised Proposal) (Amended Description)

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

The registered speaker spoke for the application.

Councillor Ian Gilchrist, the ward member, spoke in favour of the application pointing out that no objections had been received.

In response to a question the Case Officer stated that the only other timber extension in the area she was aware of was the Widcombe Social Club which was a very different type of building in a different setting. 1 Magdalen Avenue was in a conservation area.

Councillor Kew moved that planning permission be refused for the reasons set out in the report. This was seconded by Councillor Becker.

The motion was put to the vote and it was **RESOLVED** by 9 votes for and 1 against to **REFUSE** the application.

Item No. 6

Application No. 16/02998/FUL

Site Location: The Chapel, Argyle Terrace, Twerton, Bath – Conversion from existing offices (Class B1) to 4 residential maisonettes (Class C3) including external alterations

The Case Officer reported on the application and her recommendation to grant planning permission. She pointed out that the site was not in a conservation area and that a new condition would be added if approved to include obscured glazing.

The registered speakers spoke in favour of the application.

Councillors June Player and Colin Blackburn, local ward members, spoke against the application.

Officers responded to questions raised as follows:

- There was no parking on the site and it was felt that there was capacity in the surrounding area.
- The parking survey had taken place during mid-October.
- A previous planning application had been refused on the grounds of design so it would not now be advisable to refuse permission on the grounds of parking or employment issues.

Councillor Kew stated that this was a significant building and noted that the Bath Preservation Trust was not opposed to the scheme. The site was not within the Bath Core Office Employment Area. He moved that planning permission be granted subject to the conditions set out in the report and the additional condition to include obscured glazing. This was seconded by Councillor Davies.

Councillor Sandry acknowledged that commercial space was needed but that there

was a need for this type of housing in Bath and noted that this was a sustainable location.

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

Item No. 7

Application No. 16/03172/FUL

Site Location: Land between Barton House and Laburnum Cottage, The Barton, Corston, Bath – Erection of a single family dwelling with parking for two vehicles

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

The registered speakers spoke for and against the application.

The Chairman, Councillor Davis, spoke as local ward member stating that the development would overlook Goad Close; however, there could be design options to solve this issue.

The Group Manager, Development Management, informed the Committee that this application had previously been refused and that this decision had subsequently been upheld on appeal.

Councillor Kew moved that the application be refused for the reasons set out in the report. This was seconded by Councillor Roberts.

Councillor Roberts stated that the application was in the greenbelt and was contrary to policy.

The motion was put to the vote and it was **RESOLVED** by 8 votes for, 1 vote against and 1 abstention to **REFUSE** planning permission.

Item No. 8

Application No. 16/03427/FUL

Site Location: 7 Hornbeam Walk, Keynsham, BS31 2RT – Erection of three bedroomed semi-detached house within existing garden area of 7 Hornbeam Walk, Keynsham

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

Councillor Davies moved that planning permission be granted subject to the conditions set out in the officer report. This was seconded by Councillor Kew.

Councillor Hardman stated that this development would create a terrace. However, there were other terraced houses in the area and there was adequate parking. She asked whether a condition could be added to include a Construction Management Plan because the development was near a play area. Councillors Davies and Kew agreed to include the additional condition in the motion.

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

Item No. 9

Application No. 16/03488/FUL

Site Location: 63 Purlewent Drive, Upper Weston, Bath, BA1 4BD – Change of use from a residential dwelling (use class C3) to a 4 bedroom HMO (use class C4)

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

The registered speaker spoke for the application.

Councillor Matthew Davies spoke as local ward member against the application for reasons including a lack of parking in the area. He then left the room for consideration of this item.

Councillor Appleyard noted that an HMO could put pressure on parking and may also increase noise. He pointed out that there could be no control over whether the property was let to students or professionals.

Councillor Sandry stated that HMOs are needed within the city but that issues can occur when they dominate a particular community. This application complied with the Article 4 direction. He then moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Hardman.

Councillor Kew stated that he had concerns about converting the dwelling to an HMO as it was a mid-terrace property, there was no control over who the residents would be and parking could not be restricted in any way.

Councillor Hardman stated that the proposal did not affect the landscape of the area; it was a small HMO and was close to the Royal United Hospital so may be let to health professionals.

Councillor Roberts supported the recommendation and noted that far less than 25% of properties in the area were HMOs.

The motion was put to the vote and it was **RESOLVED** by 6 votes for and 3 votes against to **PERMIT** the application subject to conditions.

Item No. 10

Application No. 15/01802/FUL

Site Location: Church Farm Derelict Property, Church Hill, High Littleton – Construction of new pedestrian and vehicular access to Church Farm, High Littleton from A39 High Street following removal of section of boundary wall

This item was withdrawn from the agenda.

Item No. 11

Application No. 16/02692/LBA

Site Location: Maisonette 2 3 Floor S, 4 Prices Buildings – Internal alterations

to include the removal of stud wall between kitchen and reception room and installation of stud wall and door in corridor to create a laundry cupboard

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

Councillor Roberts moved that planning permission be granted subject to the conditions set out in the report. This was seconded by Councillor Veal.

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

Item No. 12

Application No. 16/02441/FUL

Site Location: St Nicholas Church, Church Road, Whitchurch – Erection of disabled WC to front elevation

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

The registered speaker spoke for the application.

A statement against the application from Councillor May, local ward member, was read out.

In response to a question the Case Officer confirmed that no internal alterations to the church were proposed. The WC would be accessed externally without needing to enter the church.

Councillor Kew stated that the WC would be very noticeable at the front of the building and queried whether it would be better located at the rear of the church. In response to a question the Case Officer confirmed that this was a timber structure and no stonework would be used. It was also noted that a planning application proposing to build the structure on the South elevation had already been rejected by the Council.

Councillor Appleyard felt that the proposal seemed out of kilter with the church structure and the character of the listed building. In response to a question officers confirmed that the church would have to comply with legislation regarding access by people with disabilities.

Councillor Hardman stated that there must be a need for this facility and noted that this had to be balanced against any potential visual harm to the building. She suggested that the Committee could defer a decision to consider alternative materials.

Councillor Kew pointed out that this was a listed building and moved that consideration of this application be deferred pending a site visit. This was seconded by Councillor Roberts.

Councillor Veal stated that if the timber material were to be used then this could potentially be screened off using a stone wall.

The motion was put to the vote and it was **RESOLVED** by 8 votes for, and 2 abstentions to **DEFER** consideration of the application pending a site visit.

55 **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 5.50 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services