

Bristol City Council

Minutes of the Development Control A Committee



24 April 2024 at 2.00 pm

Members Present:-

Councillors: Richard Eddy (Chair), John Geater, Fi Hance, Tom Hathway, Philippa Hulme, Chris Jackson, Tim Rippington, Paula O'Rourke and Andrew Varney

Officers in Attendance:-

Simone Wilding

1 Welcome, Introductions and Safety Information

Councillor Eddy welcomed everyone to the meeting and issued the safety information.

Members were advised that Application 22/06085/F - Former Pring & St Hill (Plot 1) Malago Road Bristol had been deferred for this meeting at the applicant's request, it was anticipated that the application would be considered at the 5 June 2024 meeting.

As this was the last meeting of the municipal year, the Chairman expressed sincere thanks to all members and officers that had been involved in the work of the committee.

2 Apologies for Absence and Substitutions

Apologies were received from Councillor Farah Hussain, substituted by Councillor Tim Rippington.

3 Declarations of Interest

The Chairman asked that it be noted that he had made comments in the past in support of a city centre caravan park but as this was not an interest as such, he would consider the Baltic Wharf application purely on its own merits and this was not a conflict of interest. Councillor Jackson asked that it be noted that he was a member of the caravan and motoring club and that he would likewise consider the Baltic Wharf application purely on its own merits and this was not a conflict of interest.



4 Minutes of the previous meeting held on 6th March 2024

Resolved - that the Minutes be confirmed as a correct record of the Meeting.

5 Action Sheet

Noted.

6 Appeals

The Committee noted the report. In response to a question about the proportion of appeals for non-determination the Head of Planning confirmed that the number of these seemed to be starting to tail off but there were still a high volume of appeals, this was partly due to the increased churning out of more decisions. The rate of defending appeals successfully was also holding up well.

7 Enforcement

The Committee noted the report.

8 Public Forum

Members of the Committee received Public Forum Statements in advance of the meeting.

The Statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision.

9 Planning and Development

1 21/01331/F - Caravan Club, Cumberland Road Bristol BS1 6XG 0

The Presenting Officer introduced the report, the application was on the Baltic Wharf Caravan site, currently a brownfield site, adjacent to the floating harbour to the north and Cumberland Road to the south. The site was on a piece of land that was currently occupied by a caravan park and consisted mainly of hardstanding, with some grass areas, a toilet block, Warden's accommodation, and parking.



The Chairman asked for clarification regarding the comment made in the Tree Forum statement about new information being published contrary to the requirements of section 100B of the Local Government Act 1970. The Council's legal representative commented that as the officer's report had been published in line with the requirements of the Act and there had not been any material changes to the application the deadline had been fully complied with.

The following points arose from questions: -

- a) Proposed replacement trees amounted to 68 on site and 162 outside of the application area. There was a view that more trees should be placed close to the site however this would be consequent upon the outcome of the Council's parks development team finding sites as part of the S106 negotiations. A full mapping of tree planting sites would be inform the S106 negotiations and be taken into account as part of the s106 agreement. The Council's ecology officer had confirmed that the proposed replacement trees fully complied with council policy. Noted that there was no distinction between council and privately owned land and that the SPD regarding this was guidance not policy.
- b) The flooding concerns had been fully mitigated and that was why the Environment Agency had withdrawn its objection. It was noted that the residential properties were all above the predicted future flood level and the LFA had confirmed that access/egress on the site would be safe and would give a lifetime of certainty to residents on the site.
- c) Although views were not normally a material consideration, this was taken into account if it involved a heritage asset. Noted that overshadowing and distance between buildings for the proposal were within the standards necessary for the development.
- d) The overlooking aspects of the development were policy compliant, mitigation measures had been put in place and included screening on balconies and raised sill heights.
- e) CIL funding regarding this development would change if the affordable housing element changed, it currently stood at 40% which amounted to £1m. Noted that if affordable housing was 100% there would be no CIL funding (except from the commercial elements of the scheme) due to current regulations.
- f) The contribution toward flooding mitigation had yet to be agreed, this would not form part of the S.106 agreement. If affordable housing became 100% interiors of properties might need to be changed and if significant could result in an additional S.73 planning application being made to vary the consent. Net biodiversity had been gained via a hedgerow on the site and additional off-site proposals.
- g) Residents should not have difficulty obtaining home insurance for flooding as the properties being built were above the flood plain level and it was understood that other homes in the area already had home insurance.
- h) The committee could approve the application prior to replacement tree sites being confirmed on the basis that this formed part of the S106 agreement which would be concluded prior to planning permission being issued.



- i) Regarding the 40% affordable housing it was confirmed that this was the maximum that existing planning policy seeks. If the developer was able to get grant funding to provide 100% affordable housing, then this may require an additional S.73 planning application to vary the consent.
- j) Enforcement of tree planting would be under the remit of planning enforcement officers. It could be assumed that the service would operate effectively as two new officers had been recruited recently. The Chairman suggested that a condition be added that as many replacement trees be located within a one-mile radius of the site as possible.

The following points arose from debate: -

- k) The original objection about the flooding risk had now gone due to mitigation solutions.
- l) The tree replacement proposal was acceptable subject to it being finalised by the S.106 agreement.
- m) The development was on brownfield site and therefore compliant with planning policy.
- n) The development was not seeking to maximise financial gain and safety concerns around flooding had been mitigated.
- o) The proposed level of affordable housing was acceptable and might increase.
- p) Loss of mature trees was regrettable, but the development provided much needed affordable homes in Bristol.
- q) Enforcement of the application was recognised as being important and members were assured that all would be done as far as practicable.

On being put to the vote it was unanimously -

Resolved – That the application be Granted subject to a Planning Agreement and conditions.

**1 23/04490/F - Former Debenhams and Building to the West, The Horsefair, St James
1 Barton, Bristol BS1 3JE**

The Presenting Officer introduced the report, the application proposal was for the Demolition of existing buildings and erection of a mixed-use development comprising residential (Class C3), and commercial (Class E) floorspace, together with amenity space, landscaping and public realm works, vehicular access, and servicing arrangements.

The following points arose from questions: -

- a) 46% of the properties had balconies being a mixture of full and Juliet balconies. As much as possible had been provided as sought within SPD guidance. Noted that total outdoor space exceeded the SPD requirement by 100%.
- b) The gradient of the new street was redesigned to 1:20 so that movements would be DDA compliant, and disability access was fully provided. the pedestrianised street would be landscaped and sheltered. The 'wind tunnel' concerns had been carefully considered and work had been done



to mitigate impact on various structures, including via landscaping. These details would be finalised in the S.106 agreement, however it was considered that there would be minimal impact overall.

- c) Noted that the properties comprised 9% North facing single aspect and 46% dual or partial dual aspect (Dual orientation – 38.10%, Partial dual aspect – 7.94%). Noted that this was the best possible option achievable within the constraints of the site.
- d) Economic benefits were derived from the proposal as estimated by the developers. It was anticipated that these would be achievable given the number of residential properties and the likely footfall increase due to the new development and commercial opportunities that would arise from the development.
- e) The contrast with existing tall buildings nearby and additional shadowing had been assessed by a cumulative impact study and this had not indicated any additional harm arising from any in-combination effects.

The following points arose from debate -

- f) The development would significantly contribute to the economy of the city centre and provide much needed affordable retail space.
- g) Some concerns remained about the height and scale of the buildings and the 'canyon' affect from wind.
- h) The development was positive for its impact on the regeneration of the city centre and the associated economic benefits.

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

Resolved - That the application be Granted subject to a Planning Agreement and conditions.

Meeting ended at 4.30 pm

CHAIR _____

