

Bristol City Council

Minutes of the Development Control A Committee



5 April 2017 at 6.00 pm

Members Present:-

Councillors: Lesley Alexander (Chair), Fabian Breckels (Vice-Chair), Stephen Clarke, Mike Davies, Kye Dudd, Olly Mead (substitute for Harriet Bradley), Jo Sergeant, Clive Stevens, Chris Windows and Mark Wright

Officers in Attendance:-

Gary Collins, Susannah Pettit, Laurence Fallon and Jeremy Livitt

Apologies for Absence: Councillor Harriet Bradley (Councillor Olly Mead substituting) and Councillor Stephen Pearce

1. Apologies for Absence and Substitutions

Apologies for absence and substitutions are set out above.

2. Declarations of Interest

The following declarations of interest were made:

Councillor Stephen Clarke indicated that he had been involved in a meeting with the agent for Linear Park but that he retained an open mind concerning the application.

Councillor Mark Wright stated that he had commented on previous applications for the Former Gas Works Site but that he retained an open mind concerning the application.

3. Minutes of the previous meeting

Resolved – that the Minutes of the previous meeting held on 22nd February 2017 be approved as a correct record and signed by the Chair.



4. Appeals

The Service Manager (Development Management) made the following points:

- (1) Somerset House 18 Canynge Road Bristol BS8 3JX – the Appellant has formally applied for an award of costs. Officers have sent a rebuttal on the costs application but the position remains that the Council will not be defending the appeal in accordance with the Committee decision of 22nd February 2017;
- (2) Avonbank, Feeder Road Bristol BS2 0TH – this appeal had been lodged late last month
- (3) Former Chocolate Factory Greenbank Road Easton Bristol BS5 6EL – the appeal against non-determination had been received and would not be defended in accordance with the Committee decision of 22nd February 2017.

Resolved – that the report be noted.

5. Enforcement

The Service Manager (Development Management) advised the Committee that 2 enforcement notices had been issued since the last meeting.

Resolved – that the report be noted.

6. Public Forum

The Committee received 8 Public Forum Statements in advance of the meeting (including one late statement, agreed by the Chair). The Statements were heard before the application they relate to and were taken fully into consideration by the Committee prior to reaching a decision. (A copy of the public forum statements are held on public record by Democratic Services). democratic.services@bristol.gov.uk

7. Planning and Development

The Committee considered the following Planning Applications.

8. Planning Application Numbers 16/05329/F and 16/05330/LA - Former Gas Works (West Purifier House), Lime Kiln Road

Officers gave a presentation for this item and made the following key points:

- (1) Details of the proposed building were provided which would contain 58 residential units over West Purifier House, a new 6-storey building in the north-eastern area of the site and two houses in the Engine House;



- (2) Information was given concerning the previous permitted scheme at the site for the Soil Association which had expired;
- (3) Objections had been received from the SS Great Britain (the loss of sight lines and potential impact of this) and from Historic England (excessive scale, materials and articulation, cause harm to the character of the Conservation Area and to the views to and from Brandon Hill);
- (4) Space standards had been met. Townscape views indicating the visual impact analysis had been included;
- (5) The development complies with the Site Allocation policy criteria for the site since it would use re-use the existing listed buildings on the site and bring them back into a sustainable use;
- (6) The development would improve the Harbourside Walkway;
- (7) The development would provide vehicular access from Lime Kiln Road;
- (8) The development would preserve and enhance the character and appearance of the Conservation Area and is supported by Flood Risk Assessment;
- (9) The scheme mitigates its impact through Section 106 obligations and would provide a financial contribution towards affordable housing;
- (10) Whilst acknowledging the objection from Historic England, officers had applied the appropriate assessment and had concluded that the impacts on the heritage assets are acceptable when balanced with the interests of bringing the site and buildings back into use;
- (11) The scheme provides a policy compliant sustainability response and includes robust supporting information on protection of nearby residents' amenity;
- (12) Transport conditions were acceptable and conditions would ensure that design details of the development were also acceptable;
- (13) The scheme will bring a long-term derelict site back into sustainable use.

In response to Councillors' questions, officers made the following comments:

- (1) There is an electric charging point;
- (2) Highways officers had examined the concerns raised about the level of traffic that would occur during the construction phase and had deemed that it was acceptable;
- (3) Officers felt the land value in excess of £3 Million proposed by the applicant was too high given the significant level of abnormal costs associated with this site. Following advice from Property Services, officers considered that a land value of in the region of £2 Million is the minimum that a reasonable land owner would be prepared to dispose of the land for, given its highly desirable location. Consequently, a land value of £2 Million has been adopted by the Council;
- (4) It was confirmed that any temporary or permanent works to the existing Listed Dock Wall would definitely require an additional listed building consent;
- (5) The future views from Cabot Tower had been indicated in the plans;
- (6) Public access around the site will be maintained as part of the Construction Management Plan and would also include access to Lime Kiln Road;
- (7) Housing Associations were generally reluctant to provide a small number of flats but were happy to agree to an off-site contribution. Whilst it might in theory be possible to deliver affordable housing ourselves, Bristol City Council had never previously taken on the provision of units in a private development. Officers were carrying out a separate piece of work with the Housing Delivery Team to



investigate options for this – the Cabinet Member for Housing had requested investigation into possibilities for particular suburban locations;

- (8) If one of the storeys was removed from the building, it would make the scheme undeliverable as other costs would still need to be met;
- (9) Officers maintained flexibility for options for affordable housing. If they were to make a requirement that any expenditure needed to be made within a particular radius (ie 1 mile) and no development could be provided within the required time period, funding might need to be returned;
- (10) The development would be publicly accessible;
- (11) The Neighbourhood Partnership in question (Cabot Clifton Harbourside NP) had not yet made a decision to apply CIL to these types of schemes. Therefore, the option of using some CIL to improve the public realm and hence assist scheme viability, was not an option at this stage;
- (12) The provision of larger flats had been agreed to assist in providing housing for families. Smaller flats would be unlikely to provide more revenue and improve liability;
- (13) By working with a Housing Association, the Council obtained match funding for a particular scheme;
- (14) Officers confirmed that, despite the reduction in the enforcement team, a full reactive enforcement service remained in place and would address any complaints if a developer failed to meet the relevant conditions of any agreed development.

Councillors made the following comments:

- (15) It was important to re-use this site which was not inconsistent with buildings in the vicinity;
- (16) The comments from SS Great Britain were noted and were of concern. The building was too high and would cause significant damage to the character of the area;
- (17) The level of affordable housing is unacceptable;
- (18) The development could cause “reverse ghettoization” and mitigate against mixed communities;
- (19) The developer has done reasonably well in the pre-Application stage. Whilst it had an industrial look, this was in keeping with other buildings in the area but would require good quality materials;
- (20) It was very important that this site was developed;
- (21) The large block did seem too big;
- (22) The lack of sufficient affordable housing was disappointing but the reluctance of the Housing Association to take on the site without certain requirements being put in place was understandable;
- (23) Since the financial crash, there was an increasing amount of social housing in the wider Harbourside area as Housing Associations had brought units from the developer;
- (24) The scheme complimented the listed buildings without being a pastiche;
- (25) Whilst it seemed a severe design compared to the Listed Buildings, it would not cause harm particular harm to the conservation area;
- (26) The Equalities Impact of the scheme Assessment was bad due to the lack of affordable units in this central location;
- (27) Whilst this site needed to be developed, the proposed scheme was in the wrong location;
- (28) £34,000 from the scheme proposed for the bus stop improvement should be transferred towards the provision of affordable housing.



Councillor Olly Mead moved, seconded by Councillor Fabian Breckels that “the application be approved, together with the amendments set out in the Amendment Sheet”.

Councillor Stephen Clarke moved an amendment, seconded by Councillor Clive Stevens that “ £34,488 identified for bus stop improvements be re-allocated to affordable housing and to be provided within a 1.5 Mile radius of the scheme”. Upon being put to the vote, this amendment was LOST (Voting: 4 for, 8 against, 0 Abstentions).

Councillor Clive Stevens moved a further amendment, seconded by Councillor Stephen Clarke that “ £34,488 identified for bus stop improvements be re-allocated to affordable housing”. It was noted that the applicants agreed to this proposal. Upon being put to the vote, this amendment was CARRIED (Voting: 5 For, 3 Against, 2 Abstentions).

Upon being put to the vote, Councillor Mead’s motion (as amended by Councillor Stevens) was CARRIED (Voting: 7 for, 2 against, 1 abstention). It was, therefore,

Resolved: that the recommendations contained in the report be approved, together with the amendments set out in the Amendment Sheet and with the Heads of terms of the required Section 106 agreement amended to re-allocate the £34,488 originally secured for bus stop improvements to the affordable housing contribution.

9. Application Number 16/04561/F - Linear Park, Avon Street, Bristol

Item 7 (b) – Application Number 16/04561/F – Linear Park, Avon Street, Bristol – Erection Of An 8-11 Storey Building Comprising 255 No. Residential Units, 536 Square Metres of Flexible Commercial/Community Floor Space (Use Classes A1, A2, A3, A4, B1a, D1 or D2) At Ground Floor Level, Basement Car Park and Associated Development, Including Access, Landscaping, Bin Storage and Cycle Parking (Amendment To Planning Permission 14/03133/F) – Major Application

Officers gave a presentation for this item and made the following key points:

- (1) Since the item had been to Committee on 22nd February 2017, it was noted that the bill period had been extended to 37 months, not to the shorter period that had originally been referred to by the applicant during Public Forum at the last Committee;
- (2) Since the applicant’s acknowledgement that there had been an error in the calculation of CIL as a result of the incorrect original viability assessment, this had now been corrected;
- (3) The applicant had now indicated that he would provide a minimum of 26 affordable units (10%), together with an offer of a further viability review on completion of the scheme. This was on the understanding that, if they could afford to provide more affordable units, they would do so. This offer was a significant concession by the applicant as they were not required to do this. Nevertheless, it was acknowledged that the report indicated that the applicant could afford to provide 34 units – which the applicant did not agree with;



In response to Councillors' questions, officers made the following points:

- (4) There was no risk of less than 26 affordable units being provided – this was the minimum figure that the developer would have to provide;
- (5) Values and build costs were estimated to increase. Therefore, it was fairly likely that any review would result in units being built having higher rental values. There were only a small number of these PRS schemes in operation. It was, therefore, difficult to assess it until the work was completed. The review of the viability of a PRS scheme like this had not been done before and this was therefore breaking new ground;
- (6) The wording of the Section 106 Agreement had been agreed to ensure the yield was set at the beginning and with finance factored in. The applicant would need to incorporate the sales value of rented flats at the end of the scheme;
- (7) The figure of 90% occupancy had been set at the relevant stage of the review as by this stage the scheme would be mostly built and rental values could be assessed.

Councillors made the following comments:

- (8) In future schemes, consideration should be given to allowing the developer to retain 25% of the excess profit of such schemes to provide motivation for them to build schemes as quickly as possible;
- (9) The method by which the scheme's viability had been assessed was a cause for concern.

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

Resolved (9 for, 0 against, 1 abstention) that the recommendations contained in the report, together with the Amendment Sheet, be approved.

10 Date of Next Meeting

It was noted that the next meeting was scheduled for 2pm on Wednesday 17th May 2017.

The meeting finished at 8.25pm

CHAIR _____

