

NAILSEA TOWN COUNCIL - PLANNING COMMITTEE

Planning Committee will be held on Wednesday 5 July 2017 at 7:30pm at the Tithe Barn, Church Lane, Nailsea.



Please turn off mobile phones before the meeting

AGENDA

1. Apologies
2. Declarations of Interests
3. Planning Applications

TC REF NO	APPL NO	CAT	LOCATION ROAD	LOC NO	APPLICANT	PROPOSAL
4837	1298/17	F	West End Lane	Nailsea & Backwell RFC	C/O Agent	Application to vary conditions attached to planning permission 09/P/0880/F (continued use of Nailsea & Backwell Rugby Club without compliance with conditions 1 and 14 attached to permission 07/P/2723/F to allow the facilities to be used on a permanent basis between the hours of 0900-2300 Mondays to Thursdays, 0900-0030 on Fridays and Saturdays and 0900-2300 on Sundays, and to allow live or pre-recorded music at a reasonable level at the position on the boundary of the site closest to residential properties instead of being inaudible) to allow extended hours of use (condition 16); remove the need to give two months notice of dates (condition 13); set a clearer criterion for noise levels.
4838	1306/17	F	Meadway Avenue	25	Mr & Mrs Annibal	Erection of a two storey side extension following demolition of existing garage, replacement windows and landscaping front garden to create additional parking.
4839	1361/17	F	Nailsea Park	23	Mrs M Goulden	Erection of a PVCu Orangery and associated base works.
4840	1362/17	F	Chestnut Chase	7	Mr & Mrs J Parnell	First floor side extension over existing garage.

4841	1363/17	F	North Street	64	Mr & Mrs R Lancaster	Single storey front extension.
4842	1385/17	O	Garden adjacent to Woodland Road	16	Mrs Meryl Thomas	Outline planning permission for the erection of a detached 3no. bedroom dwelling following demolition of the existing garage. All matters reserved for subsequent approval.
4843	1417/17	F	Mountswood	21	Mr & Mrs Robert Edmonds	Proposed increase in the height of the existing natural stone boundary wall adjacent to the highway (High Street, Nailsea) from existing 1.4m to 1.85m.
4844	1428/17	F	Trinity Road	4	Mrs S McLachlan	To replace an existing felted flat roof on an extension to the side of the property with a tiled hipped roof.
4845	1429/17	F	High Street	67-69	Kindale Limited	Retrospective application for the installation of a new shop front.
4846	1442/17	ADV	High Street	Tesco Stores Ltd	Tesco	Consent to display 3no. illuminated fascia signs, 1no. illuminated gantry sign and 46no. non-illuminated other signs.
4847	1448/17	F	Nailsea Wall Lane	Little Manor	Mr & Mrs R Wood	Application for planning permission to replace an existing conservatory; construction of stone planters and alterations to existing boundary wall to increase height to and relocate gateway; removal of 'blown' render to north elevation; and erection of a car port structure.
4848	1449/LB	F	Nailsea Wall Lane	Little Manor	Mr & Mrs R Wood	Listed building consent application to replace an existing boundary wall to increase height to and relocate gateway; removal of 'blown' render to north elevation; and erection of a car port structure.

PLANNING COMMITTEE

Minutes of the Planning Committee meeting held on Wednesday
5 July 2017 at 7.30pm in the Tithe Barn, Church Lane, Nailsea.

PRESENT: Cllr Phillips (in the Chair), Cllr Barber, Cllr Barclay, Cllr J Blatchford, Cllr Hunt, Cllr Lees, Cllr Middleton, Cllr Packham, Cllr J Tonkin, the Clerk and Assistant Clerk. Also in attendance Cllr Holt.



P62/17 APOLOGIES

Apologies were received and accepted from Cllr Bird, Cllr Frappell and Cllr Wilson.

P63/17 DECLARATIONS OF INTERESTS

Cllr J Tonkin declared prejudicial interests in applications 1448/17 and 1449/17 as he has worked for both the applicant and the objector.

Cllr Lees declared a personal interest in application 1417/17 as the applicant is known to him.

Cllr Barber explained that due to her role as a District Councillor she would not be commenting or voting on any of the applications.

Cllr Phillips declared a personal interest in application 1363/17 as he has previously worked with the architect.

Cllr Holt pointed out to residents that she would not be voting as a she is not a member of the committee.

P64/17 PLANNING

a) Consideration of plans received from North Somerset Council

1298/17 Nailsea & Backwell RFC, West End Lane

Cllr Phillips introduced the application and asked the representatives of the applicant in attendance if they wished to speak.

The meeting adjourned at 7.36pm.

Tony Warren, Treasurer of Nailsea and Backwell RFC introduced himself and explained that the application was seeking to bring conditions imposed on the planning consent granted in 2007, in line with the conditions of their licence. In relation to the extended operating hours, he said the club was not seeking to hold parties until 1am, they wanted the extra time to disperse people, clear up and set up ready for the following day. Mr Warren explained that the application to allow music to be heard at a reasonable level at the boundary, rather than being inaudible at the boundary was to protect themselves from individuals who may play music whilst using the public right of way through their land, over which they had no control. He said that the application was submitted with Barratts as they were funding the changes to the club and this was included in that process.

Cllr Packham asked what the club was trying to achieve. Mr Warren said they just wanted to be able to operate at the proposed times in line with the licencing. The change proposed to the measurable point of noise was partly due to a football tournament where the wind was blowing towards the houses, meaning the sound of the PA system was carried. It seems unfair for them to be penalised for something like that.

Cllr Packham was concerned that the noise from discos could also go as far as homes as well. Mr Warren said they would still be constrained by Environmental Health, who can measure the level of sound. He didn't think clubhouse sound could be heard from the homes nearby, only outside events such as the Nailsea Beer and Cider Festival. They were not interested in turning the venue into a nightclub.

Cllr Packham made reference to some of the objections to the application on North Somerset Council's website and asked how the club ensures people leaving the site are marshalled away. Mr Warren said that at the Beer and Cider Festival coaches take people away and there are marshals and police at the North Street junction. On a day to day basis they ask people to be quiet when leaving and to consider the neighbours. He said that if someone leave a pub and throws a glass at someone's home it is not the pub's fault. Some complaints received of their customers throwing items into gardens have been bottles that are not sold at the Rugby Club. One complaint which was followed up by the local police turned out not to be a member or player at the club. He explained that if someone is found guilty of criminal damage they will be dealt with by the Rugby Club's Disciplinary Committee as it does not want its reputation damaged.

Cllr Middleton clarified with Ross Parsons, Chairman at the club, that the noise at the boundary was not controlled by the licence but Environmental Health. Mr Parsons said that Environmental Health suggest the footpaths across the site make noise issues almost unenforceable by them and suggest Licencing may be a better way to deal with it.

Cllr Middleton said he could not see how the Rugby Club could be held accountable for someone unrelated to them using the footpath, playing music loudly.

Cllr Hunt was concerned that potential new homes close to the Rugby Club could be affected and the representatives from the Rugby Club said these would be taken into consideration.

Cllr Lees clarified that at present on a Friday and Saturday the Rugby Club stops serving alcohol at 11.00pm and must be offsite at 12.30am, but are hoping to extend this until 1.00am to allow enough time to ensure they were ready for 9.00am on a Sunday. Ross said they do not get passing trade and are usually shut by 10.00pm on Saturdays.

Cllr Packham asked if the application was driven by a desire to have more functions. Mr Parsons said they would only like to have a New Year's Eve party but at present, a licence application for this would breach their planning conditions.

Cllrs Packham and Middleton queried how the earlier comment about sound from a PA system at a sporting event would be considered the same as sound emanating from the club as it was not pre-recorded or live music. Mr Parsons said this was not the same but it had been one of the reasons mentioned in the objections already made.

Jon Yabsley of 81 North Street spoke and explained that he lived on the route most people would take when leaving the Rugby Club. He said he has never taken issue with any of the sporting activities taking place and supports these types of event, but he does have a problem with non-sporting events and music. He said he has had continual problems, the most recent was reported in May which he understood to be a wedding in a marquee in the grounds. The noise was unreasonable and North Somerset Council issued a warning about it.

Mr Yabsley said that last year members of the Colts caused criminal damage and he had received a letter from the Chairman of the club to say the culprits had been disciplined.

He feared extending the hours of operation would lead to more disruption for the local residents. He felt the letter supporting the application from Hepworth Acoustics was very complicated but seemed to suggest that reasonable noise is better than no noise as it is easier to enforce, and that it would be inaudible to residents if they were indoors.

Mr Warren said there had been no weddings in 2017. He said 3 football club members had been banned for their behaviour, they were not members of the Rugby Club.

Mr Yabsley felt that whether the individuals who were banned were members or patrons made no difference. Longer hours would encourage more non-members to use the club, who have no vested interest in the club's rules or reputation.

The meeting reconvened at 8.03 pm.

Cllr Lees said the application was confusing and he would not comment on the noise as he had heard of incidents tonight that he had no prior knowledge of.

Cllr Hunt said that whilst she wanted the club to be successful, she was aware that some people can be badly affected by noise. She has been aware of problems reported but still commended the Rugby Club for all they do.

Cllr Tonkin said that the clauses and conditions of the planning approval were to safeguard and protect residents. He supports the Rugby Club but on this occasion he was reticent to support the application. He felt it was a shame they did not consult with the neighbours on this as they had done previously with the application for floodlights. He also felt the application should have been simpler.

Cllr Middleton said he was happy to let licencing deal with the hours but changing the noise levels to reasonable from inaudible caused concern for him.

It was proposed by Cllr Middleton, seconded by Cllr Packham, to recommend that **whilst not opposed in principle to the proposed changes to the planning condition relating to operating hours in order to come in line with the hours permitted by their licence, the committee is opposed to the proposed change from 'inaudible' to 'reasonable' levels of music to be heard at the boundaries, subject to consultation with the neighbours.**

The vote was 6 in favour and 3 abstentions.

1306/17 – 25 Meadway Avenue

It was agreed there were many similar extensions on this road and so it the motion to **recommend accept** was proposed by Cllr Middleton and seconded by Cllr Packham.

The vote was 7 in favour and 2 abstentions.

1361/17 – 23 Nailsea Park

The motion to **recommend accept** was proposed by Cllr Lees and seconded by Cllr Packham.

The vote was 7 in favour and 2 abstentions.

1362/17 – 7 Chestnut Chase

The motion to **recommend accept** was proposed by Cllr Packham and seconded by Cllr Phillips.

The vote was 7 in favour and 2 abstentions.

1363/17- 64 North Street

Cllr Packham didn't like the look of the extension coming forward from the building line, but it was proposed by Cllr Middleton to **recommend accept**, which was seconded by Cllr Tonkin.

The vote was 5 in favour, 1 against and 3 abstentions.

1385/17- Garden adjacent to 16 Woodland Road

Following discussion about precedents already set and an objection raised by a neighbour, it was proposed by Cllr Tonkin, seconded by Cllr Packham, to **recommend accept**.

The vote was 4 in favour, 1 against and 4 abstentions.

1417/17 – 21 Mountswood

Cllr Tonkin and Cllr Hunt felt the visibility splay would be compromised on a busy stretch of road. It was proposed by Cllr Packham, seconded by Cllr Tonkin, to **recommend refusal** on the grounds that the proposed wall would be excessively high and concerns that the visibility splay would be affected compromising highway safety.

The vote was 6 in favour and 3 abstentions. Cllr Lees asked for his abstention to be recorded.

1428/17 – 4 Trinity Road

The motion to **recommend accept** was proposed by Cllr Packham, seconded by Cllr Hunt.

The vote was 7 in favour and 2 abstentions.

1429/17 – 67-69 High Street

The motion to **recommend accept** was proposed by Cllr Lees and seconded by Cllr Packham.

The vote was 7 in favour and 2 abstentions.

1442/17 – Tesco Stores Ltd, High Street

Cllr Packham, seconded by Cllr Tonkin, motioned to **recommend accept**.

The vote was 7 in favour and 2 abstentions.

1448/17 – Little Manor, Nailsea Wall Lane

Cllr Tonkin left the meeting at 8.26pm.

The application was discussed and it was confirmed that parts of the application had come before the committee previously.

It was proposed by Cllr Packham and seconded by Cllr Phillips, to **recommend refusal** as the application included alterations to a boundary wall, to which the committee had already recommended refusal.

The vote was 6 in favour and 3 abstentions.

1449/17 Little Manor, Nailsea Wall Lane

It was proposed by Cllr Packham and seconded by Cllr Phillips, to **recommend refusal** as the application included alterations to a boundary wall, to which the committee had already recommended refusal.

The vote was 6 in favour and 3 abstentions.

Cllr Tonkin returned to the meeting at 8.28pm.

The meeting closed at 8.28pm.

Chairman's signature:

A black rectangular redaction box covering the signature of the Chairman.

Date: 26/07/2017

NAILSEA TOWN COUNCIL - PLANNING COMMITTEE MEETING 5TH JULY 2017

Comments from the above committee are listed below.

TC REF NO	APPL NO	CAT	LOCATION ROAD	LOCATION NO	APPLICANT	PROPOSAL	COMMENTS
4837	1298/17	F	West End Lane	Nailsea & Backwell RFC	C/O Agent	<p>Application to vary conditions attached to planning permission 09/P/0880/F (continued use of Nailsea & Backwell Rugby Club without compliance with conditions 1 and 14 attached to permission 07/P/2723/F to allow the facilities to be used on a permanent basis between the hours of 0900-2300 Mondays to Thursdays, 0900-0030 on Fridays and Saturdays and 0900-2300 on Sundays, and to allow live or pre-recorded music at a reasonable level at the position on the boundary of the site closest to residential properties instead of being inaudible) to allow extended hours of use (condition 16); remove the need to give two months notice of dates (condition 13); set a clearer criterion for noise levels.</p>	<p>Whilst not opposed in principle to the proposed changes to the planning condition relating to operating hours in order to come into line with the hours permitted by their licence, the committee is opposed to the proposed change from 'inaudible' to 'reasonable' levels of music to be heard at the boundaries, subject to consultation with neighbours.</p>

4838	1306/17	F	Meadway Avenue	25	Mr & Mrs Annibal	Erection of a two storey side extension following demolition of existing garage, replacement windows and landscaping front garden to create additional parking.	Recommend ACCEPT
4839	1361/17	F	Nailsea Park	23	Mrs M Goulden	Erection of a PVCu Orangery and associated base works.	Recommend ACCEPT
4840	1362/17	F	Chestnut Chase	7	Mr & Mrs J Parnell	First floor side extension over existing garage.	Recommend ACCEPT
4841	1363/17	F	North Street	64	Mr & Mrs R Lancaster	Single storey front extension.	Recommend ACCEPT
4842	1385/17	O	Garden adjacent to Woodland Road	16	Mrs Meryl Thomas	Outline planning permission for 5th the erection of a detached 3no. Bedroom dwelling following demolition of the existing garage. All matters reserved for subsequent approval.	Recommend ACCEPT
4843	1417/17	F	Mountswood	21	Mr & Mrs Robert Edmonds	Proposed increase in the height of the existing natural stone boundary wall adjacent to the highway (High Street, Nailsea) from existing 1.4m to 1.85m.	Recommend REFUSAL on the grounds of the proposed boundary wall being excessively high and concerns over visibility splay and highway safety.

4844	1428/17	F	Trinity Road	4	Mrs S McLachlan	To replace an existing felted flat roof on an extension to the side of the property with a tiled hipped roof.	Recommend ACCEPT
4845	1429/17	F	High Street	67-69	Kindale Limited	Retrospective application for the installation of a new shop front.	Recommend ACCEPT
4846	1442/17	ADV	High Street	Tesco Stores Ltd	Tesco	Consent to display 3no. Illuminated fascia signs, 1no. Illuminated gantry sign and 46no. Non-illuminated other signs.	Recommend ACCEPT
4847	1448/17	F	Nailsea Wall Lane	Little Manor	Mr & Mrs R Wood	Application for planning permission to replace an existing conservatory; construction of stone planters and alterations to existing boundary wall to increase height to and relocate gateway; removal of 'blown' render to north elevation; and erection of a car port structure.	Recommend REFUSAL due to the application including proposed alterations to the boundary wall which this committee has previously recommended refusal on.

4848	1449/LB	F	Nailsea Wall Lane	Little Ma	Mr & Mrs R Wood	Listed building consent application to replace an existing boundary wall to increase height to and relocate gateway; removal of 'blown' render to north elevation; and erection of a car port structure.	Recommend REFUSAL due to the application including proposed alterations to the boundary wall which this committee has previously recommended refusal on.
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