

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 10th February, 2021, 11.00 am

Councillors: Matt McCabe (Chair), Sally Davis (Vice-Chair), Vic Clarke, Sue Craig, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Eleanor Jackson, Hal MacFie and Manda Rigby

77 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

78 DECLARATIONS OF INTEREST

Cllr Matt McCabe declared an interest in planning application no. 20/03255/FUL – Larkhall Sports Club, Charlcombe Lane, Bath. Cllr McCabe has a connection with a company (TrueSpeed) which was a potential competitor to the applicant. Cllr McCabe stated that he would not speak or vote on this application and that Cllr Sally Davis, Vice Chair, would take the chair for this item.

79 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

80 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.

81 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16 December 2020 were confirmed and signed as a correct record.

82 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 item 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 3* to these minutes.

Item No. 1

Application No. 20/04296/VAR

Site Location: Paglinch Farm, Access Road to Paglinch Farm, Shoscombe, Bath – Variation of condition 2 of application 06/03707/FUL (Alterations to garage to form 1 garage and self-contained holiday let unit).

Condition no. 2 Condition(s) removal

To enable lawful use of the building as a self-contained residential unit of accommodation.

Application is made to have the condition removed.

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

The Case Officer then responded to questions as follows:

- The building has its own access and outside space, there are no concerns regarding parking. It was not felt that there would be an adverse impact on the amenity of existing or future occupiers or neighbouring properties.
- A precedent has been set by the removal, in 2019, of the same holiday let condition at Paglinch Farm, which immediately adjoins the application site.

Cllr Jackson then moved the officer recommendation to permit. This was seconded by Cllr MacFie.

Cllr Davis stated that the proposal would not impact on any of the other dwellings on the site.

The motion was put to the vote and it was **RESOLVED** unanimously to **PERMIT** the application subject to conditions as set out in the report.

Item No. 2

Application No. 20/03162/FUL

Site Location: Camerton and Peasedown Croquet Club, Whitebrook Lane, Peasedown St John, Bath – To relocate the old buildings and install a new prefabricated building. Install a bio-digester wastewater treatment system and a rain collection system and secure permissions for low level advertising board on small sections of the perimeter fencing.

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

A member of the croquet club spoke in favour of the application.

Cllr Sarah Bevan, local ward member, spoke in favour of the application. She felt that it should be considered as a one-off, sui generis, application. She explained that although technically the building would be temporary, it was likely to remain in place for a long period of time. She did not feel that the building would detract from

the visual amenity of the site.

The Case Officer then responded to questions as follows:

- The Peasedown cricket ground is near to the site and has a permanent building in place. Members were advised to consider this application on its own merits.
- The site is an old landfill site.
- Although there are plans to recycle an existing building this is not considered to outweigh the harm that would be caused.
- The building to be relocated has not yet been refurbished but would have timber cladding and a false pitched roof with a clock tower. It would be larger than the existing structure. The form, materials and building are not considered to be appropriate in this location.
- Parking is currently located on the grassed area to the East of the building. There would be allocated spaces at the entrance to the building and to the North East of the clubhouse.

Councillor Hounsell stated that he considered this to be an upgrade to the existing building. He supported the recycling element of the application and felt that the new building would be more attractive. He felt that the Committee should support the development of sport and recreation. He moved that the Committee delegate to permit the application.

Councillor Jackson seconded the motion. She felt that the plans would conserve and enhance the area and would be an improvement on the current building. She noted that the club has 60 members and felt that it was important to encourage this open-air activity. The public health benefits would outweigh any potential harm.

Councillor Davis stated that the increase in the size of the building is quite substantial. However, she also felt that the advantages would outweigh any harm. She supported the recycling element and noted that the site is well screened.

Councillor Hodge stated that she felt the application would enhance the site and would not have a negative impact.

Chris Gomm, Team Manager, Development Management, stated that if members decided to permit the application some conditions would be required including model contaminated land conditions.

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

Item No. 3

Application No. 20/03391/FUL

**Site Location: Little Pear Tree Cottage, Tadwick Lane, Tadwick, Bath –
Redevelopment of previously developed garage site for an office, gym and
annexe to be used in connection with Pear Tree Cottage.**

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

The applicant spoke in favour of the application.

Cllr Kevin Guy, local ward member, spoke in favour of the application. He pointed out that neither ward councillors nor the highways officer had raised objections to the proposal. He stated that the building was not substantial and was a small garage conversion at the rear of a large working farm. He felt that the recommendation to refuse was down to an individual interpretation of the NPPF guidelines. The development would enable a young family to have a dedicated area where they could work from home.

Officers then responded to questions as follows:

- This is not an assessment purely of volume but is a visual and spatial assessment. The key issues outlined in the officer report relate to the visual impact on the greenbelt.
- There is a public right of way which runs along the access route to the property. The building would be visible from public viewpoints and the increase in height and mass can be seen from the public realm.
- The Legal Advisor explained that a S106 agreement could be put in place to tie the use of the studio to the main house if the relevant tests were met. He also summarised how any s106 agreement could be modified or discharged.
- There were no concerns of overlooking or infringement on the users of the adjacent farm.
- The property is located in a very small hamlet and there is no housing development boundary.
- A proposal was put forward in 2011 which received positive pre-application advice. However, no records are held for this proposal and previous pre-application advice is not binding.
- The Team Manager, Development Management, confirmed that a separate dwelling would not be supported in this location and any restrictions put in place to prevent this would be enforceable.

Cllr Hounsell expressed concerns regarding the size and extent of the proposal as it included a gym, meeting area and extensive studio. There would be some loss of views in this greenbelt location and it could set a precedent for the future development of outbuildings. He moved the officer recommendation to refuse.

Cllr Hodge seconded the motion and pointed out that the Parish Council had objected to the application.

Cllr Rigby stated that she felt that, although this was development in the greenbelt, the harm would be less than substantial. As permission is given to the building and not the person, she would favour delegating to permit the application with conditions and a S106 agreement.

Cllr Jackson noted that the building is tucked into clusters of buildings and only represented an increase of 20 cubic metres.

The Team Manager, Development Management, pointed out that the policy aims to protect the openness of the greenbelt. Openness is the absence of built form and this proposal would be visible from a number of vantage points.

Cllr Davis queried whether there was a need for a two-storey building. She felt that the principle of development was acceptable but that this proposal was too large.

The motion was put to the vote and it was RESOLVED by 5 votes in favour, 3 votes against and 2 abstentions to REFUSE the application for the reasons set out in the report.

Item No. 4

Application No. 20/04365/PIP

Site Location: 113 Wellsway, Keynsham, BS31 1HZ – Permission in Principle Planning Application for the erection of one dwelling.

The Case Officer reported on the application and her recommendation to permit. She explained that the scope of a permission in principle application is limited to location, land use and the amount of development. The detailed development proposals would be assessed at the technical details consent stage.

Officers then responded to questions as follows:

- The proposal was for the erection of one dwelling and it was confirmed that this could increase the value of the land.
- Adding an informative on any permission granted at this stage was not recommended.
- The detail and scale of the proposal would be considered at the second stage of the permission.
- The main access to the property is at the rear of the site.
- There would be one driveway serving the new property and the Highways Team would encourage the provision of on-plot turning facilities.

Cllr MacFie, local ward member, stated that Keynsham Town Council had expressed some concern regarding highway safety at the junction and he would not wish to see a vehicle reversing onto the busy road. He pointed out that the plot was on a hill and so any development would not obstruct the views of the property at the rear.

Cllr Hughes stated that he would prefer to see a detailed plan setting out a specific proposal for the site.

Cllr Davis felt that the committee should approve the application and address any concerns at the second stage when more detail would be submitted. She moved the officer recommendation to permit. This was seconded by Cllr Clarke.

The Team Manager, Development Management, explained that members could refuse the application if they felt that there were particular issues that would be impossible to resolve at the technical details consent stage.

Cllr Craig stated that it was difficult to consider the application without any details of the development, however, it was possible that the applicant could come forward at the second stage with an acceptable development.

Cllr MacFie stated that he would support the officer recommendation as, in principle,

the development is feasible.

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

Item No. 5

Application No. 20/03714/LBA

Site Location: 1 Cambridge Place, Widcombe Hill, Widcombe, Bath – External alterations to install secondary glazing to existing windows, 2 on front elevation, 2 to side elevation and 2 to rear elevation.

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

Cllr Rigby stated that the proposal offered a good solution which would enhance both the environmental and visual impact of the building. She moved the officer recommendation to grant listed building consent. This was seconded by Cllr Jackson.

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

(Note: At this point Cllr Sally Davis, Vice Chair, took the chair as Cllr Matt McCabe had declared an interest in the following application).

Item No. 6

Application No. 20/03255/FUL

Site Location: Erection of a 20m high monopole supporting 3 antennas and 2 0.3mm dishes above the top of the pole, the installation of 1 equipment cabinet on new base and the installation of ancillary equipment.

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

Three people spoke against the application.

The agent spoke in favour of the application.

The Case Officer then responded to questions as follows:

- The applicant has carried out the required consultation process, which included local schools. Alternative sites have also been considered as this is a requirement of the Placemaking Plan. However, sites that can provide the required coverage are limited.
- The applicant has provided the necessary ICNIRP Certificate of compliance and no further technical information is required.
- The installation of a new mast would provide an incentive for the existing temporary mast in Colliers Lane to be removed.
- Each application should be considered on its merits; however, the committee should be consistent in its decision making. Although, at its last meeting, the committee decided to refuse an application for the erection of a mast nearby, this is a different site and the monopole would be a different design and less

bulky than the previous application. The public benefits are considered to outweigh any harm as the mast will provide better connectivity and coverage.

- This mast must be taller than the existing one in Colliers Lane because it will provide for two operators and so would require more equipment.
- In the context of national policy this is the most suitable location for the mast and is not considered to be too intrusive. There is a balance to be struck between larger masts with more equipment or a greater number of smaller masts.
- The mast may be capable of being upgraded to 5G and there could be some permitted development rights depending on the amount of equipment required.

Cllr Rigby stated that this application was not the same as the one previously considered by the committee. The monopole would look and feel different as it would be less intrusive. It was also likely that the existing monopole in Colliers Lane would be removed if this application were permitted as this is a replacement activity. There is a need for improved connectivity. She then moved the officer recommendation to permit. This was seconded by Cllr Craig.

Cllr Hounsell supported this application as it would maintain services and enable greater equality of access to services, learning and employment. This was also important for small and medium businesses and for the rural economy. There are public benefits and no significant health risks. The mast would not be visually prominent as it has a slim design.

Cllr Jackson felt that the visual impact would not be too detrimental and supported the improvements the mast would bring.

Cllr Hughes expressed concerns about the height of the monopole.

Cllr Hodge queried whether the removal of the temporary mast in Colliers Lane could be added as a condition. She stated that, although this could benefit the community, there is no evidence that this particular community have requested better connectivity.

The Case Officer stated that adding a condition to require the removal of the existing mast was not considered to be necessary or appropriate in this case.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 2 votes against to PERMIT the application subject to the conditions set out in the report.

(Note: Having declared an interest in the above application Cllr Matt McCabe did not speak or vote on this item).

(Note: At this point Cllr Matt McCabe resumed the Chair).

Item No. 7

Application No. 20/00023/FUL

Site Location: Plumb Centre, Locksbrook Road, Newbridge, Bath – The demolition of the former Plumb Centre and Genesis Lifestyle Centre and the

erection of a 3 storey (plus mezzanine) mixed use building for 1180m2 of B1c Light Industrial, 290m2 of D2 Assembly and Leisure and 72 student ensuite rooms in cluster flat. (Resubmission).

The Case Officer reported on the application and his recommendation to delegate to permit. He explained that an appeal on this site has recently been allowed by the Planning Inspector. This provided a clear fallback position for the applicant which was a significant material consideration. The Case Officer recommended approval as he considered this application to be an improvement on the existing permission.

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

Cllr Mark Roper, local ward member, spoke against the application. He highlighted parking difficulties in the area stating that there would be a net loss of parking spaces. He pointed out that it would be very likely that some students would bring their own cars which would create additional pressure on the availability of parking in this area.

The Case Officer then responded to questions as follows:

- Even though the previous application had been considered to be contrary to policy CP10, the applicant has permission for a similar development due to the appeal decision. The changes made to the original application are positive. The landscaping scheme has been improved and the number of student beds has been reduced.
- The Highways Team has reviewed the parking requirements and is satisfied that there will not be a detrimental impact. No parking provision is required for purpose-built student accommodation.
- The materials will consist of metal cladding and the details will be controlled by condition with samples to be submitted in advance. There is some scope for negotiation to provide a lighter finish for the metal cladding if required. There will be 76 cycle spaces in line with the required standards.
- The proposal includes a flat roof which would be green with solar panels.

Cllr McCabe stated that he felt the policies are very clear that no student accommodation should be built on land designated for industrial use. He had not requested that the original application be considered by Committee because he had believed that it was a very clear case for refusal. He felt that the student accommodation does not enhance the industrial estate and was very surprised at the Inspector's decision.

Cllr Hughes queried whether there is a lack of student accommodation. He pointed out the impact of Covid-19 and Brexit which has led to uncertainty and stated that he would welcome information regarding growth plans for the universities and more data on which to base a decision. He felt that the situation has now changed, and industrial buildings are needed rather than student accommodation.

Cllr Rigby stated that this application was contrary to policy and was frustrated by the appeal decision. She also felt that more data was required regarding the need for purpose-built student accommodation.

Cllr Davis then moved the officer recommendation to delegate to permit. This was seconded by Cllr Clarke.

Prior to the vote a number of members stated that they would actively abstain from voting as they were very unhappy with the current position resulting from the recent appeal decision.

The motion was put to the vote and there were 2 votes in favour, 2 votes against and 6 abstentions. The Chair then used his casting vote in favour of the motion, and it was RESOLVED to DELEGATE TO PERMIT the application subject to a s106 agreement and the conditions set out in the report.

83 POLICY DEVELOPMENT

There were no policy development items.

84 QUARTERLY PERFORMANCE REPORT - OCTOBER TO DECEMBER 2020

The Committee noted the quarterly performance report from October to December 2020.

Cllr Hounsell thanked officers for providing a more detailed breakdown of enforcement cases.

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

The Committee noted the appeals report.

The meeting ended at 4.32 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services