

DEVELOPMENT MANAGEMENT COMMITTEE

Minutes of the Meeting held

Wednesday, 13th February, 2019, 2.00 pm

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

99 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

100 ELECTION OF VICE CHAIRMAN (IF DESIRED)

A Vice Chairman was not required on this occasion.

101 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from:

Cllr Jasper Becker

Cllr Caroline Roberts – substitute Cllr Ian Gilchrist

102 DECLARATIONS OF INTEREST

Cllr Matthew Davies declared a disclosable pecuniary interest in planning application number 18/05203/VAR – Richmond Lodge, Weston Lane, Lower Weston, Bath, BA1 4AB as he was the applicant. Cllr Davies stated that he would leave the meeting when this item was discussed.

103 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

104 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.

105 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

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

106 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 16 January 2019 were confirmed and signed as a correct record.

107 **MAIN PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

The Committee considered:

- A report by the Head of Planning on various planning applications.
- An update report by the Head of Planning on items 1 and 3 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 3* to these minutes.

Item No.1

Application No. 18/03674/FUL

Site Location: Lake View, Stoke Hill, Chew Stoke – Change of use from existing garage with office above into holiday let accommodation

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

The agent spoke in favour of the application.

A statement from Cllr Liz Richardson, local ward member, in favour of the application was read out at the meeting. Cllr Richardson referred to a recent planning application for The Byre House, Knowle Hill, Chew Magna which also revolved around Policy RE6 and was allowed on appeal by the Planning Inspector. She also stated that the application had been supported by the Parish Council who was keen to support the development of small scale tourist accommodation within the Parish.

The Case Officer and Team Manager, Development Management, then responded to questions as follows:

- Policy RE6 of the Placemaking Plan related to the re-use of rural buildings. This proposal was seen to be contrary to policy as the building was isolated from public services and community facilities and unrelated to an established group of buildings. He explained that the term “group” was not specifically defined within the Placemaking Plan.
- The 1km distance to local facilities was not considered to be sustainable as the footpath link was poor.
- The property currently had a “home office” set up so this would not result in losing any commercial office accommodation.
- This application had originally been scheduled to be considered at the December meeting of the Committee but had subsequently been withdrawn

from the agenda because it was considered that it complied with policy RE6 of the Placemaking Plan. However, when officers then reviewed the application in more detail they felt that the application was still contrary to policy due to the site's remoteness from services and it did not relate to an established group of buildings.

- It was possible that permitted development rights would allow for another garage to be built on the site without requiring planning permission.
- The issue of recreational benefit should be given little weight as no supporting information had been provided by the applicant.

Cllr Kew stated that the structures could be considered as an "established group of buildings" and noted that this was a matter of opinion as there was no clear definition in the planning policy documents. He also pointed out that water and electricity facilities were already available on the site.

Cllr Appleyard stated that the policy was unclear on the issue of what actually constituted a group and felt that this should be reviewed to give clarity.

Cllr Jackson stated that officers were clear on their interpretation of the policy. She also felt that the appearance of the proposal was unsatisfactory and that the garage was not subservient to the main building. The site was isolated with no pavement to walk to local services and no bus service. In effect it would create an additional dwelling in the Green Belt. She then moved the officer recommendation to refuse the application. This was seconded by Cllr Crossley.

Cllr Kew stated that this was a good location for tourism which was close to a cycle track and close to the lake which is a major tourist and fishing attraction. There were villages nearby such as Chew Stoke and West Harptree which provided local facilities. The application preserved the openness of the Green Belt and no new building would be constructed. He did not feel that the application would be detrimental to the area and pointed out that the Parish Council was supportive.

The motion was put to the vote and there were 2 votes in favour, 6 votes against and 1 abstention. The motion was therefore LOST.

The Team Manager, Development Management, advised the Committee that he did not think it would be appropriate in this case to remove permitted development rights for extensions. A section 106 Agreement could, however, be put in place to permanently tie the holiday lets to the permanent dwelling.

Cllr Organ supported the proposal to provide holiday lets in this location and moved that the Committee delegate to permit the application subject to conditions which would include the removal of permitted development rights for new outbuildings and a Section 106 agreement as detailed above. This was seconded by Cllr Kew.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 2 votes against to DELEGATE TO PERMIT the application subject to appropriate conditions and the provision of a Section 106 Agreement restricting the use to holiday lets and retaining the units in the same ownership as Lake View.

Item No. 2

Application No. 18/03120/FUL

Site Location: Selwood Farm, Norman Road, Saltford, BS31 3BQ – House transformation comprising an extension, changes of materials with additional internal and external works

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

Two local residents spoke against the application one of which referred to the accurate measurements of the proposal.

The Agent and Architect spoke in favour of the application.

The Case Officer then responded to questions as follows:

- The distance between the balcony and the neighbouring property was approximately 130ft. The balcony was contained within the envelope of the building with walls at either end.
- The property was outside of the Conservation Area although it was on the boundary. The glassed part of the development was on the West elevation which faced away from the Conservation Area.

Cllr Kew stated that he understood the concerns of the objectors regarding overlooking; however, he noted that the balcony was north facing, enclosed and some distance from the nearest property. He moved the officer recommendation to permit the application. This was seconded by Cllr Matthew Davies.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 1 against to PERMIT the application subject to the conditions set out in the report.

Note: Cllr Matthew Davies left the meeting at this point having declared a disclosable pecuniary interest in the following application.

Item No. 3

Application No. 18/05203/VAR

Site Location: Richmond Lodge, Weston Lane, Lower Weston, Bath, BA1 4AB – Variation of condition 3 of application 16/02046/FUL granted on 30.06.2018

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

A local resident spoke against the application.

The agent spoke in favour of the application.

In response to a question the Team Manager, Development Management, confirmed that the Committee could delegate to permit the application if members wished to amend any conditions.

Cllr Jackson asked whether there were any relevant policies regarding drain-off to avoid the risk of flooding. The Case Officer explained that there was some guidance regarding driveways and materials but this did not contain specific ratios regarding plot or garden size.

Cllr Veale stated that the site appeared to be complex and moved to defer consideration of the application pending a site visit. This was seconded by Cllr Jackson.

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

Cllr Kew felt that the variation offered an improved layout and stated that there was unlikely to be any water run-off. He moved the officer recommendation to permit. This was seconded by Cllr Organ.

The motion was then put to the vote and it was RESOLVED by 4 votes in favour, 3 votes against and 1 abstention to PERMIT the application subject to the conditions set out in the report.

108 QUARTERLY PERFORMANCE REPORT - OCTOBER TO DECEMBER 2018

The Committee considered a report setting out the quarterly performance statistics from October to December 2018.

The Team Manager, Development Management, advised the Committee that future reports would show the actual number of planning applications in time as well as the percentage figures.

The Committee was pleased to note the excellent performance with regard to planning appeals.

The Team Manager, Development Management, explained that, although the number of Enforcement Notices issued appeared to be low (4 notices between October and December 2018), officers did their best to resolve issues by negotiation with Notices being issued as a last resort.

RESOLVED: To note the report.

109 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 3.30 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services