



# Bristol City Council

## Minutes of Development Control Committee A

Wednesday 14 January 2015 at 6 pm

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**Members:-**

*(A) Denotes absence (P) Denotes present*

<b>Labour</b>	<b>Liberal Democrat</b>	<b>Conservative</b>	<b>Green</b>
Councillor Breckels (P) Councillor Khan (A) Councillor Milestone (P) Councillor Pearce (A) Councillor C Smith (P)	Councillor Hance (P) Councillor Woodman (P) Councillor Wright (P)	Councillor Eddy (P) Councillor Lucas (P) Councillor Quartley (A)	Councillor Telford (P)

**1. Apologies for absence**

Apologies were received from Councillors Quartley, Khan and Pearce.  
Councillor Holland substituted for Councillor Khan and Councillor Mead substituted for Councillor Pearce.

**2. Declarations of interest**

None declared.

**3. Minutes**

**Resolved - that the Minutes of the Development Control Committee A meeting on the 3 December 2014 be approved as a correct record and signed by the Chair.**

**4. Appeals**

The Committee considered a report of the Service Director, Planning (agenda item no. 4) noting appeals lodged, imminent public inquiries and appeals awaiting decision.

With regard to items 43, 46 and 50 the Committee was informed that the decisions had been published but were in effect 'split decisions' in that the Inspector had given

permission for some elements of the proposal but refused permission for other aspects. The Committee was informed that these circumstances would be made clearer in future appeals reports.

**Resolved - that the report be noted.**

## **5. Enforcement**

The Committee considered a report of the Service Director, Planning (agenda item no. 5) noting any enforcement notices.

**Resolved - that the report be noted.**

## **6. Public forum**

Members of the Committee received public forum statements in advance of the meeting.

The Statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision. *(A copy of the public forum statements are held on public record in the Minute Book).*

## **7. Planning and development**

The Committee considered a report of the Service Director, Planning (agenda item no. 7) considering the following matter(s) :-

**1 14 04 60 F - 3 4 Princes Buildings Bristol BS 4LB Clifton Ward  
Application for retention of i detached garden cabin with attached deck located to the rear of the property for purposes ancillary to the main residential use of the property and ii a raised deck towards the end of the garden.**

The Case Planning Officer gave a detailed presentation on the application.

Having regard to the planning history on the site, as outlined in the report, the Committee was reminded that the recommendation set before them in the report was to grant conditional planning permission to retain the 'as built' building (including the attached deck to front, side and rear) and to retain the deck structure.

The principle of permitting a building in almost exactly the same location/position and of an almost identical size and design was established by the grant of planning permission by the Local Planning Authority in August 2012, subject to condition that it be used for ancillary and residential purposes only.

The Committee was also reminded that since the issue of this planning permission it had been the subject of a planning enforcement investigation, a number of further planning applications over the last 16 months and a recent planning appeal.

Resulting from the Appeal the Planning Inspector found that the use of the building for commercial holiday lettings was not acceptable and the design/form of the

building did not harm residential amenity or the character/appearance of the conservation area or impinge on the setting of the listed buildings.

This effectively meant that the building and attached deck and the lower deck did not have planning permission but were acceptable in planning terms provided the use was solely ancillary to the main dwelling.

The Committee having considered all the relevant facts derived from the report and the public forum session debated the Application proposal and the following points were clarified/made –

- If the current proposal was refused and a planning appeal lodged it was very likely that the Planning Inspector would arrive at the same conclusions as the previous Inspector as the material considerations would not have changed and would still hold significant weight;
- A suggestion was made to amend condition 3 to include a clause that would prevent the garden cabin being sold separately from the main dwelling;
- Allowing the development might increase the risk of setting a precedent for other development within the Clifton & Hotwells conservation area;
- Although overlooking had been addressed it was suggested that this could be improved by conditioning an extension to the privacy screening, to align with the corner of the decking area.

After further discussion of the pros and cons of the Application it was moved and seconded that permission be granted in accordance with the recommendations in the Planning Officer's report subject to amendments to conditions 2 and 3 as set out in the report to add the requirement to extend the privacy screen on the lower deck (condition 2) and to add that the cabin shall not at any time in the future be sublet, sold or severed in any way from the planning unit (site) established by the planning permission (condition 3).

On being put to the vote there were seven in favour and four against.

**Resolved - that permission be granted sub ect to the conditions listed in the report and sub ect to conditions 2 and 3 being amended as detailed.**

(The meeting ended at 8.25 pm)

CHAIR