

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 8th March, 2017, 2.00 pm

Councillors: Sally Davis (Chair), Rob Appleyard, Tim Ball (in place of Caroline Roberts), Jasper Becker, Paul Crossley, Eleanor Jackson, Les Kew, Bryan Organ, Brian Simmons (in place of Matthew Davies) and David Veale

113 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

114 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

115 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from:

Councillor Matthew Davies – substitute Councillor Brian Simmons
Councillor Caroline Roberts – substitute Councillor Tim Ball

116 DECLARATIONS OF INTEREST

There were no declarations of interest.

117 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

118 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.

119 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were no items from Councillors or Co-Opted Members.

120 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 8 February 2017 were confirmed and signed as a correct record.

121 **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.
- An update report by the Group Manager (Development Management) on item no's 1, 3 and 4 attached as *Appendix 1* to these minutes.
- Oral statements by members of the public and representatives on items 2, 3 and 4. 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. 16/05094/FUL

Site Location: Beechen Cliff School, Kipling Avenue, Bath, BA2 4RE – Extend bank southwards using existing on site spoil heap to create wider playing field

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

Councillor Becker, local ward member, stated that the main issue was the impact on the residents of 71 Greenway Lane. He asked how close the playing fields would be to this property. The Case Officer confirmed that the playing field would be approximately 8m from the boundary (at its base) at the nearest point and that the current distance was approximately 15m. Councillor Becker then asked whether it would affect the use of the playing field if it was not extended in the corner of the plot. The Case Officer explained that a run-off area for the pitch was required.

Councillor Jackson asked whether anything could be done to mitigate any additional noise and to prevent rugby balls coming over onto the property. The Case Officer explained that the proposal was unlikely to greatly increase the risk of this happening or to generate a significant level of additional noise. The issue for the school was that the playing field did not currently meet the required standard.

Councillor Kew stated that whilst he understood the concerns of residents no boundaries were being moved and the impact would be minimal. He moved that planning permission be granted subject to conditions. Councillor Appleyard seconded the motion and welcomed the development of the school as he felt, on balance, that the proposal was reasonable.

Councillor Jackson stated that she did not believe the proposal was contrary to planning law or policies.

The motion was put to the vote and it was **RESOLVED** by 8 votes in favour and 2 votes against to **PERMIT** the application subject to the conditions set out in the

report.

Item No. 2

Application No. 16/04499/FUL

Site Location: 17 Station Road, Welton, Midsomer Norton, BA2 2AZ – Erection of 6 new dwellings following demolition of existing dwelling and outbuildings (resubmission) – revised plan

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

The registered speaker spoke against the application.

Councillor Michael Evans, local ward member, spoke against the application.

Councillor Jackson felt that the Committee should not ignore the views of the Town Council and local member. She stated that the conservation policy had been in place since 2004 and that this proposal would not enhance the conservation area. She felt that the existing dwelling could be preserved and developed as part of the heritage of the area. She also pointed out that the site was not sustainable as it was some distance from local bus services which did not run very frequently. Councillor Jackson then moved that permission be refused due to the impact on the conservation area, overdevelopment of the site, loss of a heritage building and unsustainability of the site. Councillor Crossley seconded the motion.

The Group Manager, Development Management, clarified the history of the site and explained that a previous application for 8 dwellings had been refused and dismissed on appeal due to overdevelopment of the site. The planning inspector had not mentioned the sustainability of the site or the loss of the existing dwelling as a reason for dismissal and circumstances had not changed since then.

Councillor Appleyard stated that the High Street was accessible from the site and questioned whether the existing dwelling was really valuable and significant. He felt that on balance this development would better utilise the area of the site.

The motion was then put to the vote and there were 2 votes for and 8 against. The motion was therefore **LOST**.

Councillor Kew supported the provision of additional housing and moved that planning permission be granted subject to conditions. This was seconded by Councillor Organ who felt that the site was suitable for development.

The motion was then put to the vote and it was **RESOLVED** by 6 votes for, 2 votes against and 2 abstentions to **PERMIT** the application subject to the conditions outlined in the report.

Item No. 3

Application No. 16/05508/FUL

Site Location: 18 Upper Camden Place, Walcot, Bath, BA1 5HX – Installation of proposed mansard roof and associated dormer windows to front and rear elevations

Item No. 4

Application No. 16/05509/LBA

Site Location: 18 Upper Camden Place, Walcot, Bath, BA1 5HX – Internal and external alterations to install mansard roof and associated dormer windows to front and rear elevations

The Case Officer reported on the application and her recommendation to refuse planning permission and listed building consent. It was noted that the application had been amended since the last meeting to allow the internal staircase and banister to remain unaltered. No ecology impact had been identified.

The registered speakers spoke in favour of the application.

In response to a question the Case Officer confirmed that the chimney stack would be lost if permission were granted.

Councillor Jackson moved that planning permission and listed building consent be refused due to the adverse impact on the conservation area and listed building as set out in the officer report. Councillor Organ seconded the motion pointing out that the only other raised roof in this location was some distance away. He felt that the proposal was out of context for a world heritage city setting.

Councillor Crossley supported the motion and stated that the previous permissions granted in 1988 and 1993 were a considerable time ago and that impact and consideration had changed since then. The harm to the roofscape was not outweighed by the additional room space for the applicant.

The motion was then put to the vote and it was **RESOLVED:**

- By 9 votes for and 1 abstention to **REFUSE** the application for planning permission for the reasons set out in the report.
- Unanimously to **REFUSE** listed building consent for the reasons set out in the report.

122 **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) 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. 16/05348/REG03

Site Location: Bath Quays Bridge, Green Park Road, Bath – Demolition of existing building (Boiler House) and 2 associated arches and provision of new bridge crossing of the river Avon for pedestrian and cycle use, including new public realm on the North and South river banks, landscaping, a new river wall and links to the existing highway network

Item No. 2

Application No. 16/05349/REG13

Site Location: Bath Quays Bridge, Green Park Road, Bath – Demolition of building (Boiler House) within curtilage of listed building (Newark Works and associated arch structures)

The Case Officer reported on the application and his recommendation to grant planning permission and listed building consent. He pointed out one amendment to the report, Policy D8 – Lighting should be given significant weight rather than substantial weight. A small exception should also be added to additional conditions 19 and 20 set out in the update report.

Councillors Andrew Furse and Christopher Pearce, local ward members, spoke regarding the application.

Councillor Becker, also a local ward member, pointed out the comments made by Bath Heritage Watchdog and the adverse impact the bridge would have on the Conservation Area. He felt that the proposed bridge would be inappropriate and contrary to the Placemaking Plan and Council planning policies.

Councillor Jackson asked whether there would be measures in place to prevent the bridge from swaying. The Case Officer confirmed that there would be engineering solutions to prevent this and stated that the bridge would be quite sturdy.

Councillor Organ asked whether the condition of the arches to be retained at the end of the bridge would be improved. The Case Officer informed the Committee that the arches would be reinforced if investigations showed this to be necessary.

Councillor Crossley stated that this proposal was a move forward for this part of the city and moved that planning permission and listed building consent be granted subject to conditions. He noted that the design was bold and different and stated that the city needed modern structures as well as historic ones. He felt that the vista was good and that the development would link the old and new in an exciting and innovative way. It would be important to ensure that the arches were safe and secure.

Councillor Kew seconded the motion stating that he was very happy to see this area of the city brought back into use.

The motion was then put to the vote and it was **RESOLVED** by 9 votes for and 1 vote against to **PERMIT** the application and to **GRANT** listed building consent subject to the conditions set out in the report.

Item No. 3

Application No. 16/06188/FUL

Site Location: Hinton Garage, Albion Place, Kingsmead, Bath – Demolition of the former Hinton Garage Showroom and Workshop and erection of an Assisted Living Development comprising apartments and integrated communal and support facilities, landscaped residents' gardens, staff areas, basement residents' car and bicycle parking, refuse storage and associated infrastructure and services (Resubmission of application 15/05367/FUL)

The Case Officer reported on the application and his recommendation to delegate to permit subject to conditions and a Section 106 Agreement. He explained that the height of the building had now been reduced to seek to overcome the reason for the previous refusal.

The registered speakers spoke for and against the application.

Councillors Christopher Pearce and Andrew Furse, local ward members, spoke against the application.

Councillor Crossley asked why there was no social/affordable housing provision in the development. The Case Officer explained that a viability assessment had been provided and subsequently assessed and it was found to be unviable for the developer to provide any affordable housing units. The development would have large areas of communal space for residents which impacted on viability along with additional costs related to contamination.

Councillor Crossley then asked why there was so much car parking space when this was an assisted living scheme. The Case Officer explained that the minimum age for residents would be 60, an age when people were still likely to drive and own a vehicle. The scheme would provide some 61 car parking spaces, 25 bicycle spaces and 23 spaces for mobility scooters.

Councillor Becker asked about the level of reduction of the roof compared to the original proposal. The Case Officer confirmed that the roof height had been reduced by 2.56m. For comparison, it was noted that the properties built on the Western Riverside were on average 5 or 6 storeys in height.

Councillor Jackson felt that the proposal did not fit in with the surrounding area.

Councillor Appleyard had no issue with the height or design but was concerned at the lack of affordable housing within the development.

Councillor Kew then moved that the Committee delegate to permit the application subject to conditions. He noted that as this was a city centre location a higher density of development could reasonably be expected. The development would provide accommodation for a number of people and the modern design fitted in with the Western Riverside development. He felt that this was an improvement on the original application. Councillor Organ seconded the motion as the site had been vacant for 2 years and he felt that the development would be an attractive addition to the city.

Councillor Becker stated that residents and local ward members were right to object

to this proposal as it did not fit in with a World Heritage setting and was overbearing. Norfolk Crescent was an elegant design and he felt that the developer should reconsider the plans and bring forward a lower building with more variety of design.

Councillor Crossley stated that he did not feel the proposal respected the neighbouring properties and believed that a solution could be found to meet the needs of the neighbours. The development was overbearing and did not promote car sharing.

The Group Manager, Development Management, explained that the Council had agreed car parking standards and pointed out that this was not a completely central location. It was formerly a motor garage so previously had high vehicle numbers accessing the site.

The motion was then put to the vote and there were 5 votes in favour and 5 votes against. The Chair then used her casting vote in favour of the motion and it was **RESOLVED** to **DELEGATE TO PERMIT** the application subject to conditions and a Section 106 Agreement.

Item No. 4

Application No. 16/05520/FUL

Site Location: 57 Warminster Road, Bathampton, Bath, BA2 6RX – Addition of first floor and raising of roof to create two storey dwelling, two storey side and rear infill extension, erection of front porch and erection of single garage with terrace above following demolition of existing garage

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

The registered speaker spoke in favour of the application.

Councillor Crossley moved that the application be permitted subject to conditions. He stated that this was an imaginative scheme with a modern design. The houses in Warminster Road were all of varying designs so it would not be out of place.

Councillor Appleyard seconded the motion and stated that it was important to have houses with a contemporary design and that this one fitted in well.

The motion was then put to the vote and it was **RESOLVED** by 9 votes in favour and 1 abstention to **PERMIT** the application subject to the conditions set out in the report.

Item No. 5

Application No. 16/06124/FUL

Site Location: 14 Audley Grove, Lower Weston, Bath, BA1 3BS – Erection of 1 dwelling, car parking and associated landscaping in rear garden of existing dwelling

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

The registered speakers spoke for and against the application.

Councillors Christopher Pearce and Andrew Furse spoke against the application.

In response to an issue raised by one of the public speakers, the Highways Officer gave advice on various issues including the status of land forming part of the development site and the removal of trees.

Councillor Jackson stated that she felt some issues were still unclear regarding the ownership of the land. She then moved that consideration of the application be deferred for a site visit. This was seconded by Councillor Kew.

Councillor Crossley also asked that the issues raised by objectors relating to the protection of newts, toads and frogs on the land also be clarified along with questions regarding the ownership of the land and trees.

The motion was then put to the vote and it was **RESOLVED** by 6 votes in favour, 3 against and 1 abstention to **DEFER** consideration of the application pending a site visit.

Item No. 6

Application No. 16/05888/FUL

Site Location: 3 Streamside, Chew Magna, BS40 8QZ - Erection of front and side extension to create house access from road level, rear single storey extension and associated works

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

The registered speaker spoke in favour of the application.

Councillor Liz Richardson, local ward member, spoke in favour of the application.

Councillor Organ moved that consideration of the application be deferred pending a sit visit. This was seconded by Councillor Kew.

The motion was put to the vote and it was **RESOLVED** by 7 votes for, 1 vote against and 2 abstentions to **DEFER** consideration of the application pending a site visit.

Item No. 7

Application No. 16/06118/FUL

Site Location: 46 High Street, Saltford, BS31 3EJ – Addition of pitched roof and rear dormer to existing single storey side extension. Minor alterations to existing windows. Reinstatement of front boundary wall. Provision of deck to front. Improvements to off-street car parking

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

Councillor Jackson moved to permit the application subject to conditions. This was seconded by Councillor Kew.

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

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

The Committee considered the appeals report. The Group Manager, Development Management, explained that the appeal relating to application no. 16/04424/FUL – Parcel 5472 Cobblers Way, Westfield, Radstock – was against non-determination. He confirmed that the Parish Council had responded within the required timescales.

RESOLVED to **NOTE** the report.

The meeting ended at 5.20 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services