

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday, 2nd June, 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

#### 11 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 12 ELECTION OF VICE CHAIR

RESOLVED: To elect Cllr Sally Davis as Vice Chair for the ensuing Council year.

#### 13 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or substitutions.

#### 14 DECLARATIONS OF INTEREST

- Cllr Hal MacFie declared an interest in planning application no.21/01558/LBA – Liberal Democrats, 31 James Street West, Bath. This related to his work for the Liberal Democrat Party. Cllr MacFie stated that he would leave the meeting while this item was discussed.
- Cllr Sally Davis stated, for transparency as there was no conflicting interest, that with regard to application no. 21/01303/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.

#### 15 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN

There was no urgent business.

#### 16 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.

## 17 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 5 May 2021 were confirmed and signed as a correct record.

## 18 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 No. 1

#### Application No. 21/01163/FUL

**Site Location: Parcel 3875, Warminster Road, Bathampton, Bath – Change of use from agricultural land to dog walking paddock with associated boundary fencing, gates, parking, storage shed and shelter, as well as improvements to the existing agricultural track to provide a suitable all weather surface to connect the site entrance to the car parking area.**

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

A representative from Bathampton Parish Council spoke against the application.

The applicant spoke in favour of the application.

Cllr Sarah Warren, local ward member, spoke against the application. She expressed concerns regarding the impact of additional traffic on the dangerous A36 junction. She also highlighted the adverse impact of increased noise on local amenity, risk of dog attacks and the safety of children using the Scout Hut. There would also be an adverse impact on the ecology of the area.

Officers then responded to questions as follows:

- An application should only be refused on highway grounds if it would result in a severe impact or severe cumulative impact.
- Highways England have raised no objection to the proposal.
- The restricted width of the bridleway is considered to be satisfactory based on the estimated number of vehicles per day. Only one vehicle would be permitted per booking session and there would be a designated parking area. A traffic management plan will also be put in place.
- The Case Officer felt that the condition relating to the number of dogs using

the facility at any one time would be enforceable. It would be reliant on someone making a complaint if there was a breach of condition which could then be investigated.

- Dog waste bins would be provided.
- The application is not considered to be inappropriate development in the green belt and therefore, is acceptable in principle.
- Any nuisance caused by the use of the paddock (such as noise nuisance) could be reported to the Environmental Protection Team.
- If members had concerns about the lack of management on the site then this could be included as a reason for refusal.

Cllr Jackson expressed concerns about the management of the site and noted that the proposal could result in a loss of amenity to local residents and other dog walkers.

Cllr Davis felt that that any issues could be managed offsite with the use of appropriate technology.

Cllr Crossley moved the officer recommendation to permit. He stated that there was a need for this type of facility, and he felt that the applicant has addressed the key concerns raised. It would be difficult for someone to be on site all the time. The openness of the green belt would be maintained. This was seconded by Cllr Davis.

Cllr Hughes felt that this may be the wrong location for a dog walking facility and that a better management plan should be put in place.

Cllr Hounsell pointed out that the application does not represent inappropriate development in the green belt. There were no highways objections and a precedent would not be set as each application is considered on its own merits. The conditions provide for a site management plan and he could see no reason to object to the application.

Cllr MacFie the number of vehicle movements may have been underestimated.

Cllr Hodge felt that the proposal did not conserve or enhance the area.

The motion was put to the vote and it was RESOLVED by 6 votes in favour and 4 votes against to permit the application subject to the conditions set out in the report.

## **Item No. 2**

### **Application No. 21/00528/FUL**

**Site Location: 55 High Street, Twerton, Bath – Erection of a two-storey rear extension. Change of use from 3-bedroom residential dwelling (Use Class C3) to a 6-bedroom House in Multiple Occupation (HMO) (Use Class C4)**

The Case Officer reported on the application and his recommendation to permit. He then responded to questions as follows:

- The property is already an HMO and has permission for a two-storey side extension.
- The bulk and size of the extension is considered to be acceptable. The rear

- extension would be about double the size of the permitted side extension.
- There is one parking space on the site and the property is located close to shops and a bus stop.
  - The property is not in a residents' permit parking zone.
  - Parking standards do not apply to HMO properties.

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

Cllr Hodge felt that the property would be overdeveloped if the application were permitted. She stated that this could have a detrimental impact on the local area.

Cllr Hughes felt that the proposal would have a serious detrimental impact on local residents.

Cllr Jackson felt that the size of the extension was too large and would leave hardly any garden area or green amenity space. It would also have a detrimental effect on a nearby listed building.

Cllr Clark pointed out that there is a shortage of homes in the area and felt that the objections raised were marginal.

Cllr MacFie stated that the application was policy compliant.

The motion was put to the vote and it was RESOLVED by 6 votes in favour and 4 votes against to PERMIT the application subject to the conditions set out in the report.

### **Item No. 3**

#### **Application No. 21/01409/FUL**

**Site Location: 15 St Catherine's Close, Bathwick, Bath, BA2 6BS – Erection of two-storey rear extension, loft conversion including rear dormer and front roof-light, demolition of existing single-storey garage and “pop-up” rear access and replacement with two-storey side extension. Associated external amendments, including replacement of all existing windows and front and rear landscaping.**

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

A local resident spoke against the application.

The applicant spoke in favour of the application.

Cllr Manda Rigby, local ward member, spoke against the application. She stated that the application represented overdevelopment and massing and was unsympathetic to the area. She also highlighted the adverse impact on the Conservation Area and noted that any development must protect or enhance the area. She also expressed concerns about overlooking and the proximity to the neighbouring property.

The Case Officer then responded to questions as follows:

- There is no policy that states that a property cannot be extended up to the boundary. This is a matter of judgement depending on the specific circumstances.
- There are other dormer windows in the area, although these are smaller. The Case Officer felt that the dormer window does not dominate because it is set into the eaves.
- Any overshadowing was not considered to be significant enough to warrant refusal.
- There would be no windows on the side elevation.
- Residential amenity would not be harmed significantly enough to warrant refusal.
- The property is in an elevated position and higher than no. 14 St Catherine's Close.
- The footprint would represent a 120% volume increase.
- The property has a long garden and it was not felt that the rear elevation would adversely affect residential amenity.

Cllr Hounsell noted the rooflight at the front of the property and felt that this may cause disturbance to neighbours. He felt that the dormer window was very large and that the design could be improved.

Cllr Hughes expressed concern about the dominance of the proposal over no. 14 St Catherine's Close.

Cllr Jackson expressed concern regarding the design as she felt it was out of context being such a modern design in a Conservation Area and did not conserve or enhance the area.

Cllr Hodge felt that the proposal was contrary to Policy D2 relating to character and distinctiveness as it would change the character of the area. She was also concerned at the size of the development.

Cllr Bromley felt that the large glazed area could result in light pollution.

Cllr Crossley felt that the extension would be too close to the neighbouring property and that the dormer window was too large. He then moved that the application be refused for the following reasons:

- The size of the extension.
- The impact of the development which would be overbearing and harmful to the character of the area.
- The creation of a terracing effect.
- The proposal would be contrary to policies D1 and D6.
- Harmful impact on the amenity of neighbouring residents.

This was seconded by Cllr Hodge.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 votes against to REFUSE the application for the reasons set out above.

**Item No. 4****Application No. 21/00356/FUL****Site Location: The Abbey Rectory, Redwood House, Trossachs Drive, Bathwick, Bath – Extensions to existing ancillary building (Retrospective).**

The Case Officer reported on the application and his recommendation to permit.

A local resident spoke against the application.

The applicant spoke in favour of the application.

Cllr Sarah Warren, local ward member, spoke against the application. She stated that trees have been removed from the site without the necessary permissions. She stated that this was a new residential unit which would not have been permitted if it had been made clear on the original application. The accommodation has a living room, kitchen and bathroom for its own use. She pointed out the loss of privacy to the neighbours and stated that the design is out of character with the area. The property is not an ancillary building but is a self-contained dwelling.

The Case Officer responded to questions as follows:

- A tree report was not required for a retrospective application.
- When judging whether a property is ancillary it was important to consider its relationship with the main dwelling including size, shared space, ownership and facilities. Consideration would be given to the nature of the occupation rather than the facilities.
- An annex must be occupied as part of the main dwelling.
- The kitchen area contains a hob and oven but no laundry facilities.
- Enforcement action could be taken if the property was routinely used as a holiday let as this would require planning permission.

Cllr Davis noted that the building was not overlooking any neighbouring properties or detrimental to residential amenity. A condition would be put in place to ensure that the development is used for purposes ancillary to the residential use of the main dwelling. She then moved the officer recommendation to permit. This was seconded by Cllr Clarke.

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 2 votes against and 1 abstention to PERMIT the application subject to the conditions set out in the report.

**Item No. 5****Application No. 21/00206/LBA****Site Location: The Old Bank, 20 High Street, Keynsham - External alterations for the painting of the first floor on the front elevation.**

The Case Officer reported on the application and her recommendation to refuse. She then responded to questions as follows:

- In the 19<sup>th</sup> century the building would have been a muted or stone colour.
- A number of different colour schemes have been used on the building over

the years and officers would try to agree an acceptable colour scheme with the applicant.

- The black window frames were applied prior to the blue painting scheme.

Cllr Jackson moved the officer recommendation to refuse as she felt that the existing paint colour has a negative impact on the street scene, is out of character and dominant.

This was seconded by Cllr Hounsell who highlighted the responsibility involved in the management of a listed building. He felt that the colour was inappropriate in a Conservation Area.

Cllr Crossley noted that the building had been painted a number of different colours in the past and felt that the cream and blue colour added vibrancy to the street scene.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 vote against to REFUSE the application for the reasons set out in the report.

#### **Item No. 6**

##### **Application No. 21/01303/LBA**

**Site Location: Keynsham Conservative Club, 22 High Street, Keynsham – External alterations to paint the front elevation blue, reverting back to the colour that was in existence when the building was listed in 1975 (Retrospective).**

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

The Club Secretary spoke in favour of the application.

The Case Officer confirmed that no discussions have yet taken place regarding an alternative colour for the building.

Cllr Jackson moved the officer recommendation to refuse. This was seconded by Cllr Hounsell who stated that the colour is out of keeping with a Conservation Area.

Cllr Davis hoped that a more suitable colour could be agreed following negotiation.

Cllr Crossley stated that he felt the current paint colour was acceptable.

Cllr Hodge felt that the colour should be a more muted blue.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 vote against to REFUSE the application for the reasons set out in the report.

*Note: At this point Cllr Hal MacFie left the meeting, having declared an interest in the following application.*

**Item No. 7**

**Application No. 21/01558/LBA**

**Site Location: Liberal Democrats, 31 James Street West, Bath – External alterations for the replacement of the front door and fanlight above with a matching design, plus the installation of secondary glazing within the ground-floor front elevation windows.**

The Case Officer reported on the application and her recommendation to grant listed building consent.

Cllr Davis suggested that the existing door should be retained for re-use if possible.

Cllr Crossley moved that the Committee delegate to permit the application subject to discussions with the applicant regarding the retention of the existing door. This was seconded by Cllr Davis.

The motion was put to the vote and it was RESOLVED unanimously to DELEGATE TO PERMIT the application and to request officers to hold discussions with the applicant to explore whether the existing door could be retained and re-used and a condition imposed to that effect.

*Note: At this point Cllr Hal MacFie returned to the meeting.*

**19 POLICY DEVELOPMENT**

There were no policy development items.

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

The Committee considered the appeals report.

RESOLVED to note the report.

The meeting ended at 3.35 pm

Chair .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**