

PLANNING COMMITTEE

Minutes of the Meeting held

Wednesday, 13th March, 2024, 11.00 am

Councillors: Duncan Hounsell (Chair), Ian Halsall (Vice-Chair), Paul Crossley, Fiona Gourley, Lucy Hodge, Hal MacFie, Toby Simon, Shaun Hughes, Dr Eleanor Jackson and Tim Warren CBE

94 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

95 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions.

96 DECLARATIONS OF INTEREST

There were no declarations of interest.

97 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

98 ITEMS FROM THE PUBLIC

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.

99 MINUTES OF THE PREVIOUS MEETING

It was moved by Cllr Eleanor Jackson seconded by Cllr Toby Simon and:

RESOLVED that the minutes of the meeting held on Wednesday 14 February 2024 be confirmed as a correct record for signing by the Chair.

100 SITE VISIT 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 the applications under the site visit applications list.

RESOLVED that in accordance with the delegated powers, the applications be

determined as set out in the site visit decisions list attached as Appendix 2 to these minutes.

(1) 22/05081/FUL – 53 Rockliffe Road, Bathwick, Bath

The Planning Case Officer introduced the report which considered an application for the erection of a three-bedroom dwelling with associated landscaping and car parking. She reported that an update report had been circulated in relation to third party comments to delete references to the site being brownfield land and clarifying that officers had not attached substantial weight to the fact that part of the land could be considered brownfield. She gave a verbal update to confirm that the sentence “The dwelling itself has been re-orientated by 90 degrees in comparison to the *refused* scheme” should read “*withdrawn* scheme”.

She confirmed the officers’ recommendation that permission be granted subject to the conditions set out in the report and a Section 106 agreement to secure a financial contribution for off-site trees of £10,681.

The following public representations were received:

1. Andy Harrison objecting to the application.
2. Will Collins, agent, supporting the application.

Cllr Manda Rigby, speaking as local ward member, thanked the Committee for visiting the site and raised the following points:

1. The width of the proposed development was equal to the width of 3 nearby properties, and it was almost as high as it was built up on plinths due to its location in a flood zone.
2. The orientation was counter to all neighbouring properties.
3. The proposed development would not enhance or conserve the conservation area, it would have a detrimental impact on the residential amenity of neighbouring properties due to overlooking, it constituted over development and there would be a loss of local biodiversity.

She urged the Committee to reject the application.

In response to Members’ questions, it was confirmed:

1. It was not known how the proposed development differed in size to the applicants’ existing property but the fact that the applicants were looking to downsize was not a planning consideration.
2. The proposed development would need be built up on plinths to a certain height to comply with flood amelioration measures. This was a safety requirement for all new properties built in a flood zone.
3. The proposed roof would be flat.
4. It was the view of officers that louvres would help mitigate the impact of overlooking.
5. The fact that trees had not been replanted on site in accordance with a previous condition was not a consideration. Enforcement action had not been pursued as the development had not been completed. The current application accommodated as much tree planting on site as space allowed along with the contribution towards off site tree planting.
6. No specific site had yet been identified for the offsite contribution towards tree planting as this would be confirmed at a later stage but there was a

- preference for the trees to be located close to the site.
7. As to whether there was a conflict between good modern innovative design and responding to the local context in the case of this application, it was the view of officers that there was not a conflict, it was a contemporary design, and the height and materials also reflected the locality and therefore did respond to the local context.
 8. The application site had planning permission as a residential garden, but it was also a backland site in a built-up area of Bath and had been assessed as such.

Cllr Toby Simon opened the debate as local ward member. He apologised for not being able to attend the site visit due to another Council commitment but confirmed he was aware of the site. He stated that he was inclined to support the application.

Cllr Shaun Hughes expressed concern about the proposed development as he considered it to be an overdevelopment of the site resulting in a loss of residential amenity and also that the design was not appropriate to the context of a conservation area.

Cllr Eleanor Jackson agreed with these concerns and raised a further concern that there was insufficient green infrastructure and moved that the application be refused. This was seconded by Cllr Lucy Hodge who expressed concern that the application was not policy compliant and would have a significant impact on residential amenity.

Cllr Ian Halsall stated that the contemporary design would fit well into the context, and he did not consider the proposed development to be harmful.

Cllr Tim Warren stated that although he did not have a concern about the principle of development, he was concerned about the height of the proposed development and was unable to support the application.

On being put to the vote the motion was CARRIED (6 in favour, 4 against)

RESOLVED that the application be refused for the following reasons:

1. The proposed development due to its height, scale, massing and footprint would have an adverse impact on the character of the locality and cause some harm to the conservation area.
2. The proposed development would result in unacceptable levels of overbearing and overlooking would have a detrimental impact on neighbouring properties.
3. The proposed development did not maximise opportunities for the provision of green infrastructure within the site.

(2) 23/00537/FUL – 14 Woodland Grove, Claverton Down, Bath

The Planning Case Officer introduced the report which considered an application for the erection of a first-floor extension over an existing single-storey accommodation with ground floor entrance lobby. She confirmed the officer's recommendation that the application be permitted subject to the conditions set out in the report.

The following public representations were received:

1. Ralph Nunn objecting to the application.
2. Tom Rocke, co-applicant supporting the application.

Cllr Manda Rigby addressed the Committee as local ward member. She thanked the Committee for visiting the site and reiterated her concerns expressed at the previous meeting that the application was overbearing in terms of design and materials and would have a detrimental impact on the amenity of neighbouring properties.

In response to Members' questions, the case officer clarified the orientation of the development in terms of the light and confirmed that although the proposed extension was large it was subservient to the main dwelling and officers considered the size to be acceptable.

Cllr Toby Simon opened the debate as local ward member. He apologised for not being able to attend the site visit due to another Council commitment and stated that he had considered the application to be a straightforward application but would listen to the views expressed by members following the site visit before making a decision.

Cllr Shaun Hughes expressed concern about the design and materials of the proposed application and stated that it was out of keeping with the character and appearance of the area. He moved that the application be refused. This was seconded by Cllr Ian Halsall who stated that the height of the proposed development would have a detrimental impact on neighbouring properties in The Avenue in terms of being overbearing and resulting in a loss of light.

On being put to the vote the motion was CARRIED (9 in favour, 0 against and 1 abstention)

RESOLVED that the application be refused for the following reasons:

1. The proposed development by reason of its scale and design was out of keeping with the character and appearance of the area.
2. The proposed development would have a detrimental impact on neighbouring properties in The Avenue in terms of being overbearing and resulting in a loss of light.

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

There were no main plans list applications for consideration.

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

In relation to a question about the refusal for a dropped kerb at 23/00714/FUL124 Old Fosse Road, Members were advised that this did not set a precedent in terms of these types of application as there were highway grounds for refusal that were specific to this application.

The Team Manager (Development Management) undertook to give an update on enforcement action in relation to the Roman City Guest House, 18 Raby Place, Bathwick as requested at the previous meeting.

RESOLVED that the report be noted.

The meeting ended at 12.57 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services