

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 8th June, 2011

Present:- Councillor Gerry Curran in the Chair
Councillors Neil Butters, Liz Hardman, Eleanor Jackson, Les Kew, David Martin,
Doug Nicol, Manda Rigby (In place of Lisa Brett), David Veale and Brian Webber

Also in attendance: Councillor Lisa Brett

1 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

2 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received from Councillor Lisa Brett whose Substitute was Councillor Manda Rigby

4 DECLARATIONS OF INTEREST

There were no declarations of interest

5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of Urgent Business

6 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

The Senior Democratic Services Officer reported that there were various members of the public etc who had given notice to make statements on planning applications and that they would be able to do so when reaching those Items in Report 10.

The Committee noted.

7 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were no items from Councillors

8 MINUTES: WEDNESDAY, 18TH MAY 2011

The Minutes of the previous meeting held on 18th May 2011 were approved as a correct record and signed by the Chair

9 MAJOR DEVELOPMENTS

The Development Manager updated Members on the Norton Radstock Regeneration development. After hearing a response by the Officer to a Member's query concerning Reserved Matters for the various sites, the Committee noted the update.

10 PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- The report of the Development Manager on various planning applications
- An Update Report by the Development Manager on Item 1, a copy of which is attached as *Appendix 1* to these Minutes
- An amended version of Annex 2 to the Update Report on Item 1, a copy of which is attached as *Appendix 1A* to these Minutes
- Oral statements by members of the public etc on Item Nos. 1 – 3, the Speakers List being attached as *Appendix 2* to these Minutes

RESOLVED that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached as *Appendix 3* to these Minutes

Item 1 Stowey Quarry, Stowey Road, Stowey – Restoration of Stowey Quarry by landfilling of Stable Non-Reactive Hazardous Waste (SNRHW) and inert wastes – The Council's Consultant reported on this application and the recommendation, namely, upon receipt of confirmation from the Council's Ecology Officer that no significant effects were likely on the Chew Valley Lake Special Protection Area, authorise the Development Manager to Permit subject to numerous conditions. Reference was made to the Update Report which contained responses to further information received from the applicants. She recommended that amendments be made to various conditions. The public speakers then made their statements against and in favour of the proposals.

Members asked questions about the proposals to which Officers responded. The Chair then opened up the matter for debate. Councillor Les Kew considered that insufficient information had been provided. There were various issues that still needed consideration such as leaching, agricultural land sited below, dangers of asbestos, water diversion previously causing landslip etc. The Water Authority still objected. Assurances were required that there would be no danger caused by the proposals. He therefore moved that the Committee defer consideration for further information from the applicants. This was seconded by Councillor Neil Butters.

Members debated the motion and asked further questions to which Officers responded. Various Members commented on the proposals and generally supported the motion. It was queried whether earlier permissions could be revoked and whether a Bond could be provided by the applicants in respect of restoring the site at the end of the process. Officers responded and considered that these points could be explored with the applicants with the possibility that a S106 Agreement could be

used to secure these matters. It was also requested that Bristol Water Authority be requested to provide an updated report on the application.

The motion was then put to the vote and was carried unanimously.

Item 2 Tennis Court Farm, Wells Road, Hallatrow – Erection of a pair of semi-detached dwellings following demolition of an agricultural barn together with the provision of off-street car parking for Nos. 2 – 5 (inclusive) Bloomfield –

The Case Officer reported on this application and her recommendation to Refuse permission. The public speakers then made their statements against and in favour of the application.

Councillor Les Kew opened the debate and considered that there were various aspects such as the on-street parking for the adjoining houses and road safety that could only be considered properly by having a site visit. He therefore moved that consideration be deferred for a site visit by the Committee. This was seconded by Councillor Eleanor Jackson. This motion was immediately put to the vote and was Lost (voting being 3 in favour and 4 against with 3 abstentions).

Members continued to discuss the application. Advice was provided by the Senior Highways Development Control Officer regarding parking provision and traffic calming on the main road fronting the adjoining houses. Councillor Neil Butters then moved the Officer recommendation to Refuse permission which was seconded by Councillor Doug Nicol.

Members debated the motion. There was discussion relating to the housing development boundary and special reasons being required to overturn this designation. It was also queried whether the use of the proposed dwellings for workers on the farm could be a reason to give permission. The Development Manager commented that the housing development boundary was an area designated in the Local Plan where residential development would be acceptable in principle and strong reasons would be required to allow residential development to take place outside of the boundary. It was not appropriate in this instance to consider the dwellings being required for agricultural workers on the farm because no agricultural case had been put forward by the applicants. Members continued to discuss the matter after which the motion to Refuse was put to the vote. Voting: 8 in favour and 1 against with 1 abstention. Motion carried.

Item 3 No 20 Walden Road, Keynsham – Erection of a single-storey front extension (Resubmission) – The Case Officer reported on this application and her recommendation to Permit with conditions. The public speaker then made his statement against the proposal.

Councillor Brian Webber opened the debate. He pointed out that all the properties in the street were built in the same style and appeared to be identical. This proposed extension in this location and of this design would therefore be out of character with the dwelling and the street scene. The Town Council and many local residents had objected to the development. He considered that the recommendation should be overturned and therefore moved that permission be refused for the reasons outlined. The motion was seconded by Councillor Les Kew.

Members debated the motion. It was considered that the proposal would remove a section of the front garden and destroy the uniformity of the street. It would also set a precedent for similar proposals for development. A lot of objections had been received.

The motion was then put to the vote. Voting: 9 in favour and 0 against with 1 abstention. Motion carried.

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

The Committee noted the report

The meeting ended at 3.30 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services