

Bristol City Council

Minutes of the Development Control A Committee



11 January 2017 at 6.00 pm

Members Present:-

Councillors: Fabian Breckels (Vice-Chair, in the Chair), Harriet Bradley, Stephen Clarke, Mike Davies, Kye Dudd, Steve Pearce, Jo Sergeant, Clive Stevens, Chris Windows and Mark Wright

Officers in Attendance:-

Gary Collins, Catherine Tyrer, David Grattan and Jeremy Livitt

1. Apologies for Absence and Substitutions

Apologies for Absence were received from Councillor Lesley Alexander.

2. Declarations of Interest

The following Declarations of Interest were made:

Councillor Steve Pearce declared an interest in Planning Application 16/01591/F - 355 to 359 Two Mile Hill Road as it was in his ward but confirmed that he retained an open mind concerning it.

Councillor Fabian Breckels declared an interest in Planning Application Number 16/01591/F – 355 to 359 Two Mile Hill Road as it was in his former ward but confirmed that he retained an open mind concerning it.

3. Minutes of the previous meeting

Resolved – that the Minutes of the above meeting be confirmed as a correct record and signed by the Chair.

4. Appeals

The Head of Development Management commented on the following appeals listed in the report:



Item 10 – Southmead Police Station, Southmead Road Bristol BS10 5DW

It was noted that, officers had recommended approval for this application but it had been refused by the Committee on the grounds of the loss of an existing tree. Following an appeal by the developers, the Inspector had allowed it under Policy DM17 and indicated that he did not consider that the loss of the specimen tree was unacceptable. It was noted that no costs were applied for.

Item 31 - 420 Stapleton Road Easton Bristol BS5 6NQ

It was noted that this item had been recommended for approval by Committee and refused by Committee on a split decision. Developers had subsequently appealed this decision and the Inspector had upheld the Committee's decision.

5. Enforcement

It was noted that no enforcement notices had been issued during this period.

6. Public Forum

The Committee heard 9 Public Forum Statements which were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision. (A copy of the Public Forum statements is held on public record in the Minute Book).

7. Planning Application 16/02114/F - Beechwood House, Bell Hill – Change of Use of Existing Doctor's Surgery and House Into Self Contained Units of Private Sector Emergency Accommodation for Mothers of Young Children. Associated car parking and refuse and recycling store (Major Application)

Officers outlined the key aspects of this report and made the following points:

- (1) The site was located close to Colston's School
- (2) Existing plans showed that part of the ground floor was a doctor's surgery
- (3) Each of the 1st Floor Units had either a bed or two beds, a kitchenette and were en-suite;
- (4) Some of the rooms were quite small but they were good quality temporary accommodation and better than any alternatives, such as Bed and Breakfast or Hostel accommodation;
- (5) The proposals included a garden, there were sustainable transport links and various conditions were proposed.



Councillors made the following points and officers responded as indicated:

- (6) Unless there was parental control near the swimming pool, this could be dangerous – even if empty, a child could fall in. Some fencing was required for this. Officers confirmed that a condition could be added to the decision to require this;
- (7) It was noted that the contract with Bristol City Council could be rescinded if broken by the applicant. Officers confirmed that the owner of the property would need to re-apply to the Council as Local Planning Authority to vary conditions should the applicant which to accommodate residents other than either pregnant women or women with young children and who are referred by Bristol City Council's Accommodation Service;
- (8) This property was within the Eastville Licensing Area. Officers indicated that the Housing Team were investigating properties such as this to ensure that the appropriate licensing arrangements were being enforced. In response to a member's question, officers confirmed there was not currently a licence in operation;
- (9) In response to a member's question concerning the provision of an office for the manager but the lack of a communal room for the property, officers confirmed that this was the case. However, it was noted that this was intended as emergency accommodation, not privately rented, and was an alternative to Bed and Breakfast or Hostel accommodation. Whilst this was intended to be short-term, it was acknowledged that this could last a few weeks or even a few months due to the acute shortage of permanent housing;
- (10) There had been an apparent disregard by the applicant of the need to engage with other bodies for this application. If the Committee were to reluctantly approve the application, it would need to be very well conditioned and well enforced. However, there remained a concern that this type of application could become "run of the mill" rather than purely for an emergency. Officers pointed out that, as part of the Council's savings plan there had been some reduction in the resource for compliance monitoring but there were still enforcement officers who would respond to any complaints. The Committee's main concern should be to satisfy itself that the proposals together with the suggested conditions could be approved.
- (11) Whilst Councillors noted that this was not a Licensing application, they nevertheless expressed concern that no checks appeared to have been made on the property to establish if Planning Permission had been approved. In response to a Councillors' request, officers acknowledged that they needed to take necessary measures to ensure this did not happen again ;
- (12) Some Councillors expressed concern about proposed Condition 5 in the recommendations which stated that "Within 2 months of the date of this planning permission, details of the 'house rules' and how these shall be enforced and managed shall be submitted to and approved in writing by the local planning authority" and indicated that it should be less than this period. Officers confirmed that the requirement for details of house rules by 2 months was already a very tight timescale (as this needed to allow for the Council to consider the proposed house rules for approval) and suggested that the Committee could consider altering the second sentence of this condition to read "The premises shall thereafter only be occupied in accordance with these approved details" in order to strengthen it;
- (13) Whilst the structure of the property and the relatively small nature of the size of the accommodation were acceptable, management of the site remained a significant concern. Without a manager on site, there needed to be considerable support from the Council;



(14) Most of the objections centred around the developer and past experience with them. However, this property was already being used as an emergency shelter and was a satisfactory arrangement, particularly since other developers would not let properties to single mothers. It was not too unusual in these circumstances for there not to be baths in their accommodation and the use of showers only was a norm. This was a useful facility in a nice area and should be supported, although it would require careful support from the Council;

(15) In response to Councillors' concerns about the lack of management support at night, officers stated that the facility should be able to operate with daytime support only. The development does not propose a safe house and women being placed do not have significant mental health issues. No one would be allowed on site who was not specifically allowed to be there. Any breaches of house rules could be policed through CCTV;

(16) In response to Councillors' concerns about its current status, officers confirmed that it was occupied by women only under an existing arrangement with the provider which complied with homelessness requirements under the Decent Homes Standard. The requirement for a licence was a recent one and this issue was being specifically followed up by the Housing team. Officers confirmed that this was a retrospective Planning Application which would be regulated from a planning perspective if approved from that point onwards;

(17) It was deplorable that these premises were being used without a licence and this cannot continue in future. Monitoring was required with immediate effect, not within 2 months and should include a condition requiring a night manager in addition to a day manager, with the responsibility resting with the operator to manage the facility;

(18) Whilst it was important to ensure that a manager was provided at least during the day time, the Committee needed to be aware that any requirement for a 24 hour manager might be too costly.

Councillor Stephen Clarke moved, seconded by Councillor Clive Stevens and, upon being put to the vote, it was

RESOLVED (unanimously) that the application be approved with the conditions set out in the report and also including the following alterations:

- (1) the second sentence of Condition 5 being amended as follows "The premises shall thereafter only be occupied in accordance with these approved details " in order to strengthen it**
- (2) an additional condition be added to require a day manager to be present on the site between the hours of 0900am and 1800pm**
- (3) an additional condition be added to require appropriate fencing around the swimming pool to ensure safety for children at the property.**



8. Planning Application 16/01591/F - 355 to 359 Two Mile Hill Road

Officers introduced this report and made the following points:

- (1) The development included a footway which would help to ameliorate the difficulty of the narrow nature of Victoria Park;
- (2) The development was set back from Victoria Park to increase the sense of open access on the site.

In response to members' questions, officers confirmed:

- (3) that TDM no longer objected to the scheme and were particularly happy about the proposals for footway and pedestrian access;
- (4) that a condition concerning gardens/trees had been agreed to ensure appropriate numbers of trees could be fitted into the site.

Members also stated that:

- (5) This site had needed development for some time. Victoria Park was very narrow with no footpath and would be difficult to construct on the existing path as it was a cul-de-sac. Officers should be able to enforce the appropriate conditions;
- (6) An additional condition concerning parking would improve the application. However, it was a well thought out development which would improve pedestrian safety.

Councillor Chris Windows moved, seconded by Councillor Harriet Bradley and, upon being put to the vote, it was

Resolved (unanimously) – that the recommendations contained in the report, together with the existing conditions, be approved

9. Date of Next Meeting

The Committee noted that the next meeting was scheduled for 2pm on Wednesday 22nd February 2017 in the Council Chamber, City Hall, College Green, Bristol.

Meeting ended at 7.30 pm

CHAIR _____

