

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 7th June, 2023, 11.00 am

Councillors: Duncan Hounsell (Chair), Ian Halsall (Vice-Chair), Lucy Hodge, Hal MacFie, Toby Simon, Shaun Hughes, Tim Warren CBE, Paul Crossley and Ruth Malloy

1 ELECTION OF CHAIR

Cllr Ian Halsall proposed that Cllr Duncan Hounsell be elected Chair. This was seconded by Cllr Hal MacFie and on being put to the vote it was CARRIED (9 in favour 0 against – unanimous)

RESOLVED that Cllr Duncan Hounsell be elected Chair of the Planning Committee.

2 ELECTION OF VICE CHAIR

Cllr Duncan Hounsell proposed that Cllr Ian Halsall be elected Vice-Chair. This was seconded by Cllr Hal MacFie and on being put to the vote it was CARRIED (9 in favour 0 against – unanimous)

RESOLVED that Cllr Ian Halsall be elected Vice-Chair of the Planning Committee.

3 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

4 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Cllr Paul Crossley and Cllr Ruth Malloy were in attendance. Apologies for absence were received from Cllr Eleanor Jackson.

5 DECLARATIONS OF INTEREST

There were no declarations of interest.

6 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

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

The Democratic Services Officer outlined the procedure for public speakers addressing the committee.

8 MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting held on Wednesday 26 April 2023 be confirmed as a correct record for signing by the Chair.

9 **SITE VISIT LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE**

There were no site visit applications for consideration.

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

The Committee considered:

A report and update report by the Head of Planning on various planning applications under the main applications list.

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 Main decisions list attached as Appendix 2 to these minutes.

(1) 22/02622/FUL 2 Fairfield Terrace, Peasedown St John, Bath

The Case Officer introduced her report which considered an application for the erection of a new separate two storey dwelling including formation of new vehicular access and double car parking area for existing house and a new pedestrian access for new dwelling.

She confirmed her recommendation that permission be granted subject to the conditions set out in the report.

The following public representations were received:

1. Cllr Conor Ogilvie-Davidson, Peasedown Parish Council objecting to the application.
2. Kevin Matthews, local resident, objecting to the application.
3. Will Drewett, agent, speaking in support of the application.

Cllrs Gavin Heathcote and Karen Walker were unable to attend the meeting as local ward Councillors and a statement was read on their behalf which raised safety concerns about the proposed new pedestrian and vehicular accesses as well as concerns that the development was not in keeping with the character of the area and would change the street scene.

It was In response to Members' questions, it was confirmed:

1. The report did summarise all the objections raised, although there was an error in relation to the number reported as received in the report.
2. The use of the existing access had been explored but there were highway safety concerns due to the access being restricted and the new access

was the preferred option. It was the view of highway officers that visibility would not be obscured.

3. At the time the application was submitted there were no double yellow lines, but these were now in place.
4. The siting of the proposed development was considered acceptable, it was located near other built form such as garages.
5. Officers were confident that the addition of solar panels would meet the net zero target, but the exact figure would be confirmed once details were received (as required by condition).
6. There was no traffic data as this was a relatively small application for one dwelling.
7. Only part of the hedge would be removed for the new pedestrian access, the rest would be retained.

Cllr Ian Halsall expressed the view that the principle of development was acceptable, the impact on highways negligible and that his only concerns were the design of the rear and the siting of the development.

Cllr Tim Warren stated that the application was in accordance with Council policy, and he proposed the officers' recommendation that permission be granted subject to the conditions set out in the report. This was seconded by Cllr Toby Simon.

Cllr Shaun Hughes expressed concern that the application would set a precedent for additional houses that would be difficult to accommodate. The Legal Officer advised that, in general terms, although granting planning permission could set a precedent, this was dependent on the circumstances and each application had to be judged on its merits.

Cllr Lucy Hodge stated that she would be minded to support a site visit.

On being put to the vote the motion was CARRIED (5 in favour, 4 against)

RESOLVED that planning permission be granted subject to the conditions set out in the report.

(2) 23/00419/LBA 1 Cambridge Place, Widcombe Hill, Widcombe

The Case Officer introduced her report which considered the application for external alterations to a grade 2 listed building to include the installation of 6 photovoltaic (PV) solar panels on the roof.

She confirmed her recommendation that the application be refused for the reasons set out in the report.

Cllr Deborah Collins was in attendance as local ward member and raised the following issues:

1. The owners were committed to reducing their carbon footprint within the constraints of the grade 2 listing of their home.
2. The application was in accordance with the Council's climate emergency strategy.
3. Historic England guidance advocated that planning authorities needed to

balance the harm of a PV scheme against the sustainability benefits of a proposal.

4. There was limited visibility of the roof, and this was further restricted by parapets.

She urged the Committee to permit the application subject to a condition requiring a supportive structural engineering report.

It was In response to Members' questions, it was confirmed:

1. There was no information on the design of the panels and the thickness in relation to the roof or of the applicant exploring other options in relation to siting.
2. It would not be possible to grant permission subject to a structural engineering report as the details of the report would need to be considered. Officers were recommending refusal for reasons other than the potential impact on the structure of the roof.
3. In relation to a recent appeal where considerable weight was given to renewable energy in view of the public benefit, this application was much smaller, and officers considered public benefit to be moderate in this case.
4. It was difficult for officers to judge if they would have recommended granting permission if the information about the technical aspects and design been submitted as this information would need to be evaluated.
5. In terms of whether permitting the development would set a precedent, each case needed to be determined on its merits.

Cllr Ian Halsall stated that it was a difficult balance between maintaining the character of a listed building and meeting the challenges of the climate emergency and he considered the harm to the listed building to be less than substantial in view of the limited visibility and outweighed by the public benefit. He proposed that the application be permitted subject to the specification and design details of the panels being submitted and approved. Cllr Paul Crossley concurred with this view and seconded the motion.

Cllr Lucy Hodge stated that although she was supportive of climate emergency arguments she was concerned about the quality of the detail in relation to the application and would prefer a decision to be deferred pending further detail. In response to questioning, the Deputy Head of Planning confirmed that a deferral would be acceptable, but it was important that a timescale be set out for the submission of further details.

Cllr Ruth Malloy referred to the Bath Preservation Trust comments requesting further details about the design of the panels and that she supported a deferral to enable this information to be submitted before determining the application.

On voting for the motion to grant permission subject to the specification and design details of the panels being submitted and approved it was NOT CARRIED (3 in favour and 6 against).

Cllr Lucy Hodge proposed that the application be deferred. On seconding the motion, Cllr Toby Simon recommended that the application be brought back to the 26 July meeting unless the applicant submitted an alternative timescale.

On being put to the vote the motion was CARRIED (9 in favour, 0 against - unanimous).

RESOLVED

- (1) that the application be deferred pending the submission of a structural engineering report and further details about the specification and design details of the photovoltaic solar panels.
- (2) That the application be brought back to the 26 July meeting unless the applicant submits an alternative timescale.

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

In response to questioning about the Frome House applications, the Deputy Head of Planning confirmed that as there were two applications for the same site the applicants could implement either scheme. She undertook to bring back a report with further details on the costs with analysis from officers.

RESOLVED that the report be noted.

The meeting ended at 12.45 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services