

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 17th November, 2021, 11.00 am

Councillors: Sue Craig (Chair), Sally Davis (Vice-Chair), Shelley Bromley, Vic Clarke, Paul Crossley, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson and Hal MacFie

66 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

67 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence.

68 DECLARATIONS OF INTEREST

Cllr Jackson stated that she is a member of the Radstock Co-operative Society. However, this has no connection with the Scala co-operative store and so there is no conflict of interest.

69 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

70 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.

71 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 20 October 2021 were confirmed and signed as a correct record.

72 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 2 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. 20/02479/OUT

Site Location: Parcel 1991, Bath Road, Keynsham – Outline application for up to 5,700sqm (GEA) of flexible use commercial development falling within Use Classes B1(b), B1(c), B2, and B8 with primary access onto Bath Road. All matters reserved except access.

The Case Officer reported on the application and his recommendation to delegate to permit. He informed members that on page 44 of the report the reference to the "Somerdale" site should be disregarded as this was an error. He also advised that a further condition was required because of a recent update to the Use Classes Order to ensure that the agreed uses do not include the wider use classes permitted under the new Class E.

Two local residents spoke against the application.

The agent spoke in favour of the application.

Cllr Andy Wait, local ward member, spoke against the application. He expressed concern about the likely increase in traffic, the type of industrial activity that could move onto the site and the increase in carbon emissions which would be contrary to the Council's green agenda.

Officers then responded to questions as follows:

- Policy KE3a states that primary access to the employment land should be from Pixash Lane. It does not specify that there should be no access onto the A4 or that Pixash Lane should be the sole access point and so in the officer's view the application does not conflict with this policy. The applicant has explored other access arrangements but there are issues with third party land ownership and other solutions were found to be undeliverable. There are no highway safety concerns.
- No comments have been received from the Highways Authority about the Metro-Bus scheme and officers do not believe that the proposals would prejudice the scheme.
- The proposed s106 contribution makes up part of a package of contributions from developers of this site. It will provide funding for the improvement of the shared walkway/cycleway, upgraded pedestrian refuges and road upgrades.
- Vehicle restrictions will be in place to permit all operations, deliveries and despatches from the site only between 7am to 7pm Monday to Saturday and 9am to 5pm on Sundays and Bank Holidays. There is no restriction on the type of business within the use classes specified. Businesses are subject to environmental protection regulations relating to noise restrictions. The

proposed landscaping buffer will also provide an opportunity for some acoustic screening.

- The site is already allocated as an employment site for the use classes listed. Therefore, the amount of traffic that would be generated has already been taken into account following strategic assessments.
- The average wait time calculated for an HGV turning right onto the A4 (83 seconds) is felt to be appropriate.
- The £14k contribution for public transport is calculated based on the size and type of development.
- As part of the highways assessment a growth factor has been added to the survey results.
- The part of the buffer zone next to no. 279 Bath Road would be at least 10m.
- The masterplan submitted is policy compliant and does not require approval by other parties such as Town and Parish Councils.
- If there were an exit via Worlds End Lane, then HGVs would not have to pass any residential properties.
- The layout of the site will form part of the reserved matters application.

Cllr MacFie, local ward member on the committee, stated that the best solution would be for HGVs to access and exit the site via Worlds End Lane so that they would not drive past any residential properties. He felt that the proposal would create a large number of vehicle movements and to open up an access onto the A4 makes no sense. He also expressed concern about the B2 use class status because the site is so close to residential properties which could have a detrimental impact on residential amenity. He felt that it would be helpful for members to view the location and moved that consideration of the application be deferred pending a site visit.

Cllr Hounsell seconded the motion. He explained that the A4 is narrower at this junction and felt that it would be helpful for members to view the site to consider any highway safety issues that would be caused by vehicles turning, and by the creation of a third lane on the A4.

The motion was put to the vote and it was RESOLVED by 7 votes in favour and 3 votes against to DEFER consideration of the application pending a SITE VISIT.

Item No. 2

Application No. 21/04049/FUL

Site Location: The Scala, Shaftesbury Road, Oldfield Park, Bath – Redevelopment of The Scala site including the demolition of existing extensions and new extensions to improve retail store at ground floor level, provide a new community space and student accommodation (16 bed spaces) at first floor levels. Erection of student accommodation including 72 student bedrooms and associated ancillary space. Erection of a residential block (C3) including 9 apartments. Parking for cars and cycles and associated landscaping (Resubmission)

The Case Officer reported on the application and the recommendation to delegate to permit. He explained that this is a resubmission of an application that the committee had previously refused. The proposal is now one storey lower following concerns raised regarding bulk and massing.

The agent spoke in favour of the application.

The Case Officer then responded to questions as follows:

- The residential accommodation has been reduced from 16 to 9 units. The courtyard building has been reduced by one storey and the student accommodation has been reduced from 92 to 88 units.
- There is still a deficit of purpose-built student accommodation (PBSA) at the end of the plan period. New PBSA will reduce the need for private lettings and HMO properties in the city. The current policy seeks to prevent student accommodation in enterprise zones or the central area. There is no requirement for the applicant to prove there is a need for this type of accommodation.
- Policy CP10 requires a mix of accommodation but does not specify what this mix will be. This is an area of the city which has a high number of HMO properties, but the new development will add to this mix.
- There are no existing trees on this site and the landscaping detail will form part of the conditions.
- A sunlight assessment was submitted with the previous application and only minor impacts were identified.
- There would be a contribution towards the enhancement of public open space.

Cllr Bromley stated that the proposal is an improvement on the current 1960s building, will offer greater access and provide additional community space. She was disappointed that seven apartments had been lost but felt that overall, this will be an enhancement.

Cllr Hughes also felt that this is an improvement on the previous scheme. However, he felt that the housing mix is wrong as there are already many students and HMO properties in this area. He stated that the student block does not enhance the area.

Cllr Crossley stated that the applicant has listened to the concerns previously expressed by the committee and has made improvements. The proposal provides a good mix of accommodation, although more residential units would have been preferable. He noted the positive comments made by the Bath Preservation Trust.

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

Cllr Hodge felt that key worker and family accommodation is needed in this area rather than additional student accommodation. This is an important site, and the right development should be sought.

Cllr Jackson stated that the site will be improved but that the committee should aspire to the best development for the area. She would prefer to see key worker accommodation or affordable housing. However, she did not feel that there were policy reasons to refuse the application.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2

votes against to DELEGATE TO PERMIT the application subject to conditions and the completion of a s106 agreement.

Item N. 3

Application No. 21/02929/FUL

Site Location: 2 Molly Close, Temple Cloud, BS39 5AE – Erection of rear extension with flat roof dormer built into the roof space (retrospective)

The Case Officer reported on the application and his recommendation to delegate to permit. He explained that updated plans have now been submitted which address the concerns raised by the objector relating to overlooking.

The Case Officer then responded to questions as follows:

- The window which has raised concerns regarding overlooking has now been removed and the remaining window shown on the updated plans has been reduced in size.
- The use of rooms can change but the window shown on the current bathroom must still consist of obscured glass which will prevent overlooking.
- If updated plans are received it is at the officer's discretion as to whether these are re-advertised for consultation. As the updated plans, in this case, address the concerns of the objector then it was considered to be unnecessary to re-advertise and there is no requirement to do so.
- The plans showing the parking arrangements are indicative only. Three parking spaces would be required for a five bedroomed property.

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

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

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

The Committee considered the appeals report.

The Deputy Head of Planning agreed to provide committee members with further information regarding the following matters:

- Details of whether any costs were awarded against the Council in relation to the three appeals that were allowed.
- Further information as to why the Planning Inspector over-ruled the committee decision to refuse the Wansdyke Business Centre application.
- An update regarding the potential appeal in respect of the Mineral Hospital application.

RESOLVED to NOTE the report.

The meeting ended at 2.25 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services