



Agenda Item No: 3

**Bristol City Council
Minutes of Development Control Committee B
Wednesday 18th March 2015 at 6.00pm**

The Colston Hall, Colston Street, Bristol BS1 5AR

Councillors Present:-

Peter Abraham (Chair), Fabian Breckels, Martin Fodor, Helen Holland, Margaret Hickman, Tim Leaman, Charles Lucas, Olly Mead, Bill Payne, Chris Windows and Alex Woodman.

Officers in attendance:-

Gary Collins, Patricia Jones, Kate Cottrell

1. Apologies for Absence

Apologies for absence were received from Colin Smith and Councillor Martin. Councillor Breckels attended as substitute for Colin Smith.

2. Declarations of Interest

There were none.

3. Minutes

Resolved – that the Minutes of the meetings held at 4.00pm on 4th February 2015 and at 5.30pm on 4th February 2015 be confirmed as a correct record and signed by the Chair.

4. Appeals

The report was noted.

5. Enforcement

The report was noted.

6. Public Forum

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

7. Planning and Development

14/03304/F Finzels Reach Bridge - proposed footbridge across the Floating Harbour, with associated landscaping and engineering works

An Amendment Sheet was provided to the committee in advance of the meeting.

The representative of the Service Director (Planning) provided a presentation of the application and highlighted the principal considerations to be taken into account in reaching a decision:-

- Using a slide presentation, attention was drawn to the site location plan and aerial photographs of the surrounding conservation area and listed buildings.
- The principle of a new bridge from the Finzel's Reach site to Castle Park was fully supported by the Local Planning Authority and if granted would secure commercial opportunities and pedestrian and cycle links in the central area.
- The proposal involved an alternative design that linked Castle Park from ground level rather than at first floor as previously approved. Also different was the landing location which would now be located above the ferry landing stage. A slide of the view from Bristol Bridge and the proposed landing point was considered by the committee.

It was noted that the proposed bridge would emerge from a low point on Hawkins Lane and would be DDA compliant. There would be no lift.

- Cumulatively, the proposal generated the following issues of concern:-
 1. The overall design and landing point would result in an over dominant and incongruous structure in a conservation area, thus failing to provide the high quality development required in this setting. Whilst increased use of the area around the new landing point would help stop existing antisocial behaviour, the design of the area did not result in the level of public realm enhancement expected in such a location.
 2. The design and structure would impact on the ability to increase waterside activity.
 3. The applicant had failed to provide non-slip details for the timber surface treatment.
 4. The application failed to demonstrate that flood risk would not be increased as a result of the scheme (there had been insufficient time to make an assessment of information recently submitted in this respect by the applicant and therefore unclear at this stage if this reason for refusal could be lifted).

- Whilst navigation matters were not a strict planning consideration, the Harbourmaster had been consulted. Attention was drawn to the navigation diagram submitted by the applicant. The location of the bridge on a blind bend gave rise to some concern by the Harbourmaster but no fundamental objection had been raised.

In conclusion, it was noted that the application was recommended for refusal.

Below is a summary of the issues raised in the ensuing discussion:-

- Flood risk – this was described as a technical matter potentially capable of resolution (subject to the advice of the Environment Agency) but remained a reason for refusal as it was unclear at this stage if this had been overcome.

- The impact of the proposal on future waterside activity was questioned on the basis that the committee was required to consider what was before it now and not what might happen in the future.

- There were still aspirations for a harbourside walkway and officers confirmed that the proposal did not impact on this.
- Councillors were generally in agreement that the proposal would rejuvenate the area and attract businesses and commercial opportunities. A bridge in this location would be vital to the city's infrastructure in the coming years.
- Officers acknowledged the safety concerns raised under Public Forum and referred to by the Harbourmaster, but maintained that there was other legislation in place to regulate health and safety issues which must be complied with.
- There was no Highways objection to the shared nature of the bridge by pedestrians and cyclists. It was noted that Sustrans had also commented on the scheme and there was no objection to the proposed width of the bridge.

Following further discussion, there was general agreement that this proposal demonstrated a degree of compromise. The primary concern of the committee was the long term future and vitality of the area along with the potential for the site to be a catalyst for investment, the economy and new homes. Members indicated that they were in favour of:-

- Continued dialogue between the developer and the rowers on the safety concerns raised under Public Forum. The Chair urged the developer to consult with the water users and reach agreement where possible.
- Recommending that officers should seek to resolve the flood risk issue under delegated powers.

Officers confirmed that on-going discussions between the developer and the water users could not be made a condition of planning consent. Whilst this could be encouraged, there was no guarantee that the scheme would change as a result.

In conclusion, it was moved by the Chair, seconded by Councillor Lucas and on being put to the vote (8 voting in favour and 3 against):-

RESOLVED - that planning permission be granted subject to :-

- (i) **Satisfactory resolution of the flood risk issue, including the withdrawal of the objection from the Environment Agency;**

- (ii) **Appropriate conditions, to be drafted by officers;**
- (iii) **Any necessary amendments to the existing s106 Agreement and site masterplan**

[14/04253/F](#) [14/04254/LA](#) *Central Library, Deanery Road - Internal and external refurbishment works to lower ground floor and basement of the Listed Building, the provision of a new school front entrance on College Square, cycle parking provision, amenity space and a replacement loading bay for the library on Lower Lamb Street*

Statements were heard before the application and taken into consideration by the Committee when reaching a decision. Copies of the Public Forum submissions can be found in the Minute Book. The committee heard an additional statement from Mr Ray Merchant.

The representative of the Service Director (Planning) introduced the report and gave brief overview of the principle considerations to be taken into account in reaching a decision. The committee noted that the proposal to lease the two lower basement floors of the Central Library to the Cathedral Primary School had received Mayor and full Cabinet approval in December 2013, subject to gaining the necessary Planning and Listed Building consents. The committee now had to consider the suitability of the site for the school on these grounds.

Attention was drawn to the Amendment Sheet circulated in advance of the meeting.

The committee then received a presentation of the issues affecting the application:-

- The proposal would not constitute a change of use but the Local Planning Authority (LPA) was required to consider the optimum viable use of a listed asset such as the library.
- The school's area of prime responsibility would exceed the city boundary, but the school places delivered would ease the on-going deficit in primary school place provision in Bristol.
- The applicant had looked extensively at methods to increase light penetration issues at the northern end of the site. This included fibre optic technology, chamfering of window sills and maintaining the windows and

retaining wall. It was estimated that the uncovering of the Hayward Lights would transmit approximately 65% of the daylight falling onto them from the roof lights over the ground floor lending library above. The campus style of the school also helped because pupils would not remain in one classroom over the course of the day.

Whilst recognising that the overall daylight levels were lower than optimal, officers were satisfied that all options had been considered and the wider benefits of the proposal outweighed this particular issue.

- The required weight had been given to the desirability of preserving a listed building following a survey of the areas of the building affected by the proposal. This had identified deteriorating conditions and inadequate book storage facilities. Taking this into account, the budgetary constraints that impacted on the ability to address maintenance, plus the wider public benefits, officers were satisfied that the scheme was a viable and sustainable use of the space that would serve to enhance the building overall.
- The resulting harm of the proposal would be the loss of the book store function from the lower 2 floors. The committee heard that the facilities were currently under-used and off-site storage would be used for reference material and the most requested book would remain available on-site. This was considered to be a less than substantial degree of harm when weighed against the benefits of the scheme.
- Officers were satisfied that suitable noise insulation measures would ensure the library would remain a quiet space.
- The increase in traffic movements identified was not sufficient to warrant refusal of the proposal on highway safety grounds. A robust travel plan aimed to reduce the impact of the car trips generated and a physical gateway secured by condition would deter driving into the Square.

Below is a summary of the comments and observations made by members in the ensuing discussion:-

- The proposal provided an opportunity to resolve the deteriorating fabric of

the building using modern construction methods and would bring 420 school places to the heart of the city.

- It was anticipated that resource material requested from storage would be available the following day.
- Concern was expressed in relation to travel arrangements/coaches to playing fields at Failand and the resulting impact on traffic.
- It was suggested that the building's current state of disrepair was the cumulative result of the council's indifference over many years.
- The lack of natural light and mechanical ventilation remained a cause for concern for some members. It was felt that the proposed mitigation measures would not remedy the low levels identified.
- Whilst the record of the school was not a planning consideration, some members of the committee took the view that the establishment of a school in this location was the best and natural use of the space.
- Attention was drawn to the lack of play space and the impact this could have on some children whose ability to learn was enhanced through play. Officers stated that this was an Ofsted issue and not a planning consideration.
- Officers remained satisfied that heritage considerations had been fully addressed.
- Some members of the committee were persuaded by the ringing endorsements from the parents present at the meeting and the ability of professionals to make the space work for teaching purposes.
- Given the choice between school places and the impact of the proposal on the library service, there was general agreement that the priority should be the valuable asset of a school and a proposal that preserved the majority of the historic fabric of the building.

In conclusion, it was moved by the Chair, seconded by Councillor Holland and on being put to the vote (7 voting in favour, 1 against and 1 abstention):-

RESOLVED - that permission be granted subject to the conditions set out in the report and Amendment Sheet

(the meeting ended at 9.25pm)

CHAIR