



**Agenda Item No: 3**

**Bristol City Council  
Minutes of Development Control Committee B  
Wednesday 5 August 2015 at 6.00pm**

The Colston Hall, Colston Street, Bristol BS1 5AR

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Councillors Present:-

Ani Stafford-Townsend (Chair), Jason Budd (substitute), Carla Denyer, Richard Eddy, Helen Holland (substitute), Tim Leaman, Olly Mead, Eileen Means, Celia Phipps (substitute) Bill Payne, Chris Windows.

Officers in attendance:-

Gary Collins, Allison Taylor, Rob McGovern, Lewis Cook

**1. Apologies for absence**

Apologies for absence were received from Councillors Breckels, Hickman and Quarterly.

**2. Declarations of Interest.**

There were none.

**3. Minutes**

**Resolved – that the Minutes of Development Control B Committee held on the 24 June 2015 be confirmed as a correct record and signed by the Chair.**

#### **4. Appeals**

The representative of the Service Director (Planning) reported on an appeal that had not been listed at Agenda Item 4. It was a significant application at 33/49 Victoria Street that had been considered on two previous occasions by DC A Committee last municipal year. The building had already been given 'prior approval' for a change of use from office to residential under permitted development rights and the application was for changes to the elevations. Officers recommended approval at Committee on 30 July with a condition that windows on Victoria Street should be fixed shut. The Committee approved this with an additional condition that windows on the entire elevation of St Thomas Street be fixed shut due to the proximity of the Fleece music venue. The developers were not content with the decision and applied to remove the requirement for windows on St Thomas Street to be fixed shut and this was considered on 5 November where officers recommended approval to this condition change. However, the Committee believed it was important that the St Thomas Street façade was fixed shut and only agreed to a minor variation to the condition in question. An appeal was lodged and the Inspector found that there was no reasonable planning purpose to fix the windows shut so granted planning permission on the terms of the original application. He awarded full costs, the scale of which were currently being agreed.

**RESOLVED – that the report be noted**

#### **5. Enforcement**

The report was noted.

#### **6. 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.

An additional verbal statement was accepted by the Committee for application 15/00858/F as the resident claimed that she had not received notification of this meeting despite neighbouring the site.

## 7. Planning and Development

It was noted that application 15/0239/F – land adjacent to 30, Cotham Hill had been deferred to a future meeting as the applicant was not in a position to provide information required to support the proposed recommendation.

*15/00858/F – 140a Whiteladies Road – Proposed first floor extension to existing building to provide 2 no. cluster flats of accommodation (Use Class C4) and 2 no. studio flats.*

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

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

- The application had been referred to the Committee by Councillor Cook and former Councillor Martin on the grounds of over development in a densely populated area, loss of amenity, loss of light, increased waste management problems, saturation of student accommodation in a conservation area and threat to overall conservation;
- The application was for a second storey extension to provide a further 12 bed spaces arranged into 2 no. 5 bed cluster flats and 2no. studio flats with associated living and kitchen space;
- 63 representations were received as a result of consultation, and a further representation was received on 3 August from Clifton Down Residents' Association;
- A 2011 census showed that Clifton ward had 30% student accommodation which was higher than average and there were 30 HMOs in the Cotham and lower Whiteladies Road area;
- There was a disparity between student population and HMO population as 8% of houses were unaccounted for;
- The proposal would not result in any loss of family houses in the area and housing stock figures would remain the same;

- The application had been assessed against Core Strategy Policy BSC21 which sets out appropriate densities for areas of the city;
- On being assessed against DM2 of the Site Allocations and Development Management Policies officers did not find that there would be significant harm to residential amenity. It was not the remit for officers to assume how certain people (ie. students) would behave;
- It was recommended that the existing waste management condition be updated to reflect the higher occupancy;
- It was felt that the extension would have a slight impact on overshadowing neighbouring properties but this was not significant enough to warrant refusal;
- A condition on the application required top hung and obscured windows to prevent overlooking;
- Amendments had been requested for good design practice and it was now considered to relate well to existing buildings;
- It was a car free development as it was close to bus routes and local amenities and new residential developments did not qualify for a resident parking permit;
- In conclusion, the scheme represented an efficient use of land and follows the policy for student accommodation and officers recommended approval.

The following points arose from the Committee's consideration of the application:-

- Officers would ensure a robust waste management strategy was in place which considered every eventuality;
- Councillor Denyer noted that there appeared to be a disparity between residents' views on overshadowing and the officer report. In response, the officer stated that it was not considered that an extra 2metre extension which was set back by half a metre would be a significant light loss and therefore would not warrant refusal;
- A condition requiring windows to be obscured meant that there was not significant threat to privacy;
- Officers had requested solar panels and this had been added as an amendment to the application;

- Councillor Denyer understood that it was not the officer's remit to consider how people behaved but asked whether there was any way to reflect what was likely to occur. The officer replied that assessment had to be objective and dispassionate as it was not possible to assume what people would be like;
- Part of the proposals were to include additional bike storage up 29 spaces which would be the required level for the occupancy of the building;
- There was no condition or advice regarding construction. Officers had recommended the developers consult Pollution Control;
- Councillor Eddy was sympathetic to the public views and would have voted against a change of use if it reduced the numbers of family dwellings but the application site was already student accommodation, was well designed and sustainable and was well placed for the main bus route. He would therefore support the application;
- Councillor Mead stated that he would be supporting the application subject to robust conditions being in place regarding waste management and construction arrangements. It was a sustainable application close to the university and bus routes and there would always be demand for student accommodation. The impact on the view was not a material planning reason to refuse;
- Councillor Holland understood the residents' views but found it astonishing that the provision of student housing was being questioned. Applications like this pushed up the quality of housing for students and freed up housing for professional people and families. She would be voting for the application;
- Councillor Windows stated that Bristol was a University City. Students were important to the economy and they needed to live somewhere. Accommodation specifically for them was far preferable than multiple occupancy buildings in residential areas. He would be voting for the application;
- The Chair understood the residents' frustration but the Committee could only take into account material considerations;
- The representative of the Service Director (Planning) agreed to tighten up the waste management strategy, including how complaints were dealt with (amendment to condition 6) and to also add a construction management plan condition (condition 11)

In conclusion, it was moved by Councillor Eddy, seconded by Councillors Denyer and Mead. On being put to the vote, (8 members voting in favour, 1 against and 2 abstentions) :-

**Resolved – that planning permission be granted subject to the conditions set out in the report, Condition 6 being updated to cover waste collection arrangements and an additional condition securing a Construction and Environmental Management Plan.**

*15/008291/P – University of the West of England outline planning application for the erection of new buildings for academic, administration and support purposes (6,500m use class d1) and associated infrastructure including provision of a new public transport facility, amendments to car park layout, revised access arrangements and landscaping; and the demolition of 4, 198m existing buildings, with all matters reserved except for siting, massing and access.*

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

- The purpose behind the application was to provide a new masterplan for the campus to replace the existing outdated building stock. The application also proposed changes to the layout of the site, with a new vehicle access from Park Farm Lane;
- This application allow phasing of the development with facilities remaining available and moved on the site;
- In terms of impacts, generally extended floor space would increase the presence of students but not significantly. There were no highway safety or residential amenity impacts;
- Buildings 2 and 3 were relatively discreet and would not have a significant impact. However, building 1 could be viewed from a number of positions but had not yet been fully designed so there were no formal proposals. Officers therefore had a dilemma as there was a need to be comfortable that the building could be accommodated;
- Long distance there was not a massive visual impact but there was a significant one close by;

- The developer would need to be sensitive to the driveway to the Ashton Court estate;
- It was accepted there was a need for development but the test was whether the development preserved/enhanced the conservation area. The onus was on the developer to put forward a high quality design;
- In addition to the points made on the Amendment Sheet, there were further new points;
- The application would be subject to a s106 agreement and would be recommended for approval subject to it being legally approved;
- The Tree Preservation Plan had now been submitted;
- An additional condition had been submitted which added a pedestrian facility along the front site path. It was proposed at a later phasing of the development to extend that facility;
- Subject to those additional conditions, approval was recommended.

The following points arose from the Committee's consideration of the application:-

- Councillor Eddy welcomed the investment in Bristol and fully supported the application;
- Councillor Means supported the application subject to the assurances that the buildings would be sympathetic to the area and not have a significant visual impact, that developers contribute to sustainability by keeping their techniques as up to date as possible, and that the developers were mindful of the proximity to Ashton Park School;
- Councillor Denyer expressed her broad support for the application and asked why there would not be an ecological mitigation strategy before demolition and was informed that the developer was keen to demolish the existing buildings quickly and therefore to avoid onerous conditions. On reviewing the conditions officers concluded that the Construction Environmental Management Plan condition 4 would suffice at demolition stage but there would need to be an Ecological Mitigation Strategy before the final development;
- Councillor Holland noted that the development would improve bus services in the area as residents could use UWE buses. She was pleased the building would be three storeys as this reinforced that UWE were staying in Bower Ashton. She asked that a strong message be sent to developers

regarding the walk up Kennel Lodge Road into Ashton Court which was very dangerous as there was no path so it was shared with cars and bikes. She proposed that a condition be amended on the outline planning permission for a safer route to be provided. The Officer confirmed that the additional condition regarding the footpath covered this point, this was essentially a shared facility but cyclists remained in the road. The path would be continued right up to the boundary with the intention of joining up with the future cycle path;

- Councillor Mead stated that this was an excellent development which would be a civic amenity to the city;
- Councillor Budd expressed his support for the development. He expressed some concern regarding the impact of car parking for residents and congestion and asked that this be monitored during the development and that the figures be available at the next phases of development;
- It was noted that students would be on site during construction but the areas under construction would be properly screened off;
- The representative of the Service Director (Planning) suggested that additional conditions securing a Construction and Environmental management Plan and the continuation of the footway/cycleway along Kennel Lodge Road to the boundary with Ashton Court estate be added to the application.

In conclusion, the recommendations were moved by Councillor Windows, seconded by Councillor Eddy. The vote was unanimous :-

**Resolved - that planning permission be granted subject to conditions set out in the report and with two additional conditions to secure a Construction & Environmental Management Plan and the continuation of the footway/cycleway along Kennel Lodge Road to the boundary with the Ashton Court estate.**

(The meeting ended at 8.20pm)

CHAIR