



Agenda Item No: 3

**Bristol City Council
Minutes of Development Control Committee B
Wednesday 16th September 2015 at 2.00pm**

The Colston Hall, Colston Street, Bristol BS1 5AR

Councillors Present:-

Ani Stafford-Townsend (Chair), Fabian Breckels, Carla Denyer, Richard Eddy, Margaret Hickman, Eileen Means, Glenise Morgan, Bill Payne, Kevin Quartley

Officers in attendance:-

Gary Collins, Stacey Hartrey, Kevin Morely, Jaymi Cue, Catherine Tyrer

8. Apologies for absence

Apologies for absence were received from Councillors Leaman, Mead and Windows.

9. Declarations of Interest.

There were none.

10. Minutes – 5th August 2015

Resolved – that the Minutes of Development Control B Committee held on the 5th August 2015 be confirmed as a correct record and signed by the Chair subject to:

- (1) Councillor's Quartley's name being correctly spelt in the list of Councillors giving their apologies and**

(2) The Minutes being altered to reflect the fact that Councillor Denyer did not second the motion for approval in respect of Application Number 15/00858/F (Top of Page 6).

11. Appeals

Informal Hearing Numbers 5 and 6 - 100 Redcatch Road, Bedminster, Bristol BS4 2HQ

Following the refusal of this application, there had been an appeal. It was noted that there would be a Public Inquiry to be held on Tuesday 6th October.

Written Representation Number 12 – 20 Knowle Road, Bristol BS4 2EE

It was noted that there had been an appeal following an enforcement notice being served in respect of this application. The Inspector had dismissed the appeal and upheld the enforcement.

Officers felt there were 2 important principles to uphold in this case. Firstly, that the Council believed that there had been no material change of use and, in addition, it was noted that the use could resume at any point.

RESOLVED – that the report be noted

12. Enforcement

The three enforcement notices which had been issued since the last meeting were noted.

13. Public Forum

Statements were heard before the respective applications and taken into consideration by the Committee when reaching a decision. Copies of the Public Forum submissions can be found in the Minute Book.

Two additional written statements from Dr Susan Thomas and Councillor Anthony Negus were accepted by the Committee in respect of application 15/02329/F since both statements had been sent into the Council but had not been received by Democratic Services. These Public Forum statements can also be found in the Minute Book.

In addition, a verbal statement was accepted from Councillor Eileen Means in respect of Planning Application Number 15/02329/F since there had been a lack of clarification between the Ward Members about how they would make representations at the Committee. She stated that both her and her fellow Ward Councillor Rhian Greaves supported the application. She made the following points:

- (1) The principle of the building as consistent with other applications approved
- (2) All objections to the application had been withdrawn

14. Planning and Development

An Amendment Sheet was provided to the committee in advance of the meeting, detailing changes since the publication of the original report.

Application Number 15/03187/1H – 538 Bath Road, Brislington, Bristol BS4 3JZ – Proposed Artist's Workshop At Bottom Of Rear Garden

The representative of the Service Director (Planning) provided a presentation of the application and made the following key points:-

- The windows were out of character with the surrounding area – vertical windows would be more in keeping with this;
- The overall design was not in keeping with the surrounding area – the shaped and massing of the design was too big for the context

Councillors made the following comments on the application:-

- There did not seem any significant reason to refuse this application
- There was no objection from neighbours or the Civic Society and strong support from both Ward Councillors
- This was an artists' workshop and the windows would be used for that

In conclusion, it was moved by Councillor Eddy, seconded by Councillor Hickman and, upon being put to the vote, it was

Resolved: (unanimously) that planning permission be granted subject to conditions to be prepared by officers including a condition that the use of the building remains ancillary accommodation to the main house.

15/02329/F – Land Adjacent To 30 Cotham Hill – Retention Pf Material Change of Use From Car Park (Sui Generis) to a Pub Garden (Sui Generis)

- This application was an improvement on the original proposals. They now included a formal proposal for a gardening policy (as opposed to a voluntary one) and had been scrutinised by Pollution Control;
- The correct conditions were important in respect of amplified and live music
- It was noted that the consent would be made personal to the owner (ie the Brewhouse Kitchen)

Councillors made the following points in respect of this application:

- There did not seem to be a continuing problem and, therefore, the application should be approved;
- An additional condition should be added noting that the Committee was aware of the Highways Management issues raised in this application but making the local Neighbourhood Partnership aware of the Highways Management issues involved;
- This application should be supported with the time restrictions on music and on the basis that music would only be played on particular occasions;
- The issue of lighting need to be considered and the possible use of down lighters to be switched off as a means of encouraging customers to leave – officers clarified that external lighting would require a further consent;
- This application should be supported with the conditions relating to music;
- It was suggested that the restriction on customers remaining outside the pub garden should be extended in the morning (ie from 10.00 to 22.00 Monday to Sundays to 11.00 to 22.00 Monday to Sundays)
- Following an issue raised in respect of the possible provision of biodegradable glasses, it was noted that any glasses would be designed so that they did not break if they fell onto the ground;
- The application was broadly supported – the Pub Management Plan seemed enforceable;
- In response to a member’s question, it was confirmed that Condition 4 had been added to include a provision for a personal permission;

- Personal permissions should be generally supported. It would be wrong to assume that any subsequent owner would view any such permission negatively

At the end of the discussion, the recommendations contained in the report were moved by Councillor Ani Stafford-Townsend and duly seconded, together with the following additional conditions:

- (1) those set out in the amendment sheet,
- (2) a change to the hours of opening of the pub garden in condition 3 from 10.00am to 22.00 hours Mondays to Sundays **to 11.00am to 22.00 Hours** unless agreed in writing and in advance by the Local Planning Authority
- (3) a condition stating that no music should be played unless approved in writing and in advance by the Local Planning Authority;
- (4) that the issue of Highways Management raised in this application be referred to the relevant Neighbourhood Partnership (Bishopston Cotham Redland Neighbourhood Partnership) to consider

Upon being put to the vote, it was

Resolved (unanimously) –

(a) that the application be GRANTED subject to conditions set out in the report as amended above and including an additional Condition 6 (No Music)

(b) that the Highways Management Issues raised in this application be referred to the Bishopston Cotham Redland Neighbourhood Partnership to consider

15/02760/F – 11 Harrowdene Road, Bristol BS4 2JD – Proposed Single Storey 2 Bed Dwelling On Land to The Rear Of 9-13 Hampden Road, Accessed Off Harrowdene Road

The representative of the Service Director (Planning) provided a presentation of the application and made the following key points:-

- Details of the location were shown
- C3 Residential use would be retained

- A condition prior to development was proposed requesting construction of the Management Plan
- This development would make effective use of land in an area where high density was appropriate;

It was moved by Councillor Morgan, seconded by Councillor Eddy and, upon being put to the vote, it was

Resolved – that the application be approved subject to the conditions set out in the report.

15/03095/F – 14/15 Clay Bottom, Bristol BS5 7EH – Erection of 4 x Two Storey Detached Dwelling Houses

The representative of the Service Director (Planning) provided a presentation of the application and made the following key points:-

- The application had originally been refused by officers under delegated authority due to concerns about inadequate visibility splays
- Following improvements by the applicant, it had been resubmitted and was being re-considered
- Details of the location of the site were provided
- The site is designated as an Important Open Space
- A pedestrian Refuge Area was proposed to address concerns – there was an internal driveway to each of the houses

Councillor made the following comments:

- The only outstanding issue was highway safety which had now been addressed by the applicant and, therefore, the application should be approved;
- There seemed no reason to refuse the application;
- The encroachment of the site on an area of green fields was a cause for concern and should be refused.

It was moved by Councillor Morgan, seconded by Councillor Eddy and, upon being put to the vote, it was

Resolved (7 for, 2 against)– that the application be approved subject to the conditions contained in the report and including changes to these conditions set out in the amendment sheet.

15/02935/F – 773 Fishponds Road, Fishponds, Bristol BS16 3BS – Change of Use Of Ground Floor From Shop (Use Class A(1) To restaurant (Use Class A3) With Associated Rear Outdoor Seating Area, Rear Single Storey Extension, Extraction Flue, Alterations To Shop Front, Provision Of Rear Boundary Treatment And Associated Works

The representative of the Service Director (Planning) provided a presentation of the application and made the following key points:-

- An amendment was suggested to Condition 9, as set out in the Amendment Sheet
- A copy of Bristol City Council's internal review of Fishponds Town Centre was circulated
- There was a requirement to preserve and enhance the Conservation Area
- There was no highways objection

Councillor made the following comments:

- Restaurants such as this were crucial to this area
- This was a good quality restaurant and would add to the vitality of the area
- The applicant and local people should be congratulated for their support of this restaurant – the local people needed a good eatery

At the end of the discussion, the Service manager (Development Services) reminded the Committee that they were considering the case on the basis of the use rather than the type of operator.

It was moved by Councillor Means, duly seconded and, upon being put to the vote, it was

Resolved: (unanimously) that the application be approved subject to the conditions set out in the report as amended by the amendment sheet in respect of Condition 9.

15. Date of Next Meeting

It was noted that the next meeting of the Development Control (B) Committee was scheduled for 6pm on Wednesday 28th October 2015 in a Committee Room, Brunel House, St George's Road, Bristol BS1 5UY.

(The meeting ended at 3.55pm)

CHAIR