



Agenda Item No: 3

Bristol City Council

Minutes of Development Control Committee A

Wednesday 30th July 2014 at 6pm

Members:-

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

| Labour | Liberal Democrat | Conservative | Green |
|---|---|--|---------------------------|
| Councillor Breckels (P) Councillor Khan (A) Councillor Milestone (P) Councillor Pearce (P) Councillor C Smith (P) | Councillor Hance (P) Councillor Woodman (P) Councillor Wright (P) | Councillor Eddy (P) Councillor Lucas (A) Councillor Quartley (A) | Councillor Telford (P) |

1. Apologies for absence

Apologies were received from Councillors Lucas, Quartley and Khan.

2. Declarations of interest

None

3. Minutes

Resolved - that the Minutes of the following Development Control Committee Meeting on the 18th June 2014 be approved as a correct record and signed by the Chair.

4. 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.

Resolved - that the report be noted.

5. Enforcement

The Committee considered a report of the Service Director, Planning and Place (agenda item no. 5) noting any enforcement notices.

Resolved - that the report be noted.

6. Public forum

Members of the Committee had received the public forum statements in advance of the meeting.

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).*

7. Information report – Avon Crescent

The Committee considered a report from the Service Director, Transport which outlined the findings of the formal assessment by officers into the possibility of closing Avon Crescent to through traffic.

Neil Terry (Highways and Traffic Management) was in attendance to present the report which provided an overview to the back ground, progress and outcomes and the conclusion. The following salient points were noted –

- Closing Avon Crescent would be feasible and options would be explored. The Highways and Traffic Management team would progress work to the design and consultation stage.
- Identification of alternative coach parking had proved difficult and a number of responses and ideas had been received from residents in relation to this.
- A report would be presented to Cllr Bradshaw, the Assistant Mayor for Place in September. The report would include the financial costs and alternative coach parking options.
- Maps had not been provided as the report related to feasibility and not specific designs.

The Chair noted that road closures were not a matter for Development Control Committees. However, it was proposed and agreed that the Committee support the road closure and this would be highlighted to the Assistant Mayor at his briefing in September.

Resolved - That the Committee note the report and that the Assistant Mayor for Place be advised that the Committee support the principle of closing Avon Crescent to through traffic.

8. Planning and development

The Committee considered a report of the Service Director, Planning and Place (agenda item no. 8) considering the following matters:-

(1) 13/05241/F - 9 Minto Road Bristol BS2 9YB

Change of use from industrial unit into single family dwelling. Associated external alterations to include alterations to roof form and insertion of dormer windows and rooflights in rear and side roof slopes.

Due to legal issues, the item was deferred.

(2) 14/01424/F - 33 - 49 Victoria Street Bristol BS1 6AD

External alterations.

The Senior Planning Officer 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 Service Manager, Development Management drew the Committee's attention to the recently adopted Site Allocations and Development Management Policies Local Plan. The Policies now form part of the Council's statutory development plan: the Bristol Local Plan. The policies would be used in making decisions on planning applications.

The Committee noted the comments made during the public forum statements.

The Senior Planning Officer confirmed that some information was outstanding which related to noise levels from the Fleece live music venue located adjacent to the property. This information was required in order to establish the maximum background noise levels and to determine the insulation requirements that would be needed to achieve an NR20 level.

It was agreed that the advice note relating to Noise complaints – balconies and open windows would be re-worded as it would not be possible to state that any noise complaints from future residents of the site regarding noise impacts from the Fleece would not be upheld.

The following points were noted as part of the discussion -

- Members expressed concerns about the poor air quality in the area and referred to a previous similar application which required fixed shut windows. The Senior Planning Officer confirmed that the recommendations included fixed shut windows on some floors. However, it was felt that balconies would be beneficial to provide outdoor space for residents on high floors which would be less affected

by poor air quality. Future residents would be advised to keep balcony door shut at times when not required for access.

- Immediately prior to the meeting, the developer representative had confirmed that the developer intended to meet the required NR20 level. The Officer recommendation requires noise insulation in order to achieve this. The developers have suggested alternative wording which specifies brands of glazing and types of panelling. The officer and the developer suggested wording would achieve the same outcome.
- Some Members noted concerns related to the tone of the public forum statements received from the developer and their legal representative which implied that development of the building would go ahead even if applications to change the externals of the building were refused.
- At the request of the Committee, the Senior Planning Officer explained the Prior Approval procedure, introduced by the government in May 2013, which permits the change of use from Use Class B1(a) offices to Use Class C3 (dwelling houses). The Prior Approval process permits the Local Authority to use only three matters in the determination of such applications: contamination risks, flood risks and transport and highways impacts. Some of the concerns highlighted by the Committee, i.e. the lack of active frontage, could not be addressed due to the Prior Approval process. In addition, Social housing provision would not be required.
- Members acknowledged the restrictions due to the Prior Approval process but noted that should the building be converted without the external changes requested, the dwellings would not be commercially viable.
- Members voted and agreed to amend condition 7 to require all windows on ground and first floors on Victoria St, and all windows on St Thomas St to be fixed shut.

Resolved – that the application be approved (7 for, 1 against, 1 abstention) subject to the amendment of condition 7 to require all windows on the ground and first floors on Victoria St and all windows on St Thomas St to be fixed shut; and also subject to the amendment of the advice note in relation to noise complaints related to balconies and open windows.

(3) 14/02762/X - Paintworks Bristol BS4 3EH

Application for variation of condition 8 (Site wide energy statement) attached to planning permission 09/04693/P - Outline application for the retention of Endemol buildings, demolition of other existing buildings and erection of new buildings of 2-7 storeys built on top of new undercroft car park to provide

employment floor space (B1); Retail floor space (A1, A3 & A4); up to 11 live/work units; and up to 210 residential units (C3); with revised vehicular access off Bath Road.(Major Application).

14/02763/X - Paintworks Bristol BS4 3EH

Application for variation of condition 9 (Code for sustainable homes CSH) attached to planning permission 09/04693/P - Outline application for the retention of Endemol buildings, demolition of other existing buildings and erection of new buildings of 2-7 storeys built on top of new undercroft car park to provide employment floor space (B1); Retail floor space (A1, A3 & A4); up to 11 live/work units; and up to 210 residential units (C3); with revised vehicular access off Bath Road. (Major Application)

14/02764/X - Paintworks Bristol BS4 3EH

Application for variation of condition 10 (BREEAM for commercial and retail floorspace) attached to planning permission 09/04693/P - Outline application for the retention of Endemol buildings, demolition of other existing buildings and erection of new buildings of 2-7 storeys built on top of new undercroft car park to provide employment floor space (B1); Retail floor space (A1, A3 & A4); up to 11 live/work units; and up to 210 residential units (C3); with revised vehicular access off Bath Road. (Major Application).

The Service Manager, Development Management provided an overview of the requested variations, highlighting the practical constraints 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 website).

The Committee noted the comments made during the public forum statements.

The Service Manager, Development Management noted that the current conditions could be considered prejudicial to the delivery of the scheme due to viability / costs. The scheme would deliver 5% affordable housing.

Members suggested that a viability review condition could be included if the code changed from 4 to 3. The Service Manager, Development Management explained that there was already a viability review clause in the section 106 agreement, but that this focused on affordable housing. Applying this clause to the code level would not be practical. The practicalities would need to be considered: Bristol City Council policies would not require level 4.

The Committee agreed to delegate power to Officer to finalise conditions.

Resolved – that the application be approved (8 for, 1 abstention) and powers would be delegated to officers to finalise the conditions. The consent would be subject to a new Section 106 agreement.

(4) 14/01347/F - Builders Yard 183 Henleaze Terrace Bristol BS9 4AS

Demolition of existing buildings and redevelopment to form 32 units of sheltered apartments (Category II Type) with associated landscaping, communal facilities, access, parking and off site road improvements (Major application).

The Development Management Officer 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). Apologies were provided as the plans were added to the website late.

The Committee noted the comments made during the public forum statements.

The Chair referred to comments from the neighbourhood planning network which highlighted the poor public engagement had taken place.

The majority of the concerns expressed by the public related to transport issues.

Councillors commented that the design of the building was unremarkable and it was hoped that better standard designs and quality could be provided in future.

Resolved – that the application be approved (7 for, 2 abstention).

(The meeting ended at 9.45)

CHAIR