

## PLANNING COMMITTEE

### Minutes of the Meeting held

Wednesday, 30th June, 2021, 2.00 pm

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

#### 21 EMERGENCY EVACUATION PROCEDURE

The Democratic Services Officer read out the emergency evacuation procedure.

#### 22 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Cllr Shelley Bromley, who was unable to attend the meeting as she was attending the AGM of the Avon Fire Authority. Cllr Ruth Malloy attended as the substitute member.

#### 23 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

There was no urgent business.

#### 25 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.

#### 26 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2 June 2021 were confirmed and signed as a correct record.

#### 27 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. 21/00435/ERE03**

**Site Location: Ministry of Defence Storage and Distribution Centre, Pixash Lane, Keynsham – Redevelopment and consolidation of existing depot site and adjacent land with associated staff parking and access and landscaping works to include the provision of the following: (i) a public re-use and recycling centre (RRC); (ii) material recovery facility (MRF); (iii) waste transfer station (WTS); (iv) Trader (bulky waste); Trade Waste Transfer Station (TWTS); (v) vehicle fleet storage and maintenance storage; (vi) MOT centre (public); (vii) BANES Highways winter service and salt store; and ancillary offices.**

This application was withdrawn from the agenda and will be considered at a future meeting.

**Item No. 2**

**Application No. 20/04067/FUL**

**Site Location: Waterworks Cottage, Charlcombe Way, Fairfield Park, Bath – Extension and alteration to existing cottage and creation of two detached dwellings.**

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

A local resident and a representative from the Bath Preservation Trust spoke against the application.

The agent spoke in favour of the application.

Cllr Rob Appleyard, local ward member, spoke regarding the application. He drew attention to the large number of objections to the proposal (over 300). He noted that, although some concerns have been dealt with, overdevelopment could still be an issue. He also asked members to carefully consider the location of property no. 3 in the context of potential overlooking. He also recommended the consideration of a construction management plan.

Cllr Joanna Wright, local ward member, spoke regarding the application. She pointed out that this was a walking route and an important local site. She drew attention to the very steep bank and the fact that the site is located on a migration route for frogs and toads. She recommended that the committee hold a site visit before making a final decision.

Officers then responded to questions as follows:

- Plot 2 is located to the north of the existing dwelling. Plot 3 is a 2-storey building and would share a boundary with the gardens of the neighbouring

properties. It was not felt that this would result in a significant impact to neighbours.

- The site is located in a built-up area which is considered to be a sustainable location.
- There is a pond located in an adjacent field and the area is a route for migrating frogs and toads. The Council's ecologist has recommended conditions to mitigate the risks to the amphibians.
- An ecological survey was undertaken on 28 April 2021. This had identified frogs and toads in the area, but no great crested newts (which are a protected species) were present in the pond.
- A number of enhancements have been recommended and a biodiversity net gain would be achieved. This would include planting, the provision of reptile habitats, bat boxes and a lighting plan.
- The condition regarding ecological enhancement includes provision for monitoring.
- The Highways Officer confirmed that there had been no recorded personal injury accidents at this location in the last six months. He explained that incidents involving near misses or vehicle damage are not recorded.
- Plot 3 would have a turning area which delivery vehicles could use if necessary.
- The flat roof on plot 3 would have a sedum finish.
- Plot 2 is located about 1m from Waterworks Cottage. It would be the same height but a modern design using natural materials with a local context.

Cllr Hounsell noted that the host building will be preserved and that the site is sizable. He did not feel that this represented overdevelopment. There did not appear to be loss of amenity to neighbours and the ecology concerns raised have been addressed by condition no. 14 (Ecological Management Plan).

Cllr Crossley expressed concern about the proposal due to the slope of the land and the existence of wildlife migration routes. He moved that consideration of the application be deferred pending a site visit. This was seconded by Cllr Hodge.

Cllr Hughes supported the proposal for a site visit as he had concerns regarding ecological issues and stressed the importance of an ecological management plan. He stated that if the mitigation plans were not successful then the decision cannot be reversed.

Cllr Clarke noted that the Council's ecologist was happy with the proposal with the suggested conditions.

The motion was put to the vote and it was RESOLVED by 9 votes in favour and 1 vote against to DEFER consideration of the application pending a site visit.

### **Item No. 3**

#### **Application No. 21/02044/FUL**

**Site Location: Crewcroft Barn, Hinton Hill, Hinton Charterhouse, Bath – Barn conversion and alterations to the original building to form straw bale passivhaus standard dwelling.**

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

The applicants spoke in favour of the application.

Cllr Matt McCabe, Local Ward Member, spoke in favour of the application. He explained that the certificate of lawfulness stated that this was an alteration to part of the original building. The planning case officer who had originally advised on the application had felt that it was policy compliant. The applicants have now been told that the volume increase is too high. The barn is a lawful agricultural storage building. Both ward councillors and the Parish Councils support the application which preserves a heritage asset for future use.

The Case Officer then responded to questions as follows:

- The policy requires that the barn should not be of a temporary or insubstantial construction and should be capable of conversion.
- Green Belt policy has also been taken into consideration when making the recommendation.
- The extension to the building is considered to be substantial and, therefore, not policy compliant.
- The Case Officer explained how the volume increase had been calculated. Although there is evidence of the historic walls, as these are no longer in existence, they have not been included in the calculation. The applicant has used the 1942 building floorplan in their calculations.

Cllr Jackson moved that the Committee permit the application. She felt that this was the best way to preserve the undesignated heritage asset and that it would improve the appearance of the current barn. The development is sustainable and eco-friendly. This was seconded by Cllr Hounsell who stated that he felt this was a conversion of an existing building rather than a new building in the Green Belt.

Cllr Crossley was supportive of the application and noted that the applicants had followed advice given by the previous case officer. He felt that it was acceptable development in the Green Belt.

The Deputy Head of Planning queried the very special circumstances which would allow development in the Green Belt.

The reasons given were:

- The development would conserve the undesignated heritage asset.
- The development would enhance the visual appearance of the Green Belt.
- The sustainable nature of the building in this location.

The mover and seconder of the motion both agreed that the motion should be amended to “delegate to permit” the application to enable conditions to be added.

The motion was put to the vote and it was RESOLVED by 8 votes in favour and 2 abstentions to DELEGATE TO PERMIT the application for the reasons set out above.

**Item No. 4**

**Application No. 21/01646/FUL**

**Site Location: 3 Barrow View, Timsbury Road, Farmborough, Bath – Erection of first floor side extension.**

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

The agent spoke in favour of the application. He indicated that there was additional information relating to the historic fabric of the property and the original kitchen wing which was relevant to the volume calculations. The Case Officer had not been sent this information.

Cllr Sally Davis, local ward member, spoke regarding the application. She pointed out that the dwelling on the other side already has a very similar extension and she felt that the application should be carefully considered.

The Case Officer responded to questions as follows:

- The original building is considered to be the main part of the dwelling. No evidence has been presented regarding the originality of the kitchen element at the rear of the property and so this has not been taken into account in the volume calculations. The extension represents a 56% volume increase.
- The extension to 4 Barrow View was approved in 2002 and different Green Belt policies were in place at that time. This application must be considered under current policies.

Cllr Davis pointed out that pre-application discussions had taken place with the applicant and they had not been made aware of any particular problems with their proposal. The extension at no.4 Barrow View had not been controversial at the time.

Cllr Crossley felt that the application should be permitted as it enhances the street scene, bringing harmony and balance to the building.

Cllr MacFie noted the differing views regarding the kitchen area and whether this should be included in the volume calculations. He noted that the case officer has not been provided with the information described by the agent to use as part of her assessment. He then moved that consideration of the application be deferred pending the examination of the new evidence regarding the kitchen area. This was seconded by Cllr Clarke.

Cllr Malloy pointed out that the extension at no. 4 was not very similar to this proposal as one was set back, and one was at the same level. She felt that it would also be helpful to compare the width of both extensions. This would provide part of the context of the area.

Cllr Jackson felt that the application should be permitted as it would create more symmetry.

Cllr Hodge expressed concern about volume increases in the Green Belt.

The motion was put to the vote and it was RESOLVED by 7 votes in favour, 2

against and 1 abstention to DEFER consideration of the application pending further evidence regarding the kitchen area and how it relates to the volume increase.

**28 TREE PRESERVATION ORDER REPORT**

The Committee considered a report regarding the making of a tree preservation order (TPO) which was brought to the meeting because an objection had been received from the landowners following the making of the TPO.

A statement from Cllr Paul May, local ward member, in support of the confirmation of the TPO was read out.

Cllr Jackson stated that this was a magnificent oak tree and, as such trees are becoming increasingly rare, it should be preserved.

Cllr Crossley moved the officer recommendation to confirm the order, which was seconded by Cllr Hodge.

The motion was put to the vote and it was RESOLVED unanimously to confirm the Tree Preservation Order without modification.

**29 PLANNING ENFORCEMENT BRIEFING REPORT**

*Note: At this point Cllr Paul Crossley left the meeting having declared an interest in this item due to his connections with Bath Rugby Club and having been a season ticket holder.*

The Committee considered a briefing report from the Planning Enforcement Team which provided an update regarding the recent announcement from Bath Rugby that they will be breaching their planning condition pertaining to removal of the East Stand at the end of the 2020/21 premiership rugby season.

RESOLVED: To note the report.

*Note: At this point Cllr Paul Crossley returned to the meeting.*

**30 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 4.25 pm

Chair .....

Date Confirmed and Signed .....

Prepared by Democratic Services