

DISCLAIMER

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Bristol City Council
Minutes of Development Control Committee A
 Wednesday 2nd March 2016 at 1.00pm

Members:-

(A) Denotes absent (P) Denotes present

Labour	Liberal Democrat	Conservative	Green
Councillor Holland (P) Councillor Khan (P) Councillor Mead (P) Councillor Pearce (A) Councillor Phipps (P) Councillor Shah (P)	Councillor Hopkins (A) Councillor Kent (P) Councillor Wright (P)	Councillor Abraham (P) (Chair) Councillor Budd (P) Councillor Lucas (P)	Councillor Clarke (P) Councillor McMullen (P)

1. Apologies for absence

Apologies were received from Councillor Pearce (Councillor Mead substituting) and Councillor Hopkins (Councillor Kent substituting).

2. Declarations of interest

Councillor Tim Kent declared an interest in Application Numbers 15/06069/F and 15/06070/P since he had previously written a letter to other Local Authorities a few years supporting the principle of an Arena.

3. Minutes

Resolved - that the Minutes of the Development Control Committee A meeting on the 13th January 2016 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.

The Service Director reported that:

- (1) Appeal In Respect of 541 to 551 Fishponds Road, Fishponds, Bristol BS16 3AF – This appeal has been lodged some time ago and would be subject to a Planning Inquiry but no date had yet been finalised. It had been proposed that it was fixed for 8th November 2016 for 4 days;
- (2) Appeal In Respect of Land Located Between Numbers 5 and 11 Bramble Drive, Sneyd Park, Bristol BS9 1RE – The appeal against refusal had been successful and Planning Permission was, therefore, granted. Costs, however, had been applied for but not awarded.

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 its decisions (A copy of the public forum statements are held on public record in the Minute Book.).

7. Planning and Development

The Committee considered the following reports of the Service Director, Planning (agenda item no. 7) considering the following matter(s), together with an addendum report with changes to the recommendations for both Planning Applications, in addition to an update sheet:

(1) 15/06069/F – Former Diesel Depot Land, Bath Road, Brislington BS4 3DT – Construction of 12,000 Capacity Indoor Arena (Use Class D2). On the South Part of the Site, Creation of Public Plaza In front Of Arena And Landscaping Of the Site; permanent disabled parking (45 spaces) and cycle parking facilities (252 spaces), temporary surface level parking for operational staff and VIPs (200 spaces) for a period of 5 years; pedestrian and vehicular access via bridge from Cattle Market Road (under construction) and provision of new pedestrian access and steps from Bath Road. Existing vehicular access and steps from Bath Road. Existing vehicular access from Bath Road to be retained as a restricted access – Major Application/ Environmental Statement

(2) 15/06070/P – Former Diesel Depot Land, Bath Road, Brislington BS4 3DT, Outline Application (All Matters Reserved) For Up To 19,000 sqm of mixed use development on Arena Island comprising retail (Use Classes A1, A2, A3, A4); offices (Use Class B1); leisure (Use Class D2); residential dwellings, including affordable housing (Use Class C30; hotel (Use Class C1) and student accommodation (Sui generis). Provision of associated hard and soft landscaping, including linkages to the plaza and HCA Bridge, Major Application/Environmental Statement.

The Planning Case Officer gave a detailed presentation on both applications and made the following points:

- (1) An aerial photo was produced which showed the bridge across Victor Street;
- (2) It was proposed that there would be a Permanent Car Park A with 45 disabled spaces and 200 temporary places with changes in proposed elevations;
- (3) Photographs showed the view standing on Platform 4 of Temple Meads and showing Cattle Market Road, as well as the difference in levels between Bath Road and Plaza;
- (4) Access was shown going on to the floor of the Arena itself – on the plaza level, the level above and access into the building;
- (5) It was intended that the plaza would become an active place during the majority of the year when there were no events;
- (6) The outline application was indicative of the layout of the site;
- (7) The intention was to obtain maximum flexibility with residential development, commercial, offices, hotels – site photos were provided;
- (8) Officers believed that this is a strong design which would be of benefit to the city and the South West of England.

The Transport Development Manager made the following points:

- (9) Issues concerning public transport were critical to resolve, particularly relating to parking in the area – the site needed to be accessible for all users including disabled and walking and cycling;
- (10) Issues to be addressed included a very narrow footway along Bath Road, limited highway capacity, an absence of late night Park and ride provision, issues to address concerning the ability of coaches/taxis/disabled drop-off and a problem with the attractiveness of non-street parking;
- (11) Future infrastructure would provide:

A greater ability to serve Temple Meads

Increased accessibility with Metro West
Construction of bus routes in the North Fringe, Ashton Vale and the South Bristol Link;
Removal of the Temple Circus roundabout;
Reduction of bus waiting times;
Enhancement for pedestrians and cyclists;
Cattle Market Road improvements;
Harbour Walkway;
Riverside Walkway;
Feeder Road segregated cycle route;
St Philip footbridge

- (12) A transport management assessment summary had indicated that, in the worst case scenario it was estimated that 80% of people would travel by car, there would be 3.600 trips on the highway network and a car park occupancy increase from 24% to 80%, with Saturday occupancy increasing to 90%, additional pressure on the local highway network and additional queueing on the M32 approaches;
- (13) Since it was estimated that 42% of trips would take place from the former Avon area – a strategic approach was required to address clear demand that would come from South wales, Gloucestershire and routes to the south;
- (14) A local impact assessment on the Three Lamps Junction had indicated that it was not severe and that the traffic numbers were not of a magnitude to justify A4 and A47 carrying significant transport links;
- (15) A public transport survey indicated that 44% of trips would use the M32 and were reliant on the 3rd operator and Network Rail. GWR were considering the provision of Super Express trains;
- (16) Officers believed that Conditions 24 and 25 addressed the requirements of transport from the former Avon area;
- (17) The projected worst scenario of 80% for trips was estimated to drop to 67 to 57% due to the removal of car trips from the network;
- (18) The current proposed controlled parking areas were set out – further consultation would be required due to day time restrictions on the Arena dates. Areas has been identified around the site for an increase in cycle parking;
- (19) It was proposed to widen the footway near the route – however, the wall would need to be retained due to vehicle restraint;

- (20) A condition would require suitable management at the location to deter the masses of pedestrians using footways. However, Cattle Market Road improvements should help;
- (21) The Temple Quarter Spatial Framework was due for consultation and would cost £3.5 Million;
- (22) Coach drop-offs and taxi drop-offs would be provided along St Phillips and Albert Road with pedestrians being directed towards the Arena;
- (23) Condition 26 would provide footway landscaping and would require an Event Management Plan as part of the application;
- (24) Off site event management would be addressed as part of the outline application;
- (25) Travel Planning would include provision of real-time information displays. Public transport would be critical in addition to enhancements to deter car use.

The Service Manager confirmed that, prior to the submission of the Planning Application, there had been a great deal of dialogue and significant improvements made to the original proposal. Further detail for the discharge of conditions would be made in consultation with stakeholders. He drew attention to the following key conditions – 2, 3, 10, 18, 19, 20, 24, 25, 26 and 27.

Officers responded to a question concerning car parking spaces by confirming that the application did not include provision for car park spaces beyond the 200 temporary spaces suggested by the applicant. It was noted that the issue raised at cabinet concerning a possible multi-storey car park at 1 to 9 Bath Road was not part of the proposal and was only a developer's aspiration. In response to comments made by a number of Councillors, officers confirmed their view that the development could be sustained with the proposed transport and parking on the site.

During discussion of the item, Councillors made the following comments:

- (1) The proposal for an Arena was welcomed. In addition to the conditions contained in the Addendum report and the Amendment Sheet there should be a condition concerning the District Heating Network;
- (2) There was a need for direct access from Temple Meads since it was a very short distance to the site subject to a short cut through Cattle Market being available to put in place. Officers confirmed that, until this site had been developed, the Harbour Walkway bridge (which had received Planning permission and was due to open in 2017) would be the preferred route of access. One option which had formed part of the future consultation was to have access to the site directly from a

bridge. Since this was a pivotal part of the Enterprise Development, it was considered very likely that it would be developed;

- (3) Consideration needed to be given to the “toe” of land to the south west of the site. Officers responded that the south west of the site had been set aside for VIPs, rather than for the venue itself;
- (4) Consideration needed to be given to the potential addition of 1,000 cars at the site during the Christmas shopping period. Officers confirmed that this issue had been considered – with additional park and Ride measures being one future possibility. However, in view of the large amount of transport work taking place throughout the city centre, officers had formed the view that it would be easier to wait until much of this had been completed before pursuing this;
- (5) The Committee was faced with a difficult decision since they were being recommended to approve the application without any clear indication of when any potential car parking arrangements might be in place;
- (6) There was no comprehensive Energy Plan and there was no plan for Water Transport. In addition, the proposal for only 250 cycle spaces did not seem viable. Officers confirmed that there was an energy strategy for the site as required in the Central Area Plan. Members’ attention was also drawn to Condition 21 concerning the BREEAM rating which would tighten the energy requirement. Officers also confirmed that the ferry had a landing stage on the northern side of the site and that further cycle parking could be provided if required;
- (7) The development was not linked to the wider transport strategy. It was noted that Metrobus would link to Temple Gate rather than the Arena;
- (8) Consideration should be given to providing a ramp up the steps to help cyclists. The BREEAM excellence rating should be applauded since this was very difficult to achieve. In response to a Councillor’s question, officers confirmed that, whilst it was not directly compliant with the Council’s parking policy provision, the Arena was a unique facility. However, it was nevertheless pointed out by officers that the rail and lift facility should be enough to transport bikes;
- (9) There should be plans to make the Arena dementia-friendly. Officers confirmed that, whilst this issue had been raised during the consultation process, it was not a Planning issue. However, it might be an issue that could be considered in terms of the internal refinement of the meeting;
- (10) It was of great concern that no Travel Plan had been submitted. Officers stated that a Travel Plan and Event Management Plan had

been submitted at the same time as the building application – however, more detailed plans needed to be submitted as part of conditions for any approval before events started. It was noted that the Police had been consulted on the development and that Condition 26 included the need for talks about the need for a strategy to protect from live traffic. In addition, if there were multiple events, part of the procedure would require the Highways Authority to liaise with stakeholders to address this – Albert Road had 9 coaches which was considered sufficient;

- (11) There needed to be an analysis of the impact of the development on existing retail businesses ie city centre parking which was already difficult on Saturdays at the Hippodrome, the potential for parking spaces at Cabot Circus to be taken up during events;
- (12) It was important to ensure that there were sufficient parking bays for the disabled – officers confirmed that disabled bays were 5% (45 spaces) to ensure that they are policy compliant;
- (13) It was of great concern that there was no requirement for a detailed Travel Plan until an event was held and that the way the condition was framed stated “to the satisfaction of the Council” which might result in it being approved without coming back to the Committee. Officers confirmed that achievable triggers were required for the Transport Plan but the Project Team had been made aware that these issues needed to be addressed well before the first event took place;
- (14) There were key issues that Councillors needed to consider as part of the Planning process, including viability and deliverability, the impact on local and retail centres. It was of great concern that no progress appeared to have been made in addressing the issues previously raised as concerns by Councillors at OSM Committee 5 weeks earlier. Officers indicated that it was not unusual for an application of this size to have certain key issues still to be resolved – therefore, Councillors may wish to consider their future role in monitoring particular aspects of it;
- (15) The provision of only 200 spaces for cycle provision was delusional in view of the significant foot fall on Bath Road. 1,500 people currently used the rank for the Motion night club venue and this was currently extremely difficult. The developers should analyse the lessons from the Sandy Park stadium site – adequate infrastructure had been put in place there. Officers confirmed that a substantial investment of £3.5 Million had been allocated for Bath Road for any potential RPZ at St Phillips and bus service provision. However, it was acknowledged that a significant proportion of the scheme was subject to further feasibility. Further discussions as to how developers would meet the cost was not

part of the Planning Application. In addition, the budget was not limited – transport mitigation would be required and, as part of this, officers were mindful that further costing detail was required;

(16) In response to a member's question concerning whether the Outline application had been withdrawn, officers stated that the Committee needed to determine the applications in front of it;

(17) In respect of the outline application, Phase 1 of the Master Plan did not address the issue of the A4 Southern Access Link. In addition, it was not clear what the role of the Emergency Road on site would be or of how the levels of A4 Access would operate. Officers confirmed that access would be much lower than the Arena concourse – in response to a member's question concerning the use of resident event orders concerning events, they referred to Condition 10 relating to parking interventions which operated under the Highways Act rather than the Planning Act;

(18) There was inadequate provision for Bath Road in the development – it would not be practicable to use bollards as some had suggested. Officers confirmed that this would be an issue for the Arena Project team to resolve – there was a condition in the recommendations requiring this;

(19) There were serious concerns relating to pedestrian connectivity, safety and security and car drop-off – for example, what if a high number of young people left the Arena at the same time after a particular event – rather than relying on public transport, it was highly likely that their parents would want to pick them up by car which would be very difficult with the current proposals. Officers confirmed that Albert Road was the only option for drop offs since Cattle Market Road was closed. Condition 26 required that further work was carried out in respect of this and in relation to disabled drop-offs. However, he emphasised that the Highways Authority would not agree to anything that was unsafe or insecure. They also confirmed, in response to a member's question, that the Committee could resolve to request that the issue of any reserved matters for an outline application should come back to Committee;

(20) It felt as if the application had been rushed with the detail of a number of strategies being taken on trust. The ramp onto the Arena floor from Bath Road was a cause for concern – cyclists might get off and push their bike via an alternative route. Officers confirmed that the Spatial Framework referred to the need for further work to consider the ramp. In relation to a question concerning public art, officers confirmed that there was a Public Art Strategy – the design of the

building had taken place in collaboration with a local artist with conditions 2 and 8 requiring further detail prior to approval by the Local Planning Authority;

- (21) Additional conditions were required – such as the need for a District Heating Network at the earliest opportunity, as well as an additional Park and Ride condition supplementing provision for the Christmas period;
- (22) It had been a Council aspiration for a very long time to develop this site as it is a sustainable one. However, it should be clear from the outset how key issues such as transport can be resolved to avoid too many people travelling by car. There had been significant change concerning this application (ie whether or not there was a car park nearby with a Travel Plan dependent on this). A great deal of work was required with the residents in the east of Bristol to provide sufficient public transport and avoid issues elsewhere (ie Ashton Park). There needed to be guarantees for Windmill Hill and Totterdown residents concerning Park and Ride opening;
- (23) It was disappointing that there had been so few Public Forum statements;
- (24) Whilst Leeds City Council had actively engaged with the community through road shows during the period leading up to the approval of the Arena in that city, it was important that developers should take responsibility for ensuring jobs go to those most in need in the jobs market;
- (25) The approval of this scheme should be subject to a high threshold since it was the Council's own application;
- (26) The Arena was an exciting opportunity for the city which should be supported since it would be a great asset and be of economic benefit for the city– however, if poor decisions were taken in respect of certain aspects of it at the beginning, it would be the city's residents who would suffer. Any conditions attached to an approval needed to be practicable, achievable and correct;
- (27) It should be a totally public transport venue.
- (28) A number of Councillors stated that the Committee should consider deferring a decision on this application pending further work on establishing appropriate conditions. Officers stressed that it was understood that any development would need to be sustainable and address the concerns raised by Councillors – member's attention was specifically drawn to Conditions 25,26 and 27. In response to a member's question, officers confirmed that there could be a significant delay cost to deferral – one option might, therefore, be for the

Committee to approve the main application with conditions and with certain key elements of the scheme to return to a future meeting ie Cycle Parking, District Heating, the issue of the impact of Christmas etc. A number of Councillors expressed support for this approach and highlighted the following conditions as ones that should come back (Conditions 10, 20, 23, 24, 25, 26 and 27). However, they also understood why some Councillors were so concerned about these applications and had suggested that both applications be deferred. In addition, Councillors suggested that the outline application should be deferred pending production of the Master Plan;

(29) There were also other key issues for Cabinet to resolve in respect of this application which are pertinent to the wider central planning of the city;

(30) It was not unreasonable to expect that there should be a Travel Plan with sufficient detail to provide reassurance in respect of certain issues. If the Committee were to defer the applications, they may wish to consider when it comes back to Committee whether or not to keep any decision on reserved matters for Councillors.

Councillor Mead moved, seconded by Councillor Budd and, upon being put to the vote, it was:

Resolved (7 for, 4 against, 1 abstention) – that a decision on Planning Application Number 15/06069/F be deferred pending production of a Travel Plan with a more concrete plan to a future meeting as soon as practicable in order to make a proper considered decision.

Councillor Kent moved, seconded by Councillor Mead and, upon being put to the vote, it was:

Resolved (unanimously) – that a decision on Planning Application Number 15/06070/P (Outline) be deferred pending production of a Master Plan.

8. Date of Next Meeting

Following discussions, it was noted that the next scheduled meeting of the Committee was **6pm on Wednesday 6th April 2016 at the Colston Hall, Colston Street, Bristol BS1 5AR.**

(The meeting ended at 5.15pm)

CHAIR