



Bristol City Council

Minutes of Development Control Committee A

Wednesday 10th September 2014 at 2 pm

Members:-

(A) Denotes absence (P) Denotes present

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

1. Apologies for absence

Apologies were received from Councillor Quartley.

2. Declarations of interest

Councillor Wright declared an interest in agenda item 7 (1) citing that he had been significantly involved with this application over the last year both with the residents and with the school and was a former pupil of the QEH school.

Councillor Woodman also stated that he had some involvement with this application but not to the extent where he had made a pre-judgement on it.

3. Minutes

Resolved - that the Minutes of the Development Control Committee meeting on the 30th July 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.

With regard to item 39 (Land east of Wesley College) the Committee was informed that the Appeal had been dismissed as the Inspector felt that the impact and harm to the Conservation Area was of a sufficient level to refuse planning permission.

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. A late written statement in respect of agenda item 7 (4) was allowed.

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. Planning and development

The Committee considered a report of the Service Director, Planning and Place (agenda item no. 7) considering the following matters:-

**(1) (14/01950/F - Queen Elizabeth Hospital Berkeley Place Bristol BS8 1JX
New teaching block with associated access and landscaping.**

Including demolition of existing ATC hut.

**14/01951/LA - Queen Elizabeth Hospital Berkeley Place Bristol BS8 1JX
Paving of entrance area, creation of access through boundary wall and
painting of art block wall.**

(Councillor Wright did not take part in the debate or decision for this item)

Some Members of the Committee had attended an informal site visit prior to the meeting.

The Case 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 officer explained that the assessment of impact on heritage assets, as set out in legislation, had to start with a presumption in favour of preservation and then had to consider whether other public benefits outweighed this presumption.

Members of the Committee were broadly in support of the Application acknowledging the importance to the City of additional educational facilities and considered the

heritage impacts of the proposals to be acceptable and outweighed by this public benefit. Concern was raised that the proposed tree planting would be overly crowded and Members queried whether tree planting could be relocated to enable improved screening of the development.

Various options were considered but after some debate it was agreed that this aspect should be delegated to planning officers to agree the best possible alternative options taking into account the points raised by the Committee.

It was then moved and seconded that Application No. 14/01950/F and 14/01951/LA be approved as recommended in the report and the amendment sheet.

On being put to the vote there were eight in favour, one against and one abstention.

Resolved - that permission be granted for Application No. 14/01950/F and 14/01951/LA subject to the conditions and advices listed in the report and the amendment sheet.

(2) 14/02316/F - 100 Redcatch Road Bristol BS4 2HQ

Change of use of the building from a mixed C3/Sui Generis use comprising a self-contained flat to second floor and 9 bedroom House in Multiple Occupation to a mixed C3/Sui Generis use comprising a self-contained flat to second floor and Holiday Accommodation.

The Case 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) and provided further information in respect of differing views between the Applicant and objectors. The Committee noted that the Application was primarily concerned with the use of the property but also needed to have regard to the claims by local residents about noise and anti-social behaviour.

The Committee in considering this application gave full regard to the issues brought to its attention during the public forum session.

Having particular regard to the opinions and claims made during the public forum session the Chair emphasised the need for committee members to focus on the material considerations, as defined in planning law, and the merits of the proposal when reaching a judgement on the Application.

During the subsequent debate the Committee concluded that noise pollution from within the building from the operation of the business on the site could be mitigated and was the responsibility of the owner/applicant but recognised that anti-social elements particularly in public areas, including noise, was more difficult to control.

The Committee also acknowledged that due to the differing views raised in the public forum it was difficult to reach an informed decision on the Application. The

Committee's attention was drawn to advice in the report concerning the tests for potential planning conditions and, in particular considered the issue of enforceability.

After further consideration it was moved and seconded that Application No. 14/02316/F be refused as recommended in the report.

On being put to the vote there were six in favour, two against and three abstentions.

Resolved - that permission be refused for the reasons and advices listed in the report and the amendment sheet.

**(3) 14/03024/F - 20 Knowle Road Bristol BS4 2EE
Change of use from a C3 dwellinghouse to a mixed use comprising of a C3 flat within the basement & Sui Generis Holiday Accommodation above.**

Members of the Committee were informed that this application had been withdrawn by the Applicant.

**(4) 14/02061/FB - Imperial Tobacco Ltd Upton Road Bristol
BS3 1QZ**

Change of use from B1 Offices to D1 Educational Institution for the areas identified, alterations to elevations, new external lift shaft, reduction in parking areas for playgrounds, new parking and external landscaping and the closure of Upton Road to motor vehicles.

The Case 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) and emphasised that whilst no concern had been raised about the principle of development, the associated closure of Upton Road had formed the main issue raised in objections to the scheme.

Having regard to the main issue of objection the Committee considered alternatives to permanent road closure such as rising bollards and other forms of mechanical or manual road closure control. Technical considerations, such as the implementation of these measures on the public highway, and the practical implications of schools having responsibility for controlling any temporary road closure meant that a practical alternative could not easily be found.

After further discussion Members felt that closure of Upton Road was too onerous and that traffic calming measures would suffice. It was suggested that the words 'Closure of Upton Road to vehicular traffic' should be deleted from recommendation (D) and from Condition 2(iii) of the report and further traffic calming measures be incorporated in their place. Subject to this amendment it was moved and seconded that the Application be approved.

On being put to the vote there were eight in favour and three against.

Resolved - that permission be granted for application no. 14/02061/FB subject to a Memorandum of Understanding, the words 'Closure of Upton Road to vehicular traffic' being deleted from Recommendation (D) and from Condition 2(iii) and the conditions and advices listed in the report.

(5) 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 roof lights in rear and side roof slopes.

(Councillor Eddy left the meeting at this point and therefore did not take part in the debate or vote for this item)

The Case Planning Officer gave a detailed presentation on the application.

The Committee expressed its concern that works on the site were not in accordance with any approved planning application and were therefore unauthorised. The Committee expressed its frustration that any non-compliance with approved drawings happened, but that it had to assess the proposals on planning merits.

It was noted that although the current application sought to address this the accuracy of drawings of the existing (or previous) building was still an issue. However the Committee acknowledged that an adequate assessment of the impact of the development had been made following a site visit by the planning officer.

In conclusion it was considered that the proposal was satisfactory and that on balance the harmful impact of the development on neighbouring properties was not significant to warrant a refusal of planning permission.

It was also commented that the fact that the applicant's son was disabled was not relevant to the Committee's consideration of the planning merits of this application.

It was moved and seconded that the Application be approved.

On being put to the vote it was unanimously -

Resolved - that permission be granted for application 13/05241/F subject to the conditions and advices listed in the report.

(The meeting ended at 4.40 pm)

CHAIR