



Agenda Item No: 3

Bristol City Council

Minutes of Development Control Committee B

Wednesday 9th July 2014 at 2 pm

Members:-

(A) De-notes absence (P) De-notes present

Labour	Liberal Democrat	Conservative	Green
Councillor Smith (P) Councillor Holland (A) Councillor Payne (P) Councillor Mead (P) Councillor Hickman (P)	Councillor Martin (P) Councillor Negus (P) (substitute for Councillor Woodman) Councillor Leaman (P)	Councillor Abraham (P) Councillor Lucas (P) Councillor Windows (P)	Councillor Fodor (P)

1. Election of Chair

Nominations received - Councillor Abraham.

Councillor Abraham was duly elected as Chair of Development Control Committee (B) for 2014/15.

2. Election of Vice Chair

Nominations received - Councillor Smith.

Councillor Smith was duly elected as Vice Chair of Development Control Committee (B) for 2014/15.

3. Apologies for absence

Apologies were received from Councillors Holland and Woodman (substituted by Negus).

4. Membership of the Committee

That the membership for the 2014/15 Municipal Year be noted as follows:-

Councillor Smith Councillor Holland	Councillor Martin Councillor Woodman	Councillor Abraham Councillor Lucas	Councillor Fodor
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Councillor Payne Councillor Mead Councillor Hickman	Councillor Leaman	Councillor Windows	
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5. Declarations of interest

Councillor Martin stated that Application Number 14/00598/X – 85 Queens Road, Clifton was in his ward. He confirmed that he had an open mind concerning this Application and would listen to all parties’ views before reaching a judgement.

6. Terms of Reference

Resolved: that the Terms of Reference as determined by Annual Council on 10th June 2014 be noted.

7. Dates and Times of Future Meetings

The Committee discussed the issue of timings for the proposed dates for meetings for 2014/15. It was agreed that dates for future meetings should alternate between 2pm and 6pm. However, it was also acknowledged that any timing for meetings should take into account the need for Councillors to remain sufficiently mentally alert to ensure they made robust decisions.

Since there were 2 potentially controversial applications to be considered at the meeting on Wednesday 27th August 2014, it was agreed that this meeting should be held at 2pm, with all subsequent meetings alternating between 6pm and 2pm.

2014	2015
27 August 2pm	4 February 2pm
1 October 6pm	18 March 6pm
12 November 2pm	29 April 2pm
17 December 6pm	-

8. Appeals

The Committee considered a report of the Service Director, Planning and Place (Agenda Item No. 8) noting appeals lodged, imminent public inquiries and appeals awaiting decision.

Updates

Item 35 – 6 Russell Grove, Bristol BS6 7UE - The Committee noted that this decision had been made against officer recommendations.

Items 39 to 42 – St Mary’s Hospital, Upper Byron Place, Bristol BS8 1JU - The Committee noted the various decisions in respect of these appeals. It was noted that this decision emphasised the Planning Inspector’s support for Committee decisions which balanced the need for development with sensitivity in addressing site context.

Item 60 – 202 Cranbrook Road, Bristol BS6 7QT - In response to a concern raised by a Councillor about consistency of decisions and the potential increased flood risk that can occur in relation to impermeable surfaces, it was acknowledged that different Inspectors sometimes gave differing weights to different policies. In response to a Councillor's question, the Service Manager (Development Management) stated that he would discuss the potential for re-visiting the guidelines for driveways in Conservation Areas.

Resolved - that the report be noted.

9. Enforcement

The Committee considered a report of the Service Director, Planning and Place (Agenda Item Number 9) noting any enforcement notices.

Item 2 – The First House, Kensington Palace was discussed and officers were requested to provide an update for Cllr Martin.

Resolved - that the report be noted.

10. Public Forum

Members of the Committee had received the public forum statements in advance of the meeting (Agenda Item No.10).

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

11. Planning and Development

The Committee considered a report of the Service Director, Planning and Place (Agenda Item No. 11) considering the following matters:-

(1) 14/00598/X – 85 Queens Road – Application for variation/deletion of Condition Number 10 to Extend The Opening Hours to 2am Saturday and 2am 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 - Planning Application (Clifton East Ward)

The representative of the Service Director (Planning and Place) gave a detailed presentation concerning the application. The Pollution Control Officer confirmed that an acoustic survey had been carried during the week at a time when it was believed that additional noise from night clubs etc would be significantly less than normal and that the noise impact on residents of people leaving venues would be more noticeable. Following this assessment, an estimated increase in 2 decibels had been measured which would not be noticeable.

The Committee noted that their role was to look at this issue from a planning perspective and that any licensing issues would need to be dealt with separately by

the Licensing Committee on their own merits.

Committee Members made the following comments in respect of this application:

- (1) There was concern about the risk of a premature change of conditions for opening hours after a comparatively short period and in view of the fact that the licensing element will be done separately;
- (2) The previous approval had clearly been made on the basis of an application for a restaurant. Evidence had been presented to the Committee that this change was in relation to a younger group of people than had previously been envisaged;
- (3) The acoustic report was unconvincing. Any acoustic analysis should be made on the basis of an independent analysis. The estimated increase in sound (2 decibels) was a considerable increase, taking into account the variability in pitch and noise from individuals;
- (4) A similar situation had arisen in other areas of the city and there had been difficulties for residents with late night noise as a result;
- (5) The application was in a CIA (Cumulative Impact Assessment area) which needed to be taken into account;
- (6) Whilst a late night eating establishment might be desirable in certain parts of the city, an extension to 2am on Saturdays and Sundays seemed excessive for a restaurant.

The Service Director (Planning and Place) reminded the Committee that issues relating to the CIA and the necessity of the application were not planning issues and should not be taken into account during their decision-making process. Issues relating to the acoustic report and to the impact on residential amenity were, however, issues for them to take into account.

Resolved (9 for, 1 against, 1 abstention) – that this application be refused on the grounds of it having an unreasonable impact on the residential amenity of local residents in the area in terms of noise pollution.

(2) 14/01183/F – 441 Stapleton Road, Easton, Bristol – Proposed Change of Retail use (Use Class A1) To A Mixed Restaurant/Takeaway Use (Use Class A3/A5) (Easton Ward)

The Service Director (Planning and Place)'s representative gave a detailed presentation on this application. He drew members attention to officer's view that this application was likely to be for an A5 takeaway use rather than a mixed use and that this was likely to result in an increase in illegal and inappropriate car parking.

Committee Members noted that there were parking spaces quite close to this site and, in view of the density of housing in the area, it was likely that most business would arrive on foot rather than by car and outside of peak hours. It was important to support businesses in this area of Stapleton Road.

Resolved (11 for, 0 against, 0 abstentions) – that the application be approved

subject to the appropriate conditions.

Councillor Leaman left the meeting at this point.

(3) 13/05335/F – Redwood Stoke Park South, Bristol BS9 1LS – Demolition of a Single Dwelling House and Re-Development to Provide Four Number Semi-Detached Dwelling Houses (Stoke Bishop Ward)

It was noted that this site had been the subject of an informal site visit immediately prior to the Committee meeting.

The Service Director Planning & Place's representative gave a detailed presentation on the application and drew Members attention to the Amendment Sheet circulated at the meeting, which detailed changes since publication of the original report (copies of which are contained in the Minute Book and are on the Council's web site).

The Committee noted the location plan, different sets of photographs of the site, the elevation details and details of the maintenance regime at the site. Information was also provided concerning the different bus routes on the site.

Committee Members made the following comments:

- (1) There had been careful work carried out to secure trees and provide landscaping on the site;
- (2) Since the neighbouring area was so diverse, the principle of development on the site would not cause significant harm;
- (3) In response to a Councillor's questions, officers drew members attention to information in the report providing information concerning the Conservation Area adjacent to the site and the issue of potential loss of garden use;
- (4) The road in question was very narrow and was now a private road which had lost its quality over a period of time. There were a large number of cars parked on site, even at the time when Councillors had visited it;
- (5) Hedgerows and high quality trees would be preserved;
- (6) Conditions 6, 7 and 8 were proposed to address the issue of requisite materials and the look of the site.

Resolved – (9 For, 1 Abstention, 0 Against) that the application be approved subject to the conditions and advice notes set out in the report.

Councillor Martin left the meeting at this point.

(4) 14/01579/P – 574 to 590 Fishponds Road, Fishponds, Bristol BS16 3DD (Eastville Ward)

The Service Director Planning & Place's representative gave a detailed presentation on the application. He drew attention to an additional highways condition that was

proposed by officers (which was not included in the original report or the amendment sheet) to ensure there was adequate manoeuvring space in the area.

The Committee Members made the following comments:

- (1) Since this was an outline planning consent, there was little reason to refuse this application;
- (2) Whilst Councillors expressed some concern at the general growth of large convenience stores in the city and the resulting impact on local stores' ability to access retail, it was acknowledged that this application needed to be taken on its merits and that the proposal would not result in harm to the retail frontage;
- (3) The proposed highways condition was necessary since it remained unclear where goods would be loaded in any future development on site.

Resolved – that the application be approved (8 for, 1 against) subject to the conditions and advice notes set out in the report and to an additional highways condition regarding demarcation between this site and the neighbouring car sales site.

(The meeting ended at 4.45 pm)

CHAIR