



## Development Control Committee B Annual General Meeting

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**Date of Meeting: Wednesday 9th July 2014**

**Time: 2.00pm**

**Place: City Hall, College Green, Bristol BS1 5TR**

### **Labour**

Councillor Smith  
Councillor Holland  
Councillor Payne  
Councillor Mead  
Councillor Hickman

### **Liberal Democrat**

Councillor Martin  
Councillor Woodman  
Councillor Leaman

### **Conservative**

Councillor Abraham  
Councillor Lucas  
Councillor Windows

### **Green**

Councillor Fodor

If you have any questions about this agenda, please contact the officers shown below:-

#### **Gary Collins**

**Development Management**

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#### **Jeremy Livitt**

**Democratic Services Officer**

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Produced by the Democratic Services, City Hall, College Green,  
Bristol BS1 5TR



## Public Information Sheet

The attention of the public is drawn to the sheet at the back of the agenda giving information on the emergency evacuation procedures, attending meetings and inspecting reports and background papers.

### Agenda

**1. Membership of the Committee**

- the Committee is invited to note the Membership for 2014/15.

**2. Apologies for absence and substitutions**

**3. Election of Chair – Municipal Year 2014/15**

**4. Election of Vice-Chair – Municipal Year 2014/15**

**5. Declarations of Interest**

- to receive and note any relevant declarations of interest by Members of the Committee.

**6. Terms of Reference**

- to note the Committee's Terms of Reference as determined by Annual Council on 10th June 2014 and attached to the Agenda.

**7. Dates of Future Meetings**

The following dates are proposed for future meetings:-

**27<sup>th</sup> August 2014**

**1<sup>st</sup> October 2014**

**12<sup>th</sup> November 2014**

**17<sup>th</sup> December 2014**

**4<sup>th</sup> February 2015**

**18<sup>th</sup> March 2015**

**29<sup>th</sup> April 2015**

**8. Appeals**

- to note appeals lodged, imminent public inquiries, and appeals awaiting decision.

**9. Enforcement**

- to note recent enforcement notices.

**10. Public Forum**

*(time limit for this item - 30 minutes)*

Any member of the public or councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the **Public Information**

**Sheet** at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:

**Questions:**

Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest by **5pm on Thursday 3<sup>rd</sup> July 2014**

**Petitions and statements:**

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest by **12.00 noon on Tuesday 8<sup>th</sup> July 2014**.

The notice should be addressed to the Service Director, Legal Services, c/o The Democratic Services Team, Room 220, City Hall, College Green, Bristol BS1 5TR, marked for the attention of **Jeremy Livitt**, or email [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

**11. Planning and Development**

- to consider the following applications for Development Control B Committee.

\* the plans and drawings appended to the reports are for illustrative purposes only. The application drawings are those described in the conditions and advice applies to individual applications

***(Report of the Service Director Planning and Sustainable Development)***

Item	Application No:	Site/Address/ proposal	Councillor referral	Officer Recommendation
1.	14/00598/X	<b>85 Queens Road – Planning Application</b> Application for Variation/deletion of Condition Number 10 to extend the opening hours to 2am Saturday and Sunday = following a grant of planning permission 13/02228/F – Change of Use of Basement and Ground Floor Levels from A1 (retail) to A3 (Restaurant/Café) with no proposed internal or external works	No	Grant
2.	14/01183/F	<b>441 Stapleton Road Planning Application - Proposed Change of</b>	Yes	Refuse

		Ground Floor Retail Use (Use Class A1) to a restaurant/takeaway (Use Class A3/A5)		
3.	13/05335/F	<b>Redwood, Stoke Park Road South –</b> Demolition Of A Single Dwelling House and Re-Development To Provide 4 (Number) Semi-Detached Dwelling Houses	No	Grant
4.	14/01579/P	<b>574-590 Fishponds Road</b> Application for an Outline Planning Consent – for the erection of (Class A1) food retail store (338 sqm) and alteration to existing access and parking (with Access, Layout and Scale to be considered)	No	Grant

**Local Government (Access to Information) Act 1985:-**

The following Background Papers are specified for all the items contained within this report:

- (1) The application plans, forms and supporting documents from the applicant or agents.

## **REGULATORY COMMITTEES:**

### **DEVELOPMENT CONTROL COMMITTEES**

#### **Terms of Reference**

#### **Arrangements**

There are 2 Development Control Committees:

- **Development Control Committee “A”**
- **Development Control Committee “B”**

Each Development Control Committee shall have full authority to deal with all development control matters reserved to a Development Control Committee by virtue of this constitution.

#### **Functions**

Full Council has delegated to the Development Control Committees all functions relating to town & country planning and development control as specified in Regulation 2 and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) under the following provisions and any related secondary legislation:

1. Power to determine application for planning permission (section 70(1)(a) and (b) and 72 of the Town & Country Planning Act 1990 (c.8)).
2. Power to determine applications to develop land without compliance with conditions previously attached (section 73 of the Town & Country Planning Act 1990).
3. Power to grant planning permission for development already carried out (section 73(A) of the Town & Country Planning Act 1990).
4. Power to decline to determine application for planning permission (section 70A of the Town & Country Planning Act 1990).
5. Duties relating to the making of determinations of planning applications (Sections 69, 76 and 92) of the Town & Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25, and 26 of the Town & Country Planning (General Development Procedure Order 1995) (S.I. 1995/419 and directions made thereunder).
6. Power to determine application for planning permission made by a local authority, alone, or jointly with another person (section 316 of the Town & Country Planning Act 1990 and the Town & Country Planning General Regulations 1992 (S.I. 1992/1492)).
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights (Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995).
8. Power to enter into agreement regulating development or use of land (Section 106 of the Town and Country Planning Act 1990).

9. Power to issue a certificate of existing or proposed lawful use or development (Section 191(4) and 192(2) of the Town and Country Planning Act 1990).
10. Power to serve a completion notice (Section 94(2) of the Town and Country Planning Act 1990).
11. Power to grant consent for the display of advertisements (Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992).
12. Power to authorise entry onto land (Section 196A of the Town and Country Planning Act 1990).
13. Power to require the discontinuance of a use of land (Section 102 of the Town and Country Planning Act 1990).
14. Power to serve a planning contravention notice, breach of condition notice or stop notice (Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990).
15. Power to issue a temporary stop notice (Section 171 of the Town and Country Planning Act 1990).
16. Power to issue an enforcement notice (Section 172 of the Town and Country Planning Act 1990).
17. Power to apply for an injunction restraining a breach of planning control (Section 187B of the Town and Country Planning Act 1990).
18. Power to determine applications for hazardous substances consent, and related powers (Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10)).
19. Duty to determine conditions of which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites or mineral permissions relating to mining sites, as the case may be, are to be subject (paragraph 2(6)(a) of Schedule 2 of the Planning and Compensation Act 1991, paragraph 9(6) of the Schedule 13 of the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act).
20. Power to require proper maintenance of land (section 215(1) of the Town and Country Planning Act 1990).
21. Power to determine application for listed building consent, and related powers (sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9).
22. Power to determine applications for conservation area consent (section 16(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990, as applied by section 74(3) of that Act.)
23. Duties relating to applications for listed building consent and conservation area consent (sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regs 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 S.I. 1990/1519) and paragraphs 8, 15 and 26 of the Department of Environmental, Transport and the Regions circular 01/01).
24. Power to serve a building preservation notice and related powers (sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
25. Power to issue enforcement notice in relation to demolition of listed building in conservation area (section 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
26. Powers to acquire a listed building in need of repair and to serve a repairs notice (section 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).

27. Power to apply for an injunction in relation to a listed building (section 44A of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990).
28. Power to execute urgent works (section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
29. Power to authorise stopping up or diversion of highway (section 247 of the Town and Country Planning Act 1990).
30. Power to authorise stopping-up or diversion of footpath, bridleway or restricted byway (section 257 of the Town and Country Planning Act 1990).
31. Power to extinguish public rights of way over land held for planning purposes (Section 258 of the Town and Country Planning Act 1990).
32. Powers relating to the protection of important hedgerows (the Hedgerows Regulations 1997 (S.I. 1997/1160)).
33. Powers relating to the preservation of trees (sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1990 (S.I. 1999/1892)).
34. Powers relating to complaints about high hedges (Part 8 of the Anti-Social Behaviour Act 2003).
35. Power to include modifications in other orders (Section 53A of the Wildlife and Countryside Act 1981).
36. power to revoke or modify planning permission (Section 97 Town and Country Planning Act 1990).

### **Code of Conduct**

The committee must follow the council's Code of Conduct for Councillors and Officers dealing with development control and other appropriate planning matters (in part 5 of the constitution).

## Public Information Sheet Development Control Committees

### Emergency Evacuation Procedure

- (i) In the event of a **fire** you will hear a **continuous alarm**.
- (ii) **Do not panic** - members, officers and the public should leave the building promptly and in a quiet and orderly fashion using the nearest available escape routes and assemble **behind the Central Library** beyond the Norman Archway.  
**Lifts must not be used under any circumstances.**

Please note: alarms are tested every Monday at 9.30am (for approx. 30 seconds). These arrangements apply to meetings held in the City Hall, College Green. Where the meeting is held elsewhere, local arrangements will apply.

Please contact the Democratic Services Officer named on the agenda if you require further information regarding the following:

### ATTENDANCE AT MEETINGS – LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

All Development Control Committee meetings are open to the public and a limited amount of seating is available in each committee room. You may however be asked to leave the meeting when the committee considers any exempt (confidential) business shown on the agenda.

### INSPECTION OF PAPERS – LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

If you wish to inspect minutes or reports (other than exempt reports) relating to any item on this agenda please contact either the Democratic Services Officer or the Modern Records Office (tel: 0117 9222376). The background papers listed in a report may also be inspected. Please notify the Democratic Services Officer if you wish to see these. He/she will arrange with the report author for papers to be made available to you at a mutually convenient time. We can also arrange for copies of individual reports or minutes to be supplied to you or for an annual subscription to the papers for any Development Control Committee. A charge will be made for this service. Alternatively, all Development



Control Committee information may be inspected on the Council's Internet web site at : [www.bristol.gov.uk](http://www.bristol.gov.uk)

## **OTHER FORMATS AND LANGUAGES AND ASSISTANCE FOR THOSE WITH HEARING IMPAIRMENT**

Committee papers can be provided in other formats (e.g. large print, audio tape, braille etc) or in community languages, upon request. Please contact the Democratic Services Officer if you would like such papers giving as much notice as possible. It should be noted that re-formatting or translation of committee reports before the date of a particular meeting cannot be guaranteed.

Committee rooms in the City Hall are fitted with infra-red induction loops to assist people with hearing impairment. These can be used with either a neck loop (for hearing aid users) or with a handset. The Democratic Services Officer will be able to provide you with these. Hearing aid users need to switch the hearing aid to the "T" position.

## **PUBLIC FORUM**

Members of the public can make a **statement** or presenting a **petition** to any Development Control Committee provided that:-

You give written notice to us, including a copy of the statement or the front page of the petition, no later than 12.00 noon on the working day before the meeting and

The statement or petition concerns a matter that is the responsibility of the Development Control Committee at which you intend to present it.

(\* NB: if the meeting is on a Monday then your submission will need to be with us by 12.00 noon latest on the preceding Friday).

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, only the first sheet will be printed for Members of Council and made available at the Meeting.

You may also ask a **question** of the chair at a committee meeting. This must be submitted to us in writing not less than 3 clear working days before the date of the meeting. A written response will be available 1 hour before the meeting which will be circulated to all who are present and will be included subsequently, with the minutes of that meeting.

**Please note** that by participating in Public Forum business, it will be assumed that your consent is given to the recording of your name and the details of your submission in the documentation that is circulated to committee. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (available for inspection upon request with the other documents for the meeting concerned).

Where appropriate, we will endeavour to remove other personal details such as contact details. However, because of time constraints we cannot guarantee this and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the Council's website.

Other committee papers may be placed on the Council's website and information contained within them may be searchable on the internet.

Please note that for copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements as supporting paperwork.

### **Process during and after the meeting :**

Public Forum items are normally heard just prior to the agenda item to which they relate and are usually taken in the order in which they have been received. The Chair will call each submission in turn. When invited to speak, if making a statement, you should ensure that your presentation is short and concise and focuses on the key issues that you would like Members to consider. This will have the greatest impact. Please avoid reading out a lengthy text from a piece of paper – in most instances Members of the Committee will have already received and read a copy of your statement. Remember that your time allocation may have to be strictly limited if there are a lot of submissions before the meeting.

You do not have to speak or even attend the meeting at which your public forum submission is being taken. However, you should be aware if you do not present it, then it will **not be read out** unless the Chair specifically asks for this to happen. It will nevertheless be noted by members.

As most people who participate in public forum remain present for the debate on the agenda item in which they are interested, and because minutes of the meeting are normally published on the Council's website in 5 clear working days, it is not our normal practice to write to individuals afterwards. However, if you would like to receive an official response as to what happened to your submission at the meeting, please advise the

Democratic Services Officer named on the agenda, and ensure that they have your full address or e-mail details. We will then contact you within 7 working days. Alternatively you may phone the officer (see contact number on front of agenda) to confirm the outcome.

## **REGISTER OF INTERESTS**

To ensure an accountable, open and transparent local democracy, a Register of Interests for councillors is available for public inspection. Please contact the Democratic Services Officer named on the agenda if you wish to view the Register.