

**PORTISHEAD TOWN COUNCIL
MINUTES OF THE PLANNING & REGULATORY COMMITTEE
HELD ON WEDNESDAY 5TH MARCH 2014**

- PRESENT:** Councillor Mrs Koops - in the Chair
Councillor Mrs Lord, Burden, Terry, Clark, Pasley
Sharon Sherborne – Assistant Clerk
- APOLOGIES:** Councillor Mrs Knight, Walters

There was one member of the public present.

PL259 DECLARATIONS OF INTEREST

- **Declaration by members who serve on both the Town and District Council**

Councillor Pasley stated that any views he expressed on matters to also be considered at North Somerset Council would be provisional and based on the facts currently known. He would be exercising his rights to reconsider the matter afresh when the matter went before North Somerset Council”.

- **Councillor Mrs Lord**

Personal interest in enforcement case 2012/0308 -15 Cabot rise, Portishead - Erection of balcony stairs and removal of trees.

Reason – acquainted with applicant

PL260 PUBLIC PARTICIPATION

Mrs Hennessy a local resident spoke in respect to a few issues;-

- Would have liked to have attended the meeting that was held prior to the Planning and Regulatory meeting between Portishead Town Councillors and Sainsbury’s. She understood that any meetings held in the Folk Hall were public and as such the public should be permitted to attend.
- Has been in contact with North Somerset Council (NSC) since 2013 regarding the condition of the paving slabs in the precinct, Portishead. It is her belief that NSC take responsibility for any claims arising from poor maintenance but yet they do not own the site. She alleged that Martin O’Neill (NSC Property Estates Manager) has failed to answer

questions relating to maintenance timescales for the precinct. Mrs Hennessy urged Portishead Town Council to write similarly to NSC to get the matter sorted.

- Referred to a gentleman who spoke in public participation at a Town Council meeting recently regarding the Planning process. She too believes that there is a disregard to the Planning process. An example offered to the meeting was the development of 30 Albert Road, Portishead. Conditions imposed on this planning permission consent may not have been actioned and she has been advised by NSC that it may take up to eight weeks for them to investigate the matter. She asked that the Town Council look very closely at any enforcement cases that are brought to their attention.

Mrs Lord addressed the meeting on behalf of Mr Robinson, a local resident, in regards to item 5D, Enforcement Case 2012/0308 – 15 Cabot Rise. It is alleged that;

Mr Robinson was contact by NSC on 08.04.12 about a retrospective planning application for a fence. He objected to the fence and informed NSC of a large balcony, high concrete walls and an industrial staircase that had been erected, with no planning permission being applied for, all of which overlooks his property.

He accepts a certain amount of overlooking and believes that the trees and vegetation are protected by planning and should be replaced and maintained (planning consent for the site 1682/79).

Permission for the fence was refused and the occupier then refused to apply for planning permission for the balcony. One of the NSC Officers told Mr Robinson on numerous occasions that if the occupier did not apply for planning permission then enforcement action would be taken, which did not happen. He feels now that no-one has taken his views into consideration, he is now overlooked by an unapproved development and his privacy is compromised by a balcony that is approximately four times the original size. The construction of the balcony is a steel welded structure; are the welds safe, are the footings suitable, are the anchors to the wall strong enough? There has been no planning regulation conducted. As an ex-Mechanical Engineer, Mr Robinson is familiar with the design issues of similar types of work.

Mr Robinson did contact Councillor Pasley, who came to view the site. He believes that Councillor Pasley has taken the same view as NSC in that the balcony has been erected for over four years. Mr Robinson believes that he has proved to NSC by way of periodic photographic evidence that this is not the case.

Mr Robinson contacted the local Government Ombudsman, who has recently declared that there was no administrative fault and that NSC has followed the correct procedure. At the end of the judgment the Ombudsman made a comment that had permission been sought some

form of compliance would have resulted but NSC will not take the enforcement any further.

Mr Robinson does not accept the reasons for NSC not taking action, it is a gross intrusion into his privacy and a flouting of planning regulations. He feels that if the occupier was forced to apply for planning permission and building regulations, it would be possible for a mutually acceptable solution to be found. As it is, he is disenfranchised and the owner of 15 Cabot Rise has been able to do exactly what they want.

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SECTION 1 – TO BE CONSIDERED BY THE PLANNING & REGULATORY COMMITTEE

PLANNING APPLICATIONS

14/P/0198/O 59 BRISTOL ROAD, PORTISHEAD, BS206QG

Outline planning permission for the erection of a detached dwelling and garage with all matters reserved.

Whilst there were no objections on line the committee discussed concern regarding access on to the busy Bristol Road and the danger this presents.

Councillor Terry proposed no objection – subject to access to and from the site being made by the side lane and not Bristol Road as it is a dangerous point on the road. Councillor Mrs Koops seconded the proposal.

RESOLVED that:-

No objection – subject to access to and from the site being made by the side lane and not Bristol Road as it is a dangerous point on the road.

14/P/0343/F 22 LEIGH VIEW ROAD, PORTISHEAD, BRISTOL, BS20 7ED

Erection of a timber granny annexe

The meeting noted that the timber building was completely separate to the main dwelling and may set a precedent for further development in the road. It also considered highway access to the annexe.

Councillor Terry proposed objecting on the grounds that it would set an undesirable precedent along Eastwood place. Whilst compliance with the suggested condition may be possible in the short-term, it is not practicable in the medium and long-term. Councillor Lord seconded the proposal.

RESOLVED that:-

Object on the grounds that it would set an undesirable precedent along Eastwood place. Whilst compliance with the suggested condition may be possible in the short-term, it is not practicable in the medium and long-term.

**14/P/0359/CUPA HARBOUR CRESCENT, SERBERT ROAD,
PORTISHEAD, BS20 7GB**

Prior approval for the change of use from offices within use class (B1) to residential within use class (C3).

The meeting was disappointed that a business premises would be lost to residential use. It was felt that this particular location, which is amongst many business units, was highly unsuitable for residential use.

Councillor Mrs Lord proposed objecting to the application on the grounds that office space would be lost. Portishead Town Council agreed to a great increase in residential accommodation but fought hard to retain employment facilities as part of that development. This plan reduces the employment prospects and creates more commuters on already congested roads. It is also an isolated building in an area designated for employment and two large supermarkets. Councillor Pasley seconded the proposal.

Councillor Terry proposed that a letter is sent to Eric Pickles and copy Dr Liam Fox MP giving Portishead Town Council's disappointment at the level of empowerment now available to business premises to become residential and the consequential loss of employment premises in Portishead.

Assistant Clerk Note: it was agreed that a letter be created and sent to Eric Pickles and copy to Dr Liam Fox in liaison with the Town Council Office.

RESOLVED that:-

Object - on the grounds that office space would be lost. Portishead Town Council agreed to a great increase in residential accommodation but fought hard to retain employment facilities as part of that development. This plan reduces the employment prospects and creates more commuters on already congested roads. It is also an isolated building in an area designated for employment and two large supermarkets

SECTION 2
PLANNING MATTERS (RECOMMENDATIONS TO TOWN COUNCIL)

OTHER PLANNING MATTERS

A. DISABLED ADVISORY PARKING BAY REQUEST

There were none to discuss.

B. THE SEA WALL COMMISSION

Councillor Terry, whilst waiting confirmation, believed that an agreement had now been reached that would result in the lock shortly being removed from the gate so that you will be able to freely walk the route. He anticipates that the fence and gate will remain in situ.

He understands that the Sea Wall Commission will continue to survey and monitor the sea wall. Councillor Terry hopes to be in a position to confirm these details at the next Town Council meeting.

C. TOWN AND COUNTRY PLANNING ACT 1990
APPEAL UNDER SECTION 78
APPEAL REFERENCE NUMBER APP/DO121/A/2213110
HALL, 4 WOODHILL ROAD, PORTISHEAD, BS20 7ET

Erection of 4no dwellings and associated works following demolition of church hall. Planning Application No. 13/P/0071/F

The meeting felt it appropriate to slightly amend the Town Council's previous comment to read "*the Town Council is informed that there is some community interest in this site **and this has recently been confirmed.** The current proposal is contrary to Local Plan CF4. If residential use is to be allowed the Town Council would prefer to see the garages for the front properties served from the service road to the rest of the development or that the road facing properties are moved within their plots so that cars can access Woodhill Road in a forward gear.*"

Assistant Clerk Note: Councillor Mrs Lord took no part in discussing the following item;

**D. ENFORCEMENT CASE 2012/0308 -15 CABOT RISE,
PORTISHEAD**

Erection of balcony stairs and removal of trees.

The meeting empathised with Mr Robinson's situation. It undertook a lengthy discussion regarding the dates upon which matters were reported and dealt with, and whether the four year rule was applied at the correct time.

Councillors Pasley and Burden proposed writing to North Somerset Council to obtain a history of the case so that the dates quoted (installation and evidence against) can be verified and checked.

E. NORTH SOMERSET COUNCIL CORE STRATEGY REMITTED POLICIES EXAMINATION

Councillor Burden agreed to attend on both dates being accompanied by Councillor Mrs Lord on 19.03.14 and possibly Councillor Koops (TBC or another) on 20.03.14.

It was agreed that those attending would meet beforehand and agree a short brief as Portishead Town Council would be invited to make an opening statement, to include detailed figures.

F. NATIONAL GRID – HINKLEY POINT C CONNECTION PROJECT – ADDITIONAL, LOCAL CONSULTATION ON REVISED ROUTE AT SOUTHWICK

As consultees Portishead Town Council makes a 'no comment' response in regards to the revised route at Southwick.

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SECTION 3 – DELEGATED CHAIRMAN DECISIONS

Delegated decisions made by the P & R Chairman on the attached table under delegated powers were noted.

SECTION 3 – DELEGATED CHAIRMAN DECISIONS - FOR INFORMATION

PLANNING APPLICATIONS AS REPORTED BY THE PLANNING & REGULATORY CHAIRMAN

APPLICATION NO.	LOCATION	PROPOSAL	RECOMMENDATION
14/P/0218/ADV	Unit 3A, Marine View Office Park, 45 Martingale Way, Portishead, BS20 7AW	Display of 2 wall mounted signs showing company name and logo	No objection.
14/P/0228/F	117 Kittiwake Drive, Portishead, BS20 7PN	Retrospective application for the erection of a conservatory to the rear elevation.	No objection.
14/P/0240/F	43 High Street, Portishead, BS20 6AA	Proposed change of use from existing retail (A1 Use Class) and cafe (A3 Use Class) uses to a financial professional services use (A2 Use Class)	No objection.
14/P/0244/HHPA	25 The Deans, Portishead, Bristol, BS20 6EG	Prior approval request for the erection of a single storey rear extension that would 1) extend beyond the rear wall of the original house by 6.0 metres; 2) have a maximum height of 2.75 metres and 3) have eaves that are 2.75 metres high.	The new permitted development rules are not based on the total size of the extensions but on the size of the individual extensions and whether their individual size requires planning permission with the exception that you cannot extend an extension. So in theory you could have any number of extensions so long as they are all permitted development. As the original attached house has already been extended and the proposed extension is to be extending this to more than the 6m as allowed under Permitted Development, this proposal should therefore require full Planning Permission, as it does not meet the rules for being within certain limits, or conditions.

14/P/0249/F	Grange Meadow, Clapton Lane, Portishead	Erection of 2no field shelters, construction of hard standing, an all-weather paddock and fencing (revision to 12/P/2230/F to include a change of position of all-weather paddock) part retrospective	No objection.
14/P/0254/F	13 St Peters Road, Portishead, Bristol, BS20 6QY	Erection of a single storey extension to front elevation	No objection – subject to no valid objections from neighbours
14/P/0278/LUP	17 Capenor Close, Portishead, BS20 6RH	Certificate of Lawful development proposed for the erection of a single storey rear extension.	No objection – subject to no valid objections from neighbours. The location of the GPSS pipeline should be taken into consideration.
14/P/0309/F	3 Bristol Road, Portishead, BS20 6PZ	Raise roof height of outbuilding to front of property.	The plans and documentation available on-line were insufficient to indicate as to whether the works will have a detrimental effect on neighbours.
14/P/0315/MMA	20 Clevedon Road, Portishead, BS20 6TA	Variation of condition No 2 on application 13/P/1460/F	No objection – subject to no valid objections from neighbours
14/P/0320/F	9 West Hill Gardens, Portishead, BS20 6LJ	Erection of a side/rear extension (retrospective) and a replacement rear porch.	No objection – subject to no valid objections from neighbours
14/P/0370/ADV	Quayside, Block A, Merchant Square, Portishead, BS20 7PE	Display of two externally illuminated fascia signs.	No objection – subject to no valid objections from neighbours
14/P/0394/NMA	St Peters C of E Primary School, Halletts Way, Portishead, BS20 6BT	Non material amendment to planning permission 13/P/0660/F (Erection of a two storey building to facilitate the expansion of the school from a 2form entry school to a 3form entry primary school Associated landscaping works to include new football pitches, hard play courts and additional	No objection – subject to no valid objections from neighbours

14/P/0394/NMA		parking.) to allow alterations to glazing (east elevation) , additional screening to east elevation, addition of non-illuminated sign, relocation of hall door (south elevation), addition of timber fence screening (south and east elevations), building plinth to be increased to match elsewhere (north elevation) and replacement of coloured glazing with clear either side of main entrance (west elevation).	
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TREE APPLICATIONS AS REPORTED BY THE PLANNING & REGULATORY CHAIRMAN

APPLICATION NO.	LOCATION	PROPOSAL	RECOMMENDATION
14/P/0355/WT	164 Slade Road, Portishead, Bristol, BS20 6AS	1 Oak - Remove lowest limb on west side. 1 Liquidambar Styraciflura - Remove minor branching.	No objection – subject to the approval of the North Somerset Council Tree Officer
14/P/0358/WT	Woodclose, Woodland Road, Portishead, Bristol, BS20 7HE	1 Beech - Reduce main timber of large limb towards south by approx 3-4M & reduce branching above to rebalance crown.	No objection – subject to the approval of the North Somerset Council Tree Officer
14/P/0363/TPO	21 Springfield Road, Portishead, Bristol, BS20 6LH	1 Chestnut - Reduce crown by 2M or back to previous pruning points.	No objection – subject to the approval of the North Somerset Council Tree Officer
14/P/0371/TPO	10 Kilkenny Place, Portishead, Bristol, BS20 6JD	1 Yew Tree - 30% Crown reduction.	No objection – subject to the approval of the North Somerset Council Tree Officer

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OTHER PLANNING MATTERS - FOR INFORMATION

The following notifications from North Somerset Council were noted:-

A. ENFORCEMENT CASE

North Somerset Council is investigating both matters and will write once completed.

CASE NO: 2014/0045 1 HOLLIS AVENUE, PORTISHEAD, BS20 6TQ

Enquiry: Built a wall 7ft high around the perimeter of the house next to a highway

CASE NO: 2014/0054 LOCATION: OLD PRIMARY SCHOOL SITE, SLADE ROAD, PORTISHEAD

Enquiry: Breach of condition 20 – car park used for storage of units

B. PLANNING APPLICATION WITHDRAWN

13/P/2383/F UNIT 14, OLD MILL ROAD, PORTISHEAD, BS20 7BX

Change of use from warehouse/industrial use to mixed use of D2 (pool facility) and A3 (café facilities) use.

14/P/0034/NMA 20 CLEVEDON ROAD, PORTISHEAD, BS20 6TA

Non-material amendment to 13/P/1460/F – (Erection of a single storey rear extension) to change roof from pitched to pitched and flat.

C. CONSENT GRANTED

13/P/1810/LB & 13/P/1809/F FORMER ST JOSEPHS SCHOOL, 53 WEST HILL, PORTISHEAD, BS20 6LG

Erection of 15no. dwelling houses and 4no. flats, conversion of listed building to 5no. flats (24 residential dwellings in total) with associated infrastructure. Demolition of surrounding classroom.

13/P/2077/F 16 WEST HILL, PORTISHEAD, BS20 6LQ

Two storey extensions and single store rear extension with balcony above.

13/P/2091/F 3 MENDIP ROAD, PORTISHEAD, BS20 6DA

First floor extension to residential dwelling to include balcony to first floor.
NB Consent granted with conditions.

13/P/2318/F 3 QUEENS WAY, PORTISHEAD, BS20 8HR

Erection of a dwelling and garage following demolition of existing dwelling.

14/P/0037/F 21 DOWN ROAD, PORTISHEAD, BS20 6EB

Two storey side and rear extension
NB Consent granted with conditions.

D. CONSENT REFUSED

13/P/2391/TPO 72 NORE ROAD, PORTISHEAD, BS20 8DU

Various tree works as itemised on application.

14/P/0022/TPO LAND TO THE REAR OF 33 HILLCREST ROAD, PORTISHEAD, BS20 8HN

Various tree works as itemised on application.

E. THE LOCAL GOVERNMENT BOUNDARY COMMISSION

News Release (dated 12.02.14) from the Commission extending local residents in North Somerset a chance to have their say up to 7th April 2014 on new proposals for ward boundaries in rural parts of the district.

F. CONSERVATION AREA – PROPOSED TREE WORKS

14/P/0013/WT WOODCLOSE, WOODLAND ROAD, PORTISHEAD, BS20 7HE

1 Cherry – Fell and 1 Beech – Fell

G. NORTH SOMERSET COUNCIL – PAPERLESS PLANNING

Information relating to paperless planning that was abstracted from the Town & Parish Digest

Meeting closed 8.35pm

ITEMS FOR NEXT MEETING:-

1. Disabled Advisory Parking Bay Request
2. The Sea Wall Commission