

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 28th June, 2017, 2.00 pm

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

12 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

13 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

14 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Rob Appleyard - substitute Cllr Neil Butters.

15 DECLARATIONS OF INTEREST

Cllr David Veale declared an interest in application number 17/00299/OUT – Land between Homelands and 10 Camerton Hill, Camerton - as he is a Camerton School governor and the school is adjacent to the site. He remained in the meeting but took no part in the debate and did not vote.

16 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

17 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.

18 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

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

19 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 31 May 2017 were confirmed and signed as a correct record.

20 **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) 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 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. 17/01208/FUL

Site Location: Avonlea House, Station Road, Freshford, Bath – Erection of single storey side extension

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

The registered speaker spoke against the application.

Cllr Butters noted that the Parish Council had objected to the application. He then asked a question regarding building up to the boundary of the property and the Case Officer explained that this was permissible and that there was no encroachment onto the neighbouring property.

Officers explained that the issue of maintenance within the void area between the fence and the wall was not a planning consideration.

Cllr Roberts stated that the extension would be overbearing and would have an adverse effect on the neighbouring property. She felt that a volume increase of 28% was too large. She then moved that the application be refused due to the overbearing nature of the extension, the adverse impact on the neighbouring property and the adverse impact upon the character of the Conservation Area. This was seconded by Cllr Butters.

Cllr Jackson supported the motion stating that the general layout including the courtyard garden should be preserved within the Conservation Area. She also felt that a flat roof was out of keeping with the area. There would be loss of amenity to the neighbouring property.

Cllr Kew did not feel that this application would have a great impact, particularly if the floor level was reduced so that the roof would not be higher than the existing.

Members discussed the floor level, suggesting that it would be better if it were lower, which would reduce the impact and suggested adding a condition to that effect. The Team Manager – Development Management explained that the Committee had to consider the application before it and that if members wished the floor level to be lowered then they should defer the application to enable officers to discuss this further with the applicant.

The motion was then put to the vote and it was RESOLVED by 6 votes in favour and 4 votes against to REFUSE the application due to the overbearing nature of the extension, the adverse impact on the neighbouring property and the adverse impact upon the character of the Conservation Area.

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)

The Case Officer reported on the application and her recommendation for approval.

The registered speakers spoke for and against the application.

In response to a question from Cllr Jackson the Case Officer confirmed that the site was not within the green belt. She also confirmed that the application was for one single storey dwelling.

Cllr Jackson queried whether this was a sustainable location as local bus services in the area had recently been substantially reduced.

Cllr Kew noted that there had been a great deal of correspondence from neighbours objecting to the proposal, however, he could see no planning reasons to refuse the application. He noted that the speed limit had now been reduced on Camerton Hill. He then moved that the application be approved subject to conditions. This was seconded by Cllr Organ.

In response to a query from Cllr Butters regarding access to the site, the Legal Team Leader explained that any access disputes should be resolved outside of the planning process – the committee was advised to concentrate on the planning merits of the application.

The motion was put to the vote and it was RESOLVED by 7 votes for, 2 votes against and 1 abstention to APPROVE the application subject to the conditions set out in the report.

Item No. 3

Application No. 16/05845/FUL

Site Location: East Barn, Whitecross Farm, Bristol Road, West Harptree – Conversion of an existing barn to office accommodation (Use Class B1)

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

The registered speakers spoke for and against the application. A statement from

West Harptree Parish Council against the application was also read out.

In response to a question the Case Officer explained that 3 parking spaces would be provided at the front of the property.

Cllr Jackson did not feel that the application would have a significant highways impact and noted that the highways officer had raised no objection.

Cllr Kew felt that this was a good building which fitted in well with the local environment. The access road, although on a bend, was not too problematic for one building. He then moved that the application be permitted. This was seconded by Cllr Becker.

Cllr Organ was opposed to this application. He felt that the access road was dangerous as it was located on a bend and there was inadequate turning space. The site was also outside the village boundary and within an Area of Outstanding Natural Beauty. He also stated that if the application were permitted then the hours of occupation should be specified. He felt that a mixed occupation of business and residential property was not a good idea.

The Team Manager – Development Management confirmed that there were conditions proposed to specify the basis upon which permission was recommended to be granted. She also confirmed that Condition 11 referred to specific site opening times.

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

21 **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. 17/01453/FUL

Site Location: Parcel 5400, Fosseyway South, Midsomer Norton – Erection of 20 dwellings, associated infrastructure, vehicular access points from existing estate road network, parking and landscaping

The Case Officer reported on the application and his recommendation for approval.

The registered speaker spoke for the application.

Cllr Jackson explained that Westfield Parish Council had objected to this application with the main objection being road safety. If the application were approved then the Parish Council would like a contribution from the developer towards the provision of a crossing and road safety measures. She also felt that the design of the houses were out of keeping with the area as they were three storey. More modest homes were needed in this area. It was unfortunate that no care home provider could be found for the site.

Councillor Crossley pointed out that a large site was usually required to ensure the viability of a care home development. He felt that the application was suitable for the area and moved that the Committee delegate to permit the application. This was seconded by Councillor Kew.

The Highways Officer explained that this proposal would generate less traffic than the previous one. She also pointed out that a developer contribution of £87k had already been made towards the provision of a toucan crossing in this area.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application subject to the conditions set out in the report and the prior completion of a Section 106 Agreement to secure the matters set out in the officer's report.

Item No. 2

Application No. 17/00847/RES

Site Location: Land at Rear of 161 to 171 Englishcombe Lane, Southdown, Bath – Approval of reserved matters in relation to outline application 16/01018/OUT (Erection of a maximum of 8 dwellings at Land to Rear of 1610171 Englishcombe Lane) regarding scale, layout, appearance and landscaping of the site

The Case Officer reported on the application and her recommendation for approval. She informed the Committee that since the agenda was published there had been one further objection relating to access, the increase in traffic, overlooking and being detrimental to the World Heritage Site. She informed the Committee that officers suggested that members could include an additional condition to prevent the flat roofs being used as terraces.

The registered speakers spoke for and against the application.

Cllr Dine Romero spoke against the application on behalf of the local ward member, Cllr Will Sandry.

In response to a question the Case Officer explained that the Committee's decision was limited to the reserved matters listed above and that this did not include the access arrangements. She also informed members that conditions relating to wildlife and conservation issues had been included in the original consent. It was advised that the properties ranged from 3 to 5 bedrooms.

Cllr Crossley stated that this was important green space in an urban community. He noted that the original consent had been granted under officer delegated powers. He felt that the proposal was unacceptable being on a busy road, of poor design and with poor access. He moved that the application be refused for reasons of overdevelopment, poor design and materials, and the impact on the World Heritage Site. The Team Manager – Development Management advised the committee that a decision by officers or members was a Council decision and there was no difference between the two. As there was an outline approval granted, matters of principal and the access could not form reasons for refusal, and any reasons put forward should relate to the reserved matters application under consideration.

Cllr Jackson seconded the motion, agreeing that the design was poor and that the materials were inappropriate.

Cllr Becker stated that he felt the design was inappropriate and out of keeping with the neighbouring properties.

The motion was then put to the vote and it was RESOLVED unanimously to REFUSE the application due to overdevelopment, poor design and materials and the adverse impact of the development on the World Heritage Site.

(Note: At this point Cllr Roberts left the meeting).

Item No. 3

Application No. 16/06140/FUL

Site Location: 30 Flatwoods Road, Claverton Down, Bath, BA2 7AQ – Erection of 2 dwellings, internal access drive and landscaping at rear of existing dwelling

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

The registered speakers spoke for and against the application.

Cllr Bob Goodman, local ward member, spoke against the application.

In response to a question the Highways Officer explained that there was space for two vehicles to pass at the driveway entrance and that there was also a passing bay. She was satisfied that emergency vehicles would be able to gain access.

In response to a question regarding one of the trees on the site the Case Officer explained that tree T6 was on the applicants' land and would be removed and showed the trees on the plan. Any land dispute was a civil matter and not a planning matter.

Councillor Organ moved that a decision be deferred pending a site visit to allow members to understand the context of the site. This was seconded by Cllr Kew.

The motion was then put to the vote and it was RESOLVED to DEFER consideration of the application pending a SITE VISIT.

(At this point Cllr Roberts returned to the meeting).

Item No. 4**Application No. 17/01031/OUT**

Site Location: Chris Madden Cars, 85 Bristol Road, Whitchurch, BS14 0PS – Outline application for the erection of 4 terraced 3 storey town houses and 6 semi-detached 2.5 storey houses following demolition of existing car showroom

The Case Officer reported on the application and his recommendation for approval. He informed the Committee that he had received a further objection from a neighbouring business owner raising concerns about the inadequate parking provision on the site which he felt was likely to lead to an increase in on street parking in neighbouring side roads. He also raised health and safety concerns due to the possibility of emergency vehicles having problems with access in the future due to this development.

Cllr Kew then moved that permission be granted subject to conditions. This was seconded by Cllr Crossley.

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

Item No. 5**Application No. 17/01581/FUL**

Site Location: 22 Uplands Road, Saltford, BS31 3JJ – Erection of a single storey dwelling and garage

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

The registered speaker spoke in favour of the application.

Cllr Francine Haeberling, local ward member, spoke in favour of the application.

Cllr Butters noted that the Parish Council had raised no objection to the proposals.

Cllr Organ felt that the site was large and that there was adequate space for the dwelling. He moved that consideration of the application be deferred pending a site visit. This motion was not seconded.

Cllr Matthew Davis moved that permission be granted subject to conditions as the development was not out of character with the local area and would not be detrimental to neighbouring properties. This was seconded by Cllr Organ.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 abstentions to DELEGATE TO PERMIT the application subject to conditions.

Item No. 6**Application No. 17/01411/FUL**

Site Location: 10 Stonehouse Lane, Combe Down, Bath, BA2 5DW – Three storey side extension and garage to include demolition of existing single storey side extension, partial demolition of existing garage, minor changes to rear ground floor fenestration of existing main house and front landscaping

The Case Officer reported on the application and her recommendation for approval.

The registered speaker spoke for the application.

Cllr Bob Goodman, local ward member, spoke in favour of the application.

In response to a question the Case Officer confirmed that the proposal would mean that the property would have 6 bedrooms.

Cllr Kew stated that he found the plans confusing and moved that consideration of the application be deferred pending a site visit to enable the Committee to better understand the street scene in this location. This was seconded by Cllr Jackson.

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 1 against and 2 abstentions to DEFER consideration of the application pending a SITE VISIT.

Item No. 7

Application No. 17/01316/FUL

**Site Location: Willow Glade, 17 Scobell Rise, High Littleton, BS39 6JY –
Erection of detached bungalow on land at 17 Scobell Rise and erection of
detached garage for existing dwelling (Revised Scheme)**

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

Cllr Kew stated that this application would be in keeping with the area as there was already a mixture of different types of housing. The plot was large and was located within the housing development boundary. He moved that permission be granted subject to conditions. This was seconded by Cllr Matthew Davies.

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

Item No. 8

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)**

The Case Officer reported on the application and her recommendation for refusal.

The registered speaker spoke in favour of the application.

In response to a question the Case Officer explained that the site was not within a Conservation Area but was within the greenbelt.

Cllr Kew felt that the wall made a positive impact on the village aspect and was not out of place. Cllr Crossley and Cllr Organ also felt that the wall enhanced the area.

The Team Manager, Development Management explained that according to the

NPPF the development did not comprise appropriate development in the greenbelt as it was disproportionate. If members wished to permit the application they should be clear about any special circumstances that apply. She explained that the Committee could make a judgement on the proportionality of the proposal as the application would constitute a 50% volume increase which is normally far above the increases usually permitted.

Cllr Crossley then moved that consideration of the application be deferred pending a site visit to enable the Committee to fully view the impact of the proposal in the greenbelt. Cllr Kew seconded the motion.

The motion was then put to the vote and it was RESOLVED by 9 votes in favour and 1 abstention to DEFER consideration of the application pending a SITE VISIT.

Item No. 9

Application No. 17/01436/FUL

Site Location: Manor House, Battle Lane, Chew Magna, BS40 8PT – Erection of new security fence on western boundary

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

The registered speaker spoke in favour of the application.

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

In response to a question the Case Officer explained that the application was for temporary permission to be ongoing until there was a resolution to the problems with the derelict former school buildings adjacent to the site. These buildings had been subject to vandalism, fires and decay. A condition could be put in place to ensure that permission expired within three years or when the derelict buildings were demolished, whichever is the sooner.

Cllr Organ noted that the reasons for the request to put up a security fence were security, health and safety and to protect the Grade II* listed building.

Cllr Kew moved that officers be delegated to confirm that the fence proposed was structurally sound and to negotiate planting arrangements and then permit the application for a temporary period of three years, or when the school buildings are demolished whichever is the sooner, in accordance with the condition suggested by the Case Officer, and any other necessary conditions. This was seconded by Cllr Jackson.

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

Item No. 10

Application No. 17/01965/FUL

Site Location: 1 Wellow Lane, Peasedown St John, Bath, BA2 8JQ – Erection of single storey side extension with replacement garage and widened driveway access following demolition of existing garage

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

Councillor Karen Walker had submitted a statement in support of the application which was read out at the meeting.

In response to questions the Case Officer informed the Committee that the property was a Grade II listed building and that a mix of materials were proposed in the construction that did not match the existing building.

Cllr Kew moved that permission be refused for the reasons set out in the report. This was seconded by Cllr Organ.

The motion was then put to the vote and it was RESOLVED unanimously to REFUSE the application for the reasons set out in the report.

22 **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 6.05 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services