

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday, 31st July, 2019, 2.00 pm

**Councillors:** Sally Davis (Chair), Rob Appleyard (Reserve) (in place of Lucy Hodge), Vic Clarke, Paul Crossley (Reserve) (in place of Matt McCabe), Duncan Hounsell, Eleanor Jackson, Manda Rigby, Brian Simmons and Ryan Wills (Reserve) (in place of Sue Craig)

#### 24 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 25 ELECTION OF VICE CHAIRMAN

A Vice Chairman was not required on this occasion.

#### 26 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from:

Cllr Sue Craig – substitute Cllr Ryan Wills  
Cllr Lucy Hodge – substitute Cllr Rob Appleyard  
Cllr Hal MacFie  
Cllr Matt McCabe – substitute Cllr Paul Crossley

#### 27 DECLARATIONS OF INTEREST

Cllr Duncan Hounsell declared a non-pecuniary interest in application no. 19/01488/FUL, 4 Uplands Road, Saltford. Cllr Hounsell was a member of Saltford Parish Council who had been consulted on this application; however, he had taken no part in the consideration of this matter at Parish Council level.

#### 28 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

#### 29 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.

#### 30 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 3 July 2019 were confirmed and signed as a

correct record.

31 **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.
- Oral statements by members of the public and representatives. A copy of the speakers' list is attached as *Appendix 1* 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 2* to these minutes.

**Item No. 1**

**Application No. 19/01873/FUL**

**Site Location: St Joseph's Church, Sladebrook Road, Southdown, Bath –  
Erection of 9 dwellings, alterations to vehicular access, associated parking  
and landscaping, following demolition of redundant church building**

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

A local resident spoke against the application.

The Agent spoke in favour of the application.

Cllr Crossley referred to a pending single Cabinet Member decision (E3150 – Supporting an Exemplar Housing Development). He queried whether when making the decision today a comment could be made regarding this decision as it would address matters such as shared ownership and restriction against the use of properties for HMO (Houses in Multiple Occupation) purposes.

The Deputy Head of Planning stated that any decision made at this meeting could not take into account a Cabinet single member decision that had not yet been made. The Committee must consider the information before it at this meeting and E3150 was not a material consideration in this case.

In response to a question the Case Officer and Highways Officer explained that the proposal to move the bus stop was to avoid potential conflict with people entering and exiting the site. Cllrs Crossley and Jackson felt that it was not necessary to move the bus stop from its current location.

Cllr Jackson pointed out that the Council had a policy in place for HMO properties and queried what proportion of properties in this area were HMOs.

The Deputy Head of Planning explained that the Committee must consider the application before it on its own merits. The application was not for HMO properties and if there were subsequently an application to change one of the properties to an HMO then this would have to be considered as a change of use under the existing policy.

Cllr Crossley stated that this was a Council application. He noted that there was an existing planning application to provide housing on this site and that it should, therefore, be approved. He had concerns that in the future there could be a change of use to HMO properties. He pointed out that the current policy only tested against registered HMOs in the area and stated that this should take into account all HMOs including those that were unregistered. He felt that the pending Cabinet member decision E3150 should be taken into account when making a decision on this application. This would ensure that there would be some shared ownership properties within the scheme, would push for the environmental standards set out in the pending decision and would place a restriction on the use of the properties to ensure that they were not turned into HMOs.

Cllr Crossley asked about the ownership of the hedge on the edge of the plot as it currently provided privacy for number 72 Sladebrook Road. He requested assurance that the hedge would not be removed without consultation with the residents of No. 72. The Case Officer explained that the retention of the hedge could be secured by condition and a landscaping scheme.

Cllr Crossley then moved that the Committee delegate to permit the application. This was seconded by Cllr Rob Appleyard.

The Deputy Head of Planning clarified that the application was not being put forward by the Council but by Aequus Construction Ltd. It should be treated on its merits as with any planning application and any conditions put forward must be relevant to the development. She also explained that the Highways Officer had recommended that the bus stop should be moved but if members felt that this was unnecessary then they could agree that it should remain in its current position.

The Case Officer stated that the bus stop could be positioned on the main frontage of the development. The Highways Officer explained that for ease of access for disabled people it would be preferable for the bus stop to be located on the road frontage of the site.

Cllr Jackson stated that she did not think the design of the properties was appropriate for a suburban area and should be improved.

Cllr Rigby supported the proposal to delegate to permit as a development on the site had already been approved and the application was policy compliant.

The Deputy Head of Planning explained that it would not be appropriate to add a condition to prevent the properties becoming HMOs in the future because the application currently referred to dwelling houses and not HMOs and that it was not possible to condition against a further change of use.

It was agreed that officers would:

- Investigate the ownership of the hedge and add a condition regarding its retention if necessary.
- Include the requirement for a Construction Management Plan as a condition.
- Relocate the bus stop ensuring that it remains on the frontage of the site.

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

**Item No. 2**

**Application No. 19/01488/FUL**

**Site Location: 4 Uplands Road, Saltford, BS31 3JJ – Erection of detached 3 bed bungalow on land to rear of 4 Uplands Road**

The Case Officer reported on the application and his revised recommendation to delegate to permit to enable revised plans that remove a proposed garage from the plans to be taken into account.

A local resident spoke against the application.

The Agent spoke in favour of the application.

Cllr Duncan Hounsell, local ward member, spoke against the application. He stated that this appeared to be practically a resubmission of a previously withdrawn application. He felt that infilling would cause harm to the local area and would be contrary to policy. The site was also located close to an electricity substation and had seven residential garden boundaries. There would be a negative visual impact due to the over-development of the site which would be harmful to the surroundings and the character of the area. He pointed out that Saltford Parish Council was also opposed to the application.

(Note: Cllr Hounsell then left the meeting having declared a non-pecuniary interest in this item and did not take part in the debate or vote on the application).

Cllr Crossley noted that this was back land development which he felt was incongruous and harmful to the character of the area. There would also be loss of amenity to local residents and the loss of a garden was not justified. He stated that the application was against policies D2, D4 and D7. He then moved refusal for the reasons set out above.

Cllr Jackson stated that it was important to retain gardens and felt that the application represented overdevelopment of the site. She seconded the motion.

The motion was put to the vote and there were 4 votes in favour and 4 votes against. The Chair then used her casting vote against the motion which was therefore LOST.

Cllr Rigby then moved that the Committee delegate to permit the application subject to conditions. This was seconded by Cllr Simmons.

The motion was put to the vote and there were 4 votes in favour and 4 votes against. The Chair then used her casting vote in favour of the motion. It was therefore RESOLVED to DELEGATE TO PERMIT the application subject to conditions.

(Note: Cllr Hounsell returned to the meeting at this point).

**Item Nos. 3 and 4**

**Application Nos. 19/00137/FUL and 19/00147/LBA**

**Site Location: Double Hill Farm, Double Hill, Shoscombe – Internal and external alterations to existing farmhouse including reinstatement and conversion of attached outbuilding to form additional accommodation together with alteration of adjoining detached former milking parlour to form domestic annexe to main dwelling plus demolition of redundant adjoining silage store and lean-to store structures.**

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

Representatives from Wellow and Shoscombe Parish Councils spoke in favour of the applications.

The agent and applicant spoke in favour of the applications.

Cllr Neil Butters, local ward member, spoke in favour of the applications. He stated that the proposal would improve the housing stock in the area bringing it up to current standards. It would also help to maintain the farm business, with a desirable place to live for the family and future generations. The applicants were long-standing members of the community and the proposal was supported by both Wellow and Shoscombe Parish Councils.

Cllr Jackson stated that the proposal would conserve a historic settlement and would enhance the area by securing the use of a heritage asset. It would also allow a fuller use of the building and would increase the sustainability of the site by enabling home-working. She moved that the Committee delegate to permit the applications.

Cllr Appleyard seconded the motion noting that there would be public benefit.

Cllr Crossley supported the proposal as he felt it represented a sympathetic restoration and would bring a listed building into better use. It would enhance the local setting bringing both public and social benefit and would be an asset to the village.

Cllr Rigby acknowledged that there would be some harm to the Green Belt due to the removal of the wall. However, she felt that this would be outweighed by the public benefit of improving the standard of the building.

For clarification the Deputy Head of Planning Development Management asked members to confirm that in their view there was harm to the listed building but that the harm was outweighed by the public benefits given. She confirmed that in their view the public benefits in this case including securing the optimum viable use of a heritage asset in support of its long term conservation and visual improvements to the site were amongst the reasons given and this was confirmed to be the case.

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

**Item No. 5**

**Application No: 19/00383/FUL**

**Site Location: 2 Longhouse, The Hollow, Dunkerton – Erection of a detached double garage alongside the house**

The Case Officer reported on the application and her recommendation to permit. She explained that the applicant had now provided further information which had been requested at the previous meeting. It was noted that the fall-back position, which could be built using permitted development rights, would be more harmful to the Green Belt than the proposal under consideration and was a realistic fall-back likely to be implemented.

A representative of the applicant spoke in favour of the application.

Cllr Neil Butters, local ward member, thanked the Committee for reconsidering the application in the light of the further information provided.

Cllr Rigby moved the officer recommendation to permit and this was seconded by Cllr Davis.

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. 6**

**Application No. 19/02130/FUL**

**Site Location: 39 Kensington Gardens, Walcot, Bath, BA1 6LH – Erection of garage and associated works following demolition of existing garage. Enlarge existing rear dormer window**

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

Cllr Applyard moved the officer recommendation to permit and this was seconded by Cllr 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.

**32 QUARTERLY PERFORMANCE REPORT**

The Committee considered the quarterly performance report from April to June 2019. Members congratulated the arboriculturalists on their excellent performance.

RESOLVED: To NOTE the report.

**33 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 3.55 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**