

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 10th March, 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

86 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

87 DECLARATIONS OF INTEREST

The following declarations were made:

- Cllr Davis stated that, with regard to application nos. 20/00914/FUL and 20/00806/LBA - Keynsham Conservative Club, 22 High Street, Keynsham - the Keynsham Conservative Club was not the same as the Conservative Party and, although she and Cllr Clarke are members of the Conservative Party, they are not members of the Keynsham Conservative Club.
- Cllr Craig stated that she would speak as Ward Councillor, in favour of application nos. 20/04801/LBA and 20/04802/AR – Friends Meeting House, York Street Bath. Cllr Craig stated that she would not take part in the debate or vote on these applications.

88 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

89 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.

90 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 10 February 2021 were confirmed and agreed as a correct record.

91 **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 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 Nos. 1 & 2

Application Nos. 20/00914/FUL and 20/00806/LBA

Site Location: Keynsham Conservative Club, 22 High Street, Keynsham – Installation of replacement windows on front elevation (Retrospective). External alterations for the installation of replacement windows (Regularisation)

The Case Officer reported on the applications and her recommendation to grant planning permission and listed building consent.

The Secretary of the Conservative Club spoke in favour of the applications.

In response to a question the Case Officer confirmed that the replacement sash windows would be of a slimline design.

Cllr Clarke, local ward member, stated that he was not aware of any objections to this application and felt that the replacement windows would benefit both this building and the surrounding listed buildings. He moved the officer recommendation to grant planning permission which was seconded by Cllr MacFie. He also moved the officer recommendation to grant listed building consent which was seconded by Cllr Jackson.

Cllr Jackson stated that this was an excellent solution which would improve the Conservation Area and the high street.

The motions were put to the vote and it was **RESOLVED** unanimously to **PERMIT** the planning application and to **GRANT** listed building consent.

Item No. 3

Application No. 20/04939/FUL

Site Location: 30A Lyncombe Hill, Lyncombe, Bath, BA2 4PQ – Erection of mansard roof with living accommodation following demolition of side extension to the house

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

The applicant spoke in favour of the application.

The Case Officer then responded to questions as follows:

- Abbey Lodge has a courtyard in front of 30A Lyncombe Hill which is used as a parking area. There is also Zone 3 residents' permit parking on Lyncombe Hill. Cycle storage would be provided, and the site is in a sustainable location within walking distance of the city centre, bus station and railway station. The Highways Officer confirmed that his team had raised no objections to the proposal.
- 30A Lyncombe Hill is an independent dwelling and not part of Abbey Lodge.
- If members were minded to permit the application then a condition could be included to ensure the construction of a bicycle and bin store.
- The only way the applicants can obtain the required amount of accommodation is by means of a mansard roof or other roof alteration, however, this needs to be balanced against the resulting harm and in this instance is not considered acceptable.
- The proposed windows would be made of aluminium and there are a variety of dormer window styles in Oxford Terrace. If required a condition could be included requiring the windows to be constructed of wood rather than aluminium.
- The Team Manager, Planning and Enforcement, explained that the application before the Committee was for full planning permission. For this reason, the Committee could not decide to grant outline planning permission.

Cllr MacFie felt that the current building was poor and should be replaced. The key issue was the visibility of the windows. He felt that the proposal would improve the view.

Cllrs Rigby and Davis noted that members had raised queries regarding a number of details and felt that it would be helpful to defer consideration of the application to enable officers to provide further information.

Cllr Rigby then moved that consideration of the application be deferred pending a site visit to enable any potential conditions to be fully considered. This was seconded by Cllr Jackson who felt that this would help members to ascertain the impact of the mansard roof and how the buildings were spatially connected.

Cllr Hodge queried the need for a site visit and pointed out that the three key issues that needed to be addressed by condition were:

- Roofing materials.
- Window materials – requesting wood rather than aluminium.
- The construction of a bicycle and bin store.

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 2 votes against and 1 abstention to DEFER consideration of the application pending a SITE VISIT.

Item Nos. 4 & 5

Application Nos. 20/04801/LBA and 20/04802/AR

Site Location: Friends Meeting House, York Street, Bath – External alterations for the installation of 4 hand painted timber signs fixed onto side and front elevations and 1 hand painted sign applied over existing painted signage to portico. Installation of 4 hand painted timber signs fixed onto side and front elevations and 1 hand painted sign applied over existing painted signage portico.

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

The applicants spoke in favour of the application.

Cllr Sue Craig, local ward member, spoke in favour of the application. She noted that the Committee should assess potential harm to the World Heritage Site and weigh this against the public benefits of the proposal. The building has only been used for occasional events over the last few years. There are plans to develop this part of the city to enable a more vibrant café culture. She welcomed the move of the Toppings bookstore to this part of Bath. She noted that the applicants were investing in the building and felt that the proposed signage was necessary, tasteful and acceptable in size and mass. Traditional materials would be used and there is an eclectic mix of signs in the area.

(Note: Having spoken in favour of the application as local ward member, Cllr Craig took no further part in the debate and did not vote).

The Case Officer then responded to questions as follows:

- The date of construction is visible on the building above the frieze and is part of the fabric of the building.
- The proposal is to paint over the ghost signage. The Case Officer would have preferred another option, such as placing new signage over the top of the existing signage rather than removing it completely.
- The lift at the entrance to the building would be retained.
- If required a condition could be included regarding the specific colour palette to be used on the signage.

Cllr Hounsell welcomed the relocation of Toppings to York Street and he felt that this was a good use of the building. There was a balance to be struck between heritage and a live building. The Friends Meeting House is no longer used for its original purpose and it is important to be clear as to its use. He felt that the proposal was tasteful and appropriate and that suitable conditions could be imposed as necessary. He then moved that the committee delegate to permit the application. This was seconded by Cllr MacFie.

Cllr Rigby was disappointed that this application was being considered by the Committee. She felt that there should have been further negotiation to reach an agreement regarding the signage. She acknowledged the fact that a commercial entity must promote themselves but felt that ghost signs were very important.

Cllr Jackson stated that she supported the officer recommendation as this is a

landmark building within the city of Bath with a long and interesting history.

Cllr Hughes welcomed the proposed use of the building but felt that the fabric of the building should not be damaged.

Cllr Clarke admired the venture but was disappointed that the applicants had not reached a mutual agreement with officers regarding appropriate signage. He felt that the proposed signage was unsuitable in this location and stressed the importance of protecting heritage buildings within the city of Bath.

Cllr Hodge was very positive about the move of Toppings to its new accommodation. However, she felt that the applicants should come back with a new proposal and felt that the ghost sign should be preserved.

Cllr Davis felt that the proposed signage was not currently acceptable and hoped that a solution could be found through further discussion.

Cllr McCabe was concerned at the proposal to paint over the existing sign.

The Team Manager, Planning and Enforcement, explained that the current signage was actually painted in the early 1980's and not what would conventionally be considered "Ghost Signage". However, whilst the current signage was not an original historic sign, there was evidence that there had been similar signage in the past and it has been repainted a number of times over the years so should be considered in the context of the historic sign as part of the narrative of the building. Harm to the building would be less than substantial but would still be significant.

Cllr Hounsell stated that, having listened to the debate, he would withdraw his motion to delegate to permit the application as this was very unlikely to be agreed. The seconder, Cllr MacFie, consented to this withdrawal.

Cllr Jackson then moved the officer recommendations to refuse. The proposal to refuse advertisement consent was seconded by Cllr Rigby and the proposal to refuse listed building consent was seconded by Cllr Clarke.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 2 votes against to REFUSE advertisement consent and by 7 votes in favour, 1 vote against and 1 abstention to REFUSE listed building consent.

Item No. 6

Application No. 20/04390/FUL

Site Location: Crewcroft Barn, Hinton Hill, Hinton Charterhouse, Bath – Conversion of stone barn and replacement of existing timber clad extension at Crewcroft Barn to provide a (straw bale) Passivhaus standard dwelling (Resubmission).

The Chair explained that this application had been withdrawn from the agenda and would be deferred until the next meeting.

Item No. 7

Application No. 20/04720/FUL

Site Location: 143 Calton Road, Lyncombe, Bath, BA2 4PP – Erection of 2 townhouses following demolition of existing 1 bed apartment.

The Case Officer reported on the application and her recommendation to permit. She informed the Committee that further comments had been received since the publication of the agenda objecting to the proposal and raising concerns about overshadowing.

A local resident spoke against the application.

The agent spoke in favour of the application.

Cllr Alison Born, local ward member, spoke against the application. She pointed out that 30 local residents have objected to the application and no-one has supported it. She felt that the application represents over-development of the site and would limit the amenity of a number of neighbouring properties. She raised concerns regarding disruption during the period of development, overlooking and overshadowing of properties on St Mark's Road and the dominant nature of the new houses. There would be no parking for the occupants of the new dwellings and no external space.

Officers then responded to questions as follows:

- The extant permission, which was granted in 2017, is for an identical scheme and therefore constitutes a material planning consideration. This application seeks to effectively extend the life of the existing permission.
- The extant permission is a very significant material consideration. There has been no change in policy or circumstances since it was granted.
- If the Committee voted to refuse planning permission then this would be very difficult to defend if there were an appeal and the Council would be at risk of having costs awarded against it. The applicant could still begin work under the existing permission which is extant until 1 May 2021.
- Whilst the Council's declaration of a climate emergency is a material consideration, the planning policies remain the same. There is currently no specific planning policy relating to the climate emergency.
- To depart from the original decision, members would have to identify a material change in policy or circumstance which would be defensible at appeal.
- The rear gardens would consist of a timber decked area similar to the existing garden.
- There is a pavement on the other side of the road from the property. There is also a small recess which would provide an external porch area.
- The Highways Officer confirmed that Highways have not raised any objections to the application. The development would be for new-build dwellings in an existing parking zone and occupants would not be eligible to apply for a residents' permit in Zone 3. The residents would have to park outside of the residents' permit zone.
- The planning permission was originally due to expire in October 2020, however, due to the Covid-19 pandemic, the Government passed legislation which extended the permission until May 2021.

Cllr Hughes felt that this should be considered as a completely new application as the make-up of the Planning Committee is now very different to the one that made the previous decision.

Cllr MacFie felt that this was a frustrating position for the Committee as the majority of current members had not been involved in the original decision. However, he acknowledged that there were not sufficient reasons to make a strong case for refusal.

Cllr Hodge felt that the climate emergency declaration amounted to a change of circumstances and felt that this Committee should be free to express its view on the application. She was concerned at the lack of green space.

Cllr Jackson then moved the officer recommendation to permit. She felt that the proposal would be an improvement on the existing building and would improve the Conservation Area. This was seconded by Cllr MacFie.

Cllr Rigby stated that this was a very difficult situation and that she would not have supported the original application. However, she noted that the Council, as an organisation, must be consistent in its decision making. As she wished to avoid any cost to the Council, she stated that she would actively abstain from the vote.

Cllr Hughes stated that he would have preferred a site visit as he felt that the design was overbearing and would have a detrimental effect on the properties below.

Cllr Hounsell stated that the proposed development would be an improvement on the existing building and felt that the Committee did not have strong enough reasons to refuse permission.

The motion was put to the vote and it was RESOLVED by 4 votes in favour, 2 votes against and 3 abstentions to PERMIT the application.

(Note: Cllr Clarke did not vote on this application as he lost connection and missed part of the debate).

92 **POLICY DEVELOPMENT**

There were no policy development items.

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

The Committee considered the appeals report. The Team Manager, Planning and Enforcement, agreed to send details of the appeal decision for 231 Wellsway, Bath, to committee members.

RESOLVED to NOTE the report.

The meeting ended at 3.07 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services