

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 15th November, 2017, 2.00 pm

Councillors: Sally Davis (Chair), Rob Appleyard, Jasper Becker, Paul Crossley, Matthew Davies, Eleanor Jackson, Les Kew, Bryan Organ and Caroline Roberts

67 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

68 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

69 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor David Veale.

70 DECLARATIONS OF INTEREST

Councillor Matthew Davies declared a non-pecuniary interest in planning application number 17/03603/FUL – 9 Partis Way, Lower Weston, Bath – as the applicants' children attend the same school as his children. Councillor Davies stated that he would speak and vote on this item.

71 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

72 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.

73 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

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

74 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 18 October 2017 were confirmed and signed as a correct record.

75 **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. 17/03041/FUL

Site Location: 28 Meadlands, Corston, BA2 9AS – Erection of single storey rear extension

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

The registered speakers spoke for and against the application.

In response to a question the Case Officer confirmed that the extension would be at the same floor level as the existing property.

Councillor Kew stated that he understood the concern of the neighbours regarding potential loss of light but, on balance, felt that this would be negligible. He then moved the officer recommendation to permit the application. This was seconded by Councillor Organ.

The motion was then put to the vote and it was **RESOLVED** by 7 votes in favour, 1 vote against and 1 abstention to **PERMIT** the application subject to the conditions set out in the report.

76 **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, 3, 4 and 6 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. 17/03774/OUT

Site Location: 34-35 Lower Bristol Road, Westmoreland, Bath, BA2 3AZ – Outline application for the 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. Access, appearance, layout and scale to be determined and landscaping reserved.

The Case Officer reported on the application and his recommendation to permit. He gave the following updates:

- An additional objection had been received stating that only minimal changes had been made to the original application and urging the Committee to view the site rather than relying on computer images.
- The Senior Conservation Officer had raised no objection to the application noting that there had been some refinements to the original design. It was felt that the World Heritage site would not be affected by this development.
- Where the report referred to the “Local Plan” this should now be replaced with the words “Placemaking Plan”.

The registered speakers spoke for and against the application.

Cllr Becker, local ward member, stated that the changes made by the applicant did not address the concerns the Committee had raised when it previously considered this proposal. If this area were to be redeveloped then it should be made as attractive as possible. He felt that the Committee should reject this design as the building was ugly and did not enhance the area. Cllr Becker also expressed concern about the massing and quality of architecture and noted that the building was tall and would be very prominent in this central location. He then moved that permission be refused.

In response to a question the Case Officer confirmed that the cycle parking area was large enough to provide spaces for 50 bicycles.

Councillor Appleyard noted the changes that the applicant had made to the original design and felt that the issues previously raised by the Committee had been addressed. In particular the lighter brickwork would improve the appearance of the building. He then moved that permission be granted.

Councillor Crossley seconded the motion to permit. He had supported the previous application and felt that the design reflected the industrial heritage of this area of the city. The site was sustainable due to its location in the city centre and being on a bus route. He stated that the provision of purpose built student accommodation would remove some of the pressure caused by family homes being used for this

purpose. He was supportive of both the concept and the design.

Councillor Kew supported the proposal and noted the need for student accommodation and the improved design.

Councillor Organ felt that the proposal would be an improvement to this area but noted that it would be quite dominant.

The motion was then put to the vote and it was RESOLVED by 6 votes for and 3 votes against 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. 17/03603/FUL

Site Location: 9 Partis Way, Lower Weston, Bath, BA1 3QG – Erection of single storey garage and detached 4 bed house with garage following demolition of existing rear conservatory and side extension (accommodating garage) to existing dwelling

The Case Officer reported on the application and her recommendation to permit. She confirmed that the Highways Officer had been consulted on both the original and revised plans and had raised no objections.

The registered speakers spoke for and against the application.

Councillor Roberts, local ward member, pointed out that there had been a high number of objections from neighbours. She noted that the applicant had amended the design; however, she still felt that the building would be too high and overbearing which would impact adversely on local residents.

In response to a question the Team Leader, Place Legal Team, explained that any existing covenant on the property was a private property right and would not be relevant to the determination of this planning application.

Councillor Jackson then moved that consideration of the application be deferred pending a site visit. This was seconded by Councillor Roberts.

The motion was put to the vote and there were 3 votes in favour, 4 against and 2 abstentions. The motion was therefore LOST.

In response to a question the Team Leader, Place Legal Team, explained that although a planning permission could be made personal to the applicant this was unusual and special planning reasons would be required to do so.

Councillor Organ stated that he felt there was room on this plot of land for the proposed development. He moved the officer recommendation to permit. This was seconded by Councillor Jackson.

Councillor Crossley stated that the application was for a large building which represented overdevelopment of the site. He was concerned at the potential impact on neighbouring properties and the loss of the green space in the area.

Councillor Appleyard agreed that more houses were required but was concerned at the erosion of gardens in this area and felt that this would affect the viability of the properties as family homes.

The motion was then put to the vote and it was RESOLVED by 6 votes for and 3 votes against to PERMIT the application subject to the conditions set out in the report.

Item No. 3

Application No. 17/04031/FUL

Site Location: The Paddocks, Pilgrims Way, Chew Stoke – Erection of a new dwelling (Resubmission)

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

The registered speakers spoke for and against the application.

A statement in favour of the application from Councillor Liz Richardson, local ward member, was read out.

The Team Manager, Development Management, explained that if members felt that there would be harm to the Conservation Area then great weight should be given to this. She informed members that, if they were minded to permit the application on the basis that it was infilling, then very special circumstances for allowing development in the greenbelt should be specified. She also clarified the definition of infilling in the Core Strategy which stated:

“The filling of small gaps within existing development e.g. the building of one or two houses on a small vacant plot in an otherwise extensively built up frontage. The plot will generally be surrounded on at least three sides by developed sites or roads.”

Councillor Kew felt that this proposal represented infill development and stated that other developments in Pilgrim Way had been approved by officers on this basis. He noted that the application was supported by the local councillor and the Parish Council and that the site was located within the Chew Stoke housing development boundary. He stated that the development would have no impact on neighbouring properties and represented sustainable development within a village. There would be no harm to the Conservation Area and the development would not be contrary to the Placemaking Plan. Councillor Kew then moved that permission be granted as infill development which would not dominate the area or harm the openness of the greenbelt.

(At this point Councillor Caroline Roberts left the meeting).

In response to a question the Case Officer explained that the Urban Design Officer had raised objections relating to the design of the building including the provision of dormer windows leading to the “compression” of the house. She also clarified that policy D7 related to infill and backland development.

It was noted that although the Case Officer had considered the harm to the

Conservation Area to be “less than substantial”, some level of harm had still been identified.

Councillor Appleyard understood the reasons for the application but did not feel that these represented very special circumstances. The proposal did not fit the criteria for infill development and was contrary to greenbelt policy. He moved the officer recommendation to refuse permission. This was seconded by Councillor Jackson who stated that the design was poor and that the development was not appropriate in a greenbelt location as the “green lung” should be protected.

The motion was put to the vote and it was RESOLVED by 4 votes for, 3 votes against and 1 abstention to REFUSE permission for the reasons set out in the report.

Item No. 4

Application No. 17/02313/FUL

Site Location: 6 High Bannerdown, Batheaston, Bath, BA1 7JY – Erection of two storey side extension, new front boundary wall and change of layout of existing gardens

The Case Officer reported on the application and her recommendation to permit. She clarified points made within the report regarding night lighting and the removal of a tree affecting a bat roost. There was no evidence of a bat roost in this location and the tree had been removed prior to the submission of the planning application so was not relevant in this case. The night lighting did not require planning permission. The Case Officer had taken advice from the Council’s ecologist and it was not considered that the lighting would be harmful to the bat population.

The registered speakers spoke for and against the application.

In response to a question the Team Manager, Development Management, confirmed that a condition to restrict the time when works can take place could be included if necessary and reasonable. Councillor Jackson supported the inclusion of such a condition.

Councillor Appleyard moved the officer recommendation to permit with the addition of a condition to limit the times when construction could take place. This was seconded by Councillor Organ.

The motion was put to the vote and it was RESOLVED by 7 votes for and 1 abstention to PERMIT the application subject to the conditions set out in the report and the inclusion of a condition requiring a construction management plan.

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

Items No. 5 and 6

Application Nos. 17/03629/FUL and 17/03630/LBA

Site Location: Manor House Farm, North Stoke Lane, North Stoke – Widening of front entrance and garden access with installation of aluminium frame doors. Internal and external alterations for the re-arrangement of internal stud walls, exposing of original stone walling in lobby and widening of garden and front access with replacement aluminium framed doors

The Case Officer reported on the applications and his recommendations to permit.

Councillor Jackson moved that planning permission and listed building consent be granted. This was seconded by Councillor Matthew Davies.

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

Item No. 6

Application No. 17/03930/FUL

Site Location: 1 Audley Avenue, Lower Weston, Bath, BA1 3BL – Removal of front boundary of off street parking with permeable hardstanding

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

The registered speakers spoke for and against the application.

Councillor Appleyard felt that this proposal represented overdevelopment of the site for parking. He moved that planning permission be refused.

Councillor Crossley seconded the motion as he felt this was a major intensification of the area and pointed out that there was already a large amount of parking for this property.

Councillor Jackson queried the highway and pedestrian safety implications of the proposal.

Councillor Kew agreed that this was overdevelopment and that attention should be paid to the impact on the Conservation Area.

The motion was put to the vote and it was RESOLVED by 7 votes for and 2 votes against to REFUSE the application for reasons of harm to the street scene and the Conservation Area.

77 QUARTERLY PERFORMANCE REPORT - JULY TO SEPTEMBER 2017

The Committee considered the quarterly performance report for the period July to September 2017.

Members asked a number of questions regarding the performance statistics to which the Team Manager, Development Management responded as follows:

- Targets are reviewed regularly with an aim to continuing performance improvement.
- No specific reason had been identified for the dip in performance from January to March.
- Members noted that there had been a 29% increase in appeal numbers. It

was confirmed that managers regularly analyse the performance data to identify any trends.

- Officers would provide a response to Councillor Appleyard's question regarding the closure of enforcement cases.

Councillor Crossley stated that local members could assist in identifying HMOs in their areas to ensure that these are registered appropriately.

Councillor Kew noted the high number of enforcement cases and queried whether there were adequate numbers of Enforcement Officers to deal with such a high caseload. He stressed the importance of effective enforcement.

RESOLVED to NOTE the report.

78 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 4.45 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services