

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday, 25th September, 2024, 11.00 am

**Councillors:** Ian Halsall (Chair), Lucy Hodge (Vice-Chair), Colin Blackburn, Hal MacFie, Toby Simon, Dr Eleanor Jackson, Tim Warren CBE, Alex Beaumont, Duncan Hounsell and Ruth Malloy

#### 39 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 40 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllrs Deborah Collins, Paul Crossley, Fiona Gourley and Shaun Hughes and there were the following substitutions:

Cllr Ruth Malloy for Cllr Deborah Collins  
Cllr Alex Beaumont for Cllr Paul Crossley (am only)  
Cllr Duncan Hounsell for Cllr Fiona Gourley  
Cllr Colin Blackburn for Cllr Shaun Hughes

#### 41 DECLARATIONS OF INTEREST

Cllr Tim Warren stated that the applicant in relation to application 3 - 23/04243/OUT - Hartley Wood, King Lane, Clutton had been formerly connected with his family, but he did not consider he had an interest in the application that would impact his judgement.

Cllr Lucy Hodge stated that she was ward member for application 2 -24/00523/FUL - Chalfont, Charlcombe Lane, Lansdown but she did not have a declarable interest in the item.

#### 42 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was no urgent business.

#### 43 ITEMS FROM THE PUBLIC - TO RECEIVE STATEMENTS, PETITIONS OR QUESTIONS

The Democratic Services Officer advised on the process for those registered to make statements on planning applications.

#### 44 MINUTES OF THE PREVIOUS MEETING

Cllr Jackson proposed that the minutes be confirmed as a correct record subject to the insertion of the word "project" after "Somerset Valley Link". This was seconded by

Cllr Toby Simon and:

**RESOLVED** that the minutes of the meeting held on Wednesday 28 August 2024 be confirmed as a correct record for signing by the Chair.

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

The Committee considered:

1. A report and update report by the Head of Planning on the applications under the main applications list.
2. 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 applications decisions list attached as Appendix 2 to these minutes.

**1. 23/04136/RES - 37 Coomb End, Radstock**

The Planning Officer introduced the report which considered an application for the approval of reserved matters with regard to outline application 20/03800/OUT (proposed demolition of existing buildings, change of use of land to residential and erection of 5 dwellings).

She confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report.

Cllr Lesley Mansell was unable to attend as ward member and a statement was read on her behalf summarised as below:

1. She thanked the Committee for visiting the site and reiterated her support for Radstock Town Council's objection to the application.
2. The original application was for 7 x 2 bed dwellings and the latest application was for 6 in total (1 x 4 bed and 5 x 3 bed). The reduction would not help meet housing targets in the area and it is not clear how these larger dwellings will be affordable to local people.
3. In the past there had been a collapse of the land due to water drainage from Bath New Road and this needed to be taken into account.
4. A previous application for a petrol station at Coombend was refused on the basis that it would block the view from Clandown to Radstock and this would be the case with this application.
5. There was a need to develop the infrastructure, and this was not included as part of the application.
6. There was a need for an improved pedestrian access and a concern about an increase in parking on the highway.

In response to Members' questions, it was confirmed:

1. The principle of development was agreed at outline stage including the number of dwellings and access.

2. The Traffic Regulation Order to restrict parking in the nearby area was still ongoing. In terms of parking on site, this was in accordance with adopted standards.
3. Unit 2 had two associated parking spaces.
4. An application for 10 houses was the trigger point for affordable housing.
5. A watching brief for archaeology could not be included at the reserved matters stage.

Cllr Eleanor Jackson confirmed that the application in relation to the petrol station at Coombend which was referred to in the local member's statement had now been approved.

Cllr Tim Warren stressed the need for housing and that he was satisfied the flooding issue had been satisfactorily addressed. He moved the officers' recommendation to permit the application. This was seconded by Cllr Toby Simon who stated that it would make a good use of the site, and the design would fit in with the surrounding area.

Cllr Lucy Hodge recognised concerns about the lack of affordable housing but noted that the application was for less than 10 houses and was policy compliant.

On being put to the vote, the motion was CARRIED (10 in favour and 0 against - unanimous).

**RESOLVED** that the application be permitted subject to the conditions set out in the report.

## **2. 24/01160/FUL - 11 Richmond Road, Bath**

This application was withdrawn from the agenda and would be considered at the next meeting.

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

The Committee considered:

1. A report and update report by the Head of Planning on the applications under the main applications list.
2. 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 applications decisions list attached as Appendix 2 to these minutes.

## **1. 24/01168/REG03 - Land To The Rear Of 89 -123, Englishcombe Lane, Southdown, Bath**

The Case Officer introduced the report which considered an application for the erection of 16 supported living units (Use Class C3(b)) with associated communal hub (to include ancillary carers accommodation), access, landscaping and ancillary works.

He confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report.

The following public representations were received:

1. Christopher Pound, objecting to the application.
2. Aydin Zorlutuna, agent and Nick Plumley, B&NES Housing Enabling & Development Manager supporting the application.

Cllr Jess David raised the following points as the ward member:

1. She shared concerns of many local residents about the suitability of the site for development due to the ecological value of the site; the drainage and land instability issues, and the narrow access to the site but acknowledged that the site was allocated for development in the Local Plan.
2. She appreciated the efforts of the applicant to engage with local residents.
3. There was a risk of flooding from a build-up of surface water and it was important for the sustainable drainage features to be inspected and maintained every three months. Assurances were needed that this would happen.
4. There was a concern about the proposed recycling/waste arrangements.
5. There was insufficient parking on site which would lead to an increase of parking on Englishcombe Lane.

Cllr Steve Hedges raised the following points as an adjacent ward member:

1. He was pleased that there was a lower number of dwellings proposed than in the previously approved scheme for the site.
2. There were still concerns from local residents relating to the flood risk.
3. He requested that heavy plant use be restricted from between 9am and 6pm during construction to reduce impact on local residents.

In response to Members' questions, it was confirmed:

1. The waste collection plans had been analysed in detail. To minimise ecological impact the on-site roads would be too light to accommodate waste collection vehicles. Staff would take the bins to the collection point on Englishcombe Lane for collection. There was a condition for a Waste Management Plan which set out the details and could be enforced if necessary.
2. Each property would have an individual bin, but it was a worst-case scenario that 16 bins would be put out for collection at the same time, it was likely to be less based on previous experience of similar developments. There would be recycling facilities within the bin store.
3. The Council's Housing Team would be responsible for the management of the site including the maintenance of drainage. The drainage strategy would improve the current situation, and this was included as a condition.
4. This was a low-density scheme, and officers did not consider it appropriate to remove permitted development rights and it may not be possible to do so in relation to a Class 3b application.
5. The construction hours in the Construction Environmental Management Plan set the parameters and 8am-6pm were common but the applicant could put forward

different hours within those parameters.

Cllr Duncan Hounsell opened the debate and stated that as the site was allocated for development within the Local Plan and there were social benefits associated with the application. He moved the officers' recommendation that the application be permitted subject to the conditions set out in the report. This was seconded by Cllr Lucy Hodge who stated that she was pleased that this was a smaller scheme than the one previously approved and that it would fulfil an important social need. She also welcomed the plans to achieve a net zero emissions development.

Cllr Eleanor Jackson stated that she was concerned about the ecological impact and comments in the police response relating to security and would support an amended motion that officers be delegated to permit the development to enable further discussions on these issues. Cllr Duncan Hounsell confirmed that he did not support an amendment to his motion.

Cllr Tim Warren agreed with comments that the application was preferable to the previously approved scheme for 38 houses, but he still had concerns about the location and the arrangements for waste collection.

Cllr Toby Simon stated that the applicant could apply for a variation of the condition in the event of needing to reassess the waste management arrangements. He confirmed that he was assured about plans for drainage maintenance.

On voting for the motion, it was CARRIED (8 in favour, 0 against and 2 abstentions).

**RESOLVED** that the application be permitted subject to the conditions set out in the report.

Cllr Alex Beaumont withdrew from the meeting at this point.

## **2. 24/00523/FUL - Chalfont , Charlcombe Lane, Lansdown, Bath**

The Planning Officer introduced the report which considered an application for the erection of 2 detached houses with garages and home offices following the demolition of an existing house.

She confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report.

The following public representations were received:

1. Mark Reynolds on behalf of local residents, objecting to the application.
2. Glynn Davies, architect supporting the application.

In response to Members' questions, it was confirmed:

1. The proposed trees were native species and the Council's ecologist was satisfied with the planting scheme.
2. In terms of the future removal/pruning of the beech tree, officers did not consider the tree would cause an adverse impact as there was extensive space in both gardens.
3. The removal of permitted development rights was not included as a condition.
4. The gap between the two dwellings was comparable with other nearby

properties. The area of hardstanding at the front was also comparable and would include adequate drainage.

5. In terms of impact on Hermitage Lodge, the proposed development would not overlook any habitable rooms.

Cllr Lucy Hodge opened the debate as ward member. She stated that Charlcombe was a well-known lane in the area which was predominately green with single dwellings. She asked the Committee to consider the comments of the arboriculturist and concerns about impact on residential amenity.

Cllr Tim Warren stated that the development was in keeping with the wider area and moved the officers' recommendation to permit the application. This was seconded by Cllr Toby Simon.

Cllr Lucy Hodge expressed the view that the application would result in over-development and would have a detrimental impact on the character and distinctiveness of the area and the residential amenity of neighbouring properties.

On voting for the motion, it was CARRIED (7 in favour, 1 against and 1 abstention).

**RESOLVED** that the application be permitted subject to the conditions set out in the report.

### **3. 23/04243/OUT - Hartley Wood, King Lane, Clutton**

The Planning Officer introduced the report which considered an outline application for the erection of 9 residential dwellings with access to be determined and all other matters reserved.

He confirmed the officers' recommendation that the application be refused for the reasons set out in the report.

The following public representations were received:

1. Barney Bonner, Vice Chair of Clutton Parish Council speaking in support of the application.
2. John White, agent supporting the application.

Cllr Sam Ross raised the following points as the ward member:

1. She supported the officers' recommendation to refuse the application.
2. The development would be an isolated settlement of 9 houses and would be reliant on car journeys. There was no easily accessible bus network and no active travel routes.
3. The development was contrary to Clutton's neighbourhood plan as it was not sustainable.
4. There were housing developments being built within the housing boundary area which would create homes within the village.

In response to Members' questions, it was confirmed:

1. There were differences between this application and a recent application at Hinton Blewitt which had been allowed on appeal in that the Hinton Blewitt application had been just outside the housing boundary and there was a fallback position was an existing permission which had been taken into account by the

Inspector. In this case there was no fallback position and the development was 1km away from the housing development boundary.

2. An application for 10 houses was the trigger point for affordable housing and this application was for 9 houses.
3. There were public rights of way near the application site, but these were not considered to give reasonable access to the site. Limited weight had been given to the Westlink responsive transport service as funding had not been secured beyond April 2026.

Cllr Eleanor Jackson moved the officers' recommendation to refuse the application for the reasons set out in the report that the application site was an isolated development, within the green belt and outside the housing development boundary and did not meet the rural exception criteria. This was seconded by Cllr Lucy Hodge.

Cllr Tim Warren spoke in support of the application as he considered the site to be close to the village and that the existing use involved a lot of car movements.

Cllr Colin Blackburn spoke in support of the motion on the grounds that the application was not policy compliant and did not offer any affordable housing to qualify as a rural exception.

On being put to the vote, the motion was CARRIED (8 in favour, 1 against)

**RESOLVED** that the application be refused for the reasons set out in the report.

#### **4. 23/02251/FUL - 48 Hillcrest, Pensford, Bristol**

The Planning Case Officer introduced the report which considered an application for the erection of 2 bungalows.

He confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report.

The following public representations were received:

1. Sasha Berezina, agent supporting the application.

In response to Members' questions, it was confirmed:

1. The removal of permitted development rights was included as a condition.
2. Two trees were being removed as part of the application, but they were not subject to a tree preservation order and a landscaping condition was also included.
3. Officers had not sought a footpath to access the cycle stores as this was not considered necessary.
4. There was one parking space per dwelling in accordance with policy.

Cllr Colin Blackburn spoke in support of the application and moved the officers' recommendation. This was seconded by Cllr Lucy Hodge.

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

**RESOLVED** that the application be permitted subject to the conditions set out in the report.

#### **5. 24/01947/FUL - 21 Darlington Place, Bathwick, Bath**

The Planning Case Officer introduced the report which considered an application for the demolition of an existing conservatory; erection of a two-storey side extension, replacement roof covering; revisions to fenestration; recladding of elevations and dormers; and associated retrofitting works.

He confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report.

The following public representations were received:

1. Robin Barnes, local resident on behalf of objectors to the application.
2. James Pullen, applicant and Chris Beaver, agent supporting the application.

Cllr Manda Rigby raised the following points as the ward member:

1. The proposed development was located in the City of Bath World Heritage Sites and conservation area.
2. Although the existing dwelling was not of historic or architectural value, it had previously been screened by planting which minimised the impact.
3. Consideration needed to be given to conditions in relation to materials - glazing to prevent overlooking; reinstating the planting on site so that the development would be screened and a construction management plan to minimise the impact on Sydney Gardens.
4. Consideration should also be given to relacing the modern garage door with a more appropriate design for the setting.

In response to Members' questions, it was confirmed:

1. The garage was not part of the proposed development and so changes could not be secured as part of the application.
2. The general materials condition did not include details of glazing.
3. The appeal for non-determination in relation to another application on the same site would still go ahead and if both applications were approved there would be two permissions. The Committee was advised to give limited weight to the appeal as this was ongoing.
4. Officers had not included a condition for a landscaping scheme relating to tree planting as this was a householder application rather than a new development and it was not considered that trees were needed to prevent overlooking.

Cllr Toby Simon opened the debate as ward member. He stated that there needed to be a compromise situation to improve the current dwelling taking account of the sensitive location. He moved that officers be given delegated authority to permit the application subject to the conditions set out in the report and to consider additional conditions, if appropriate, in relation to window materials, a tree planting scheme and a construction management plan. He clarified that he wanted officers to be satisfied with the material of window frames and that glazing should be obscure where windows were overlooking. This was seconded by Cllr Ruth Malloy.

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



**RESOLVED** that officers be delegated authority to permit the application subject to the conditions set out in the report and additional conditions, if considered necessary in relation to window materials, a tree planting scheme and a construction management plan.

Councillor Hal MacFie withdrew from the meeting at this point.

**6. 24/00319/FUL - Town Mills, Mill Road, Radstock**

The Planning Officer introduced the report which considered an application for the conversion of a vacant ground floor office into a 2-bedroom flat, and provision of a flood refuge at first floor level; change of use of the vacant shop into office use and a communal cycle store and change of use to the external yard from sui generis use to residential use only.

He confirmed the officers' recommendation that the application be permitted subject to the conditions set out in the report.

There were no public representations.

In response to Members' questions, it was confirmed:

1. All other units on the site had been converted to residential use.
2. In terms of Radstock Town Council's concern that the application would result in the loss of employment, the site was classified as sui generis use rather than industrial use.
3. The site was in Flood Zone 3 but the Environment Agency was satisfied that there were appropriate mitigations in place which would be secured by a condition.

Cllr Duncan Hounsell moved the officer recommendation that the application be permitted subject to the conditions set out in the report. This was seconded by Cllr Tim Warren.

On being put to the vote, the motion was CARRIED (5 in favour, 1 against and 2 abstentions).

**RESOLVED** that the application be permitted subject to the conditions set out in the report.

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

**RESOLVED** that the report be noted.

The meeting ended at 4.07 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**