

## **DEVELOPMENT MANAGEMENT COMMITTEE**

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

Wednesday, 3rd May, 2017, 2.00 pm

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

#### **135 EMERGENCY EVACUATION PROCEDURE**

The Democratic Services Officer read out the emergency evacuation procedure.

#### **136 ELECTION OF VICE CHAIRMAN (IF DESIRED)**

A Vice Chairman was not required on this occasion.

#### **137 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from:

Councillor Bryan Organ – substitute Councillor Brian Simmons  
Councillor Caroline Roberts – substitute Councillor Tim Ball

#### **138 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **139 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was no urgent business.

The Chairman informed members that the following items had been withdrawn from the agenda:

- Item No. 2 – Land between Homelands and 10 Camerton Hill
- Item No. 3 – Units 1-2, Fourth Avenue, Westfield
- Item Nos 4 and 5 – 14 Union Street, Bath
- Item No. 9 – Stonedge Cottage, Stoneage Lane, Tunley

#### **140 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.

A written question was received from Mr John Branston regarding the use of “no-car” clauses in relation to tenants of purpose built student accommodation. The Chairman read out a response to this question and a copy of both the question and response are attached as *Appendix 1* to these minutes.

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

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

#### 142 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 5 April 2017 were confirmed and signed as a correct record.

#### 143 **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 members of the public and representatives on item 1. A copy of the speakers’ list is attached as *Appendix 3* 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 4* to these minutes.

##### **Item No. 1**

##### **Application No. 16/05772/FUL**

**Site Location: 40 Bloomfield Park, Bloomfield, Bath, BA2 2BX – Erection of eight apartments with associated parking and landscaping following demolition of existing detached house and garage (Resubmission)**

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

The registered speakers spoke for and against the application.

Councillor Mark Shelford, local ward member, spoke against the application.

Councillor Jackson asked a question regarding the layout of the flats in relation to neighbouring properties. The Case Officer showed layout plans and explained that no windows directly faced either 39 or 41 Bloomfield Park. The windows looked out on either the front or rear of the properties and not to the side.

Councillor Kew noted the large number of letters and objections that had been received regarding this application. He felt that the design was now more in keeping with the area and noted that the building had been moved back by 3m.towards the rear of the site. He did not feel that the proposal demonstrated overdevelopment of the site or that it would cause significant harm to neighbouring properties. It would give a mix of properties in the area and provide much needed accommodation. He

then moved that planning permission be granted subject to conditions. This was seconded by Councillor Matthew Davies.

Councillor Jackson asked whether there would be a condition regarding grounds maintenance. The Case Officer explained that there would not usually be such a condition for a development of this size. Condition 9 would require replacement of trees or plants if required within the first 5 years of completion.

Councillor Jackson also expressed concern that only 8 parking spaces would be provided. The Case Officer explained that there had been no objection from the Highways Team and that this was considered to be a sustainable location.

The Case Officer also explained that the difference between this application and the previous one was the repositioning of the development 3m to the rear of the site to protect the trees. The building was still the same size with a slightly smaller lower ground parking area.

The Team Manager, Development Management, stated that the Planning Inspector had found the development acceptable other than the potential harm to the trees which had now been addressed.

Councillor Crossley felt that the development was too large and imposing for the site and would be detrimental to neighbouring properties. He felt that the change to move the development back by 3m was not significant and stated that the building was now bigger, taller and wider.

Councillor Veale agreed that the building was too large and too tall. The development would also generate more traffic and noise which would be detrimental to neighbours.

The Team Manager, Development Management, re-iterated that the development was not any larger than before and that officers felt all issues raised by the Planning Inspector had now been addressed.

The motion was then put to the vote and there were 4 votes in favour and 6 votes against. The motion was therefore LOST.

Councillor Crossley then moved that the application be refused for the following reasons:

- The development was too imposing due to its scale, mass and bulk which would be detrimental to the amenities of the neighbouring properties. This represented overdevelopment of the site.
- The development would exacerbate highway and parking issues in an already congested location.
- The development would have an adverse effect on the Conservation Area.

This was seconded by Councillor Appleyard.

The motion was put to the vote and it was RESOLVED by 6 votes for and 4 votes against to REFUSE the application for the reasons set out above.

#### 144 **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 item 1 attached as *Appendix 2* to these minutes.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 3* 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 5* to these minutes.

##### **Item No. 1**

##### **Application No. 16/05504/OUT**

**Site Location: 34-35 Lower Bristol Road, Westmoreland, Bath, BA2 3AZ – Erection of two buildings to provide residential accommodation for students (up to 204 bedrooms) with ancillary accommodation and facilities and external courtyards, alterations to existing pedestrian and vehicular access and associated infrastructure following demolition of existing building**

The Case Officer reported on the application and his recommendation to delegate to permit. He advised the Committee that there were some amendments to the report as follows:

- The site was not within the central area.
- The standard reserved matters condition would be added.
- Condition 7 should read "40 mcg".

He also explained that the building was approximately 5m taller than the current building but that this was lower than some other buildings in the vicinity and was in line with the Building Height Strategy.

The registered speakers spoke for and against the application.

Councillor Ian Gilchrist, local ward member, spoke against the application.

Councillor Becker, local ward member on the Committee, noted that the Economic Development Team had raised an objection and would prefer industrial use for the site. There was already a great deal of student accommodation in Bath. He felt that the proposed design was ugly and too large. On the whole he would prefer employment opportunities to be provided in this central location but if student accommodation were to be developed he would prefer this on a smaller scale and with an improved design.

The Case Officer responded to questions from members stating that the development would have to comply with the energy efficiency requirements of building regulations. He also explained that although this was an outline application only, landscaping details were reserved matters, which would come back to the Committee for decision.

Councillor Kew stated that the proposed building was a poor design. The Case Office pointed out that additional conditions could be added regarding materials if required.

Councillor Appleyard felt that the visual aspect was gloomy and dark and stated that the design could be improved. He moved that the application be refused for the following reasons:

- The application was overbearing and of poor design due to its mass and bulk. This would have an adverse effect on the appearance of the area and would be damaging to the World Heritage Site.
- The application would be contrary to policy and there were strong economic reasons for refusal as stated by the Council's Economic Development Team.

Councillor Jackson stated that the building was depressing, gloomy and overbearing. She also had concerns for the safety of students due to the poor lighting at the rear. This was an employment site and she felt that it would be better used for an industrial purpose. She then seconded the motion.

Councillor Crossley did not agree that the design of the building was gloomy and noted that there was variation in the roofscape. The design was industrial which was suitable for the area. Two office block applications had recently been approved for this area which addressed the need for employment opportunities.

In response to a question the Case Officer explained that the proposed Section 106 Agreement would require the upgrade of the bus stop in this area.

Councillor Jackson questioned why residential accommodation was proposed for an area which suffered from air pollution. No reasons had been given as to why this site could not be marketed for industrial use.

Councillor Veale felt that the design was too bulky.

The motion was then put to the vote and it was RESOLVED by 7 votes for and 3 against to REFUSE the application for the reasons set out above.

## **Item No. 2**

### **Application No. 17/00299/OUT**

**Site Location: Land between Homelands and 10 Camerton Hill, Camerton, Bath – Outline planning application for the erection of 1 single storey dwelling (Resubmission)**

This item was withdrawn from the agenda.

**Item No. 3**

**Application No. 17/00265/FUL**

**Site Location: Techniglaze Ltd, Units 1-2, Fourth Avenue, Westfield, BA3 4XE – Change of use from B1c to a children's soft play area (D2) and cafe**

This item was withdrawn from the agenda.

**Item No. 4**

**Application No. 17/00652/FUL**

**Site Location: 14 Union Street, Bath, BA1 1RR – Conversion of existing ancillary retail upper floors to form 4 flats, erection of a roof extension to form 1 flat, associated internal and external works including a new shop front to No. 14, replacement upper storey windows and new external door and railings to the Union Passage elevation (resubmission)**

**Item No. 5**

**Application No. 17/00651/FUL**

**Site Location: 14 Union Street, Bath, BA1 1RR – Conversion of existing ancillary retail upper floors to form 4 flats, erection of a roof extension to form 1 flat, associated internal and external works including a new shop front to No. 14, replacement upper storey windows and new external door and railings to the Union Passage elevation (resubmission)**

These items were withdrawn from the agenda.

**Item No. 6**

**Application No. 17/00568/FUL**

**Site Location: Hartley Farm Cottage, Hartley Lane, Swainswick, Bath, BA1 8AF – Erection of side and rear extensions (Revised proposal)**

The Case Officer reported on the application and her recommendation to refuse. She explained that the proposal would represent a 130% increase in volume beyond the original building.

The registered speakers spoke in favour of the application.

Councillor Kew read out a statement from Councillor Geoff Ward, local ward member, in support of the application.

In response to a question the Case Officer explained that there had been an agricultural tie to the dwelling in the past but that in dealing with this application she had not treated it as such.

Councillor Kew noted that the current dwelling was very small and that it needed to be extended to be habitable. If the applicants moved into the dwelling then it would free up a family home in the area which would help to regenerate the rural economy.

Councillor Jackson stated that the proposed extension represented a large increase in the footprint of the building.

Councillor Veale moved that consideration of this application be deferred pending a site visit to view the location and to clarify dimensions. This was seconded by

Councillor Crossley.

The motion was then put to the vote and it was RESOLVED by 8 votes in favour and 2 against to DEFER consideration of the application pending a site visit.

**Item No. 7**

**Application No. 17/00944/FUL**

**Site Location: Lansdown Golf Club, Lansdown Road, Charlcombe, Bath – Erection of tarmac hardstanding and timber post and rail fencing with native hedge and tree planting to perimeter for parking and storage of golf buggies (Regularisation)**

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

Councillor Kew moved that planning permission be granted subject to conditions. This was seconded by Councillor Jackson.

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.

**Item No. 8**

**Application No. 17/01029/LBA**

**Site Location: Ground Floor, 30 Grosvenor Place, Lambridge, Bath – Internal alterations to remove part of the modern timber partition walling between the kitchen and living room**

The Case Officer reported on the application and her recommendation to grant listed building consent.

Councillor Crossley moved that listed building consent be granted subject to conditions. This was seconded by Councillor Matthew Davies.

The motion was then put to the vote and it was RESOLVED unanimously to GRANT listed building consent subject to the conditions set out in the report.

**Item No. 9**

**Application No. 17/00163/FUL**

**Site Location: Stonedge Cottage, Stoneage Lane, Tunley, Bath – Alterations to raise the wall to the same level as the neighbour's wall including the existing panel fence (Resubmission)**

This item was withdrawn from the agenda.

**Item No. 10**

**Application No. 17/01459/FUL**

**Site Location: 53 Milton Avenue, Bear Flat, Bath, BA2 4RA – Loft conversion with rear dormer, single storey rear extension and conversion of existing garage (Revision)**

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

Councillor Appleyard moved that planning permission be granted 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.

**145 ANNUAL PERFORMANCE REPORT 2017**

The Committee considered the Annual Performance Report for 2017.

RESOLVED to NOTE the report.

**146 QUARTERLY PERFORMANCE REPORT JANUARY - MARCH 2017**

The Committee considered the Quarterly Performance Report for January to March 2017.

Councillor Jackson stated that the Council should consider ways to improve communication with members of the public regarding planning matters, pointing out that website access was sometimes difficult.

RESOLVED to NOTE the report.

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

The Committee considered the appeals report. The Team Manager, Development Management, pointed out that the Old Colliery Tip, Woodborough Hill, Peasedown St John appeal had been allowed subject to conditions.

RESOLVED to NOTE the report.

The meeting ended at 4.20 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**