



Bristol City Council
Minutes of Development Control Committee B
Wednesday 1st October 2014 at 6pm

Members:-

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

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

12. Apologies for absence

Apologies were received from Councillors Smith (substituted by Clark), Hickman (substituted by Milestone) and Martin (substituted by Negus).

13. Declarations of interest

No declarations of interest were received.

14. Minutes – 4pm on 27th August 2014

Resolved – that the above minutes be signed as a correct record and signed by the Chair.

In response to a member's question, the Chair advised that, due to severe work pressures, the minutes for the meeting at 6pm on 27th August 2014 had not yet been produced. However, he has been assured that these would be available in time for the subsequent meeting at 2pm on Wednesday 12th November 2014.

15. Appeals

The Committee considered a report of the Service Director, Planning and Place (Agenda Item No. 4) noting appeals lodged, imminent public inquiries and appeals awaiting decision.

Item 25 – The Memorial Stadium, Bristol Rovers Football Club, Filton Avenue, Bristol

Officers advised that this appeal was in abeyance pending a new application which had been received from the Football Club that was likely to come to Committee in future.

Resolved - that the report be noted.

16. Enforcement

The Committee considered a report of the Service Director, Planning and Place (Agenda Item Number 5) noting any enforcement notices.

Item 2 – The Blue Lagoon, 18 Gloucester Road, Bishopston, Bristol BS7 8AE

Item 3 – 31 Salisbury Road, Redland, Bristol BS6 7AR

In response to a Members question concerning the steps that had taken place concerning this application, officers confirmed that they would provide the local Councillor with the relevant information.

Item 4 – 240 North Street, Bedminster Bristol BS3 1JD

Officers advised that this Notice had subsequently been withdrawn by the Council. A retrospective planning application for the development had now been made, which had strong local support and enforcement action would only be subsequently taken if this application (which may come to Committee) was refused.

Resolved – that the report be noted.

17 Public Forum

Members of the Committee had received the public forum statements in advance of the meeting (Agenda Item No.6).

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).*

18 Planning and Development

The Committee considered a report of the Service Director, Planning and Place (Agenda Item No. 7) considering the following matters:-

13/05616/P - St Catherines Place Shopping Centre East Street Bedminster

Hybrid outline application for demolition of existing buildings on the site and phased redevelopment of site, comprising full application for Phase 1 and outline application for Phase 2. Full details provided for Phase 1 comprising: up to 45 residential units in a ground plus 8 storeys building, with up to 401.9 sq m GIA of flexible commercial floor space (falling within Use Classes A1 - 5, B1 and D1) at ground floor level and associated space, cycle storage, refuse

storage, plant, servicing, ancillary storage, public realm at lower ground floor and ground floor level. Outline details for Phase 2 to comprise up to 143 residential units in a building up to ground plus 15 storeys in height and 203.5 sq m GIA of flexible commercial floor space (falling within Use Classes A1 – A5, B1 and D1) at ground floor level and associated space for parking, cycle parking, refuse storage, plant, servicing, ancillary storage lower ground floor and ground floor level. Details of access, scale and layout to be determined at the outline stage with details of appearance and landscaping to be determined in Reserved Matters applications.

It was noted that this application had been deferred at the previous meeting at 4pm on 27th August 2014 pending further advice on site viability and the potential for the development to deliver affordable housing, as well as to address a number of points of concern made by Councillors during the discussion.

The representatives of the Service Director (Planning) gave a detailed presentation concerning the different aspects of the application during which the following points were made:

- (1) Officers supported the need for regeneration of the site and wider area;
- (2) Whilst there were some aspects of the proposal that officers supported, they felt that on balance the height, mass and scale outweighed the benefits;
- (3) Members were urged to attach very little weight to the figures that had been quoted by the applicant during public forum relating to the total number of potential residential units in the wider area and the potential proportion of affordable housing. This was because, whilst a high level masterplan had been seen by officers, no further work had been seen to substantiate the figures quoted.
- (4) Officers also clarified that, whilst this was technically an outline planning application, the only matters that were reserved for future approval were the external appearance and landscaping of the later phases. The means of access, scale (height) and layout (building footprint) of the entire development were matters for determination now.
- (5) Discussions had taken place between the applicants and officers on 2 separate occasions since the last Committee: firstly, to clarify the viability information and, secondly to explore whether height, scale and mass could change. However, the scheme before Councillors for consideration was the same as the last meeting;
- (6) A detail of the site was provided as part of the presentation;
- (7) The indicated use was appropriate for the area. Officers accepted that the land would not lend itself well to family housing;
- (8) There were very good sustainable transport links at the site – overall sustainability was also good and met the policies of the core strategy;
- (9) Officers were fully in support of links at the South of East Street but it was acknowledged that these were not part of the application under consideration;
- (10) Core Strategy BCS17 sought 30% affordable housing in South Bristol but subject to viability;

- (11) Alder King had been commissioned to assess the viability of affordable housing and they had sub-commissioned Ward Williams to address the issue of build costs. They had advised that there was a £3.65 Million viability gap. In view of this, officers were not able to recommend refusal on the grounds of a lack of affordable housing. There had been positive discussions with the developer who had indicated that, for the agreed viability review process for later phases, they were prepared to accept a drop in profit of 2% and of other thresholds also by 2% to help reduce this gap. However, officers had been advised that it was highly unlikely that affordable housing would be provided from this development as long as the gap is so big;
- (12) Officers explained that the recommended refusal reason two was a technical one – since the developer had accepted that a Section 106 Agreement would be required for this development, officers could work with the applicant in key areas prior to the determination of any appeal. If this had not been included and the Committee were to refuse the application, in the event of a successful appeal by the applicant, it might not prove possible to secure a S106 Agreement.
- (13) . It was noted that detailed Policy BDS1 requested clarification on the justification for a tall building being part of the development;
- (14) Officers' view was that the cumulative impact of the height, scale and massing of the development created a monolithic block acting as a negative barrier obstructing views. English Heritage and the Bristol Urban Design Forum had both expressed objections to the proposal. However, it was noted that the impact varied according to the location of the view – for example, where there were narrow buildings, such as in Bedminster Parade, the view only appeared just above the roofscape. Whilst much of the building wouldn't be visible from most of East Street, it would have more impact where the view opened up;
- (15) Officers disagreed with a number of the comments made in the statement by the applicant's planning consultant – they considered that, if approved, scale would have been determined and that it was not true to say that the final height and design of the scheme can be changed by reserved matters at a later stage.

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

- (1) One of the key issues in this development was how finite the height and massing is. The scheme did not provide quality and opportunity which was a prerequisite of any regeneration scheme. If it was possible to reconsider some aspects of the height and design of the scheme, it might be possible to support it;
- (2) If all such schemes were refused due to a lack of affordable housing, it would be impossible for any schemes to ever be approved to enable provision of sufficient affordable housing. This would perpetuate the existing situation;
- (3) Whilst acknowledging the size of the viability gap in this case, there had been schemes in the past where there had been a substantial viability gap

and which had seemed unlikely to proceed but which had taken place at a later date;

- (4) There seemed to be a very strong anti-tall building ethos within Bristol which influenced officer's views on this issue;
- (5) Since the decision on this application had been deferred to obtain further information on affordable housing and site viability and this had now been provided, there was no reason for any further delay in the Committee making a decision on this application;
- (6) The area needs investment. It was important to obtain good quality rental accommodation – it should be economically viable for the developer to be able to address this housing need;
- (7) There was a potential knock on impact from parking and traffic. Most people owned a car and were required to have one for their job. Although the application was near a railway station, there was no guarantee that it would be used by residents to get to work;
- (8) There was little that could be done about the issue of affordability. Sometimes there was a need to take a leap of faith – in this case, local people's opinion is split. However, Bedminster Town Team knew the area well and, in particular, how poor the existing area around St Catherine's Place was. Residents of any new development would help to bring money into the area;
- (9) Whilst the viability gap was a concern, the views of local Ward Members who supported the application and the need for regeneration and investment in the area were compelling;
- (10) It was important to be mindful that the applicants had indicated that they were prepared to consider options depending on economic viability;
- (11) The Committee needed to be careful not to sacrifice the proper taking into account of material planning considerations in approving this application;
- (12) Whilst the height and massing was a concern, it was crucial that regeneration should take place at the site.

In response to members' questions, officers made the following comments:

- (13) The Committee could not draw up a condition as part of an approval which would thwart the intention of the application ie concerning issues such as scale and means of access;
- (14) If the Committee approved an application on the undertaking that the developer will take a particular course of action (ie. explore alternative options for height and scale) , they would be moving into a position of trust rather than having control ie the spot heights of the buildings would be fixed unless formally amended by a new planning application by the developer at a later stage.

Councillor Woodman moved, seconded by Councillor Payne and, upon being put to the vote, it was

Resolved (7 For, 2 Against) – that this application be approved subject to appropriate conditions and also the completion of a Section 106 Agreement scurving a a viability review process and appropriate highway works. Details of these were to be drawn up by officers and circulated to Committee Members.

14/02781/F – 85 Lower Redland Road, Bristol BS6 6SP - Substantial Demolition of Existing Buildings and Construction of 2 Dwellings

The representative of the Service Director (Planning) gave a presentation on this application concerning the different aspects of this application, during which the following points were made:

- (1) Details of the site were provided;
- (2) It was not within the shopping frontage and was acceptable in principle;
- (3) The most contentious issue related to the design which was timber clad but not particularly prominent. Following receipt of amended drawings, the proposal was revised to a smooth white render finish.

Councillor Negus confirmed that he had made an objection to this application but had an open mind as to whether or not to support it. He indicated that he was concerned about the appearance and pointed out that the scale, mass and materials bore no relation to anything around it. His view was that this was a very assertive building for a Conservation Area and should be more subservient in this location.

Councillor Abraham pointed out that the existing building added nothing to the street and stressed the importance of getting residential development into the area. He moved, seconded by Councillor Clark and, upon being put to the vote, it was

Resolved – (9 for, 1 against) that this application be approved subject to the conditions contained in the report.

The meeting ended at 8.30pm

CHAIR