

Bristol City Council

Minutes of the Development Control A Committee



15 June 2016 at 2.00 pm

Members Present:-

Councillors: Lesley Alexander, Stephen Clarke, Harriet Bradley, Fabian Breckels, Mike Davies, Kye Dudd, Mark Wright, Clive Stevens and Chris Windows

Officers in Attendance:-

1. Election of Chair 2016/17

Councillor Alexander was nominated by Councillor Windows and seconded by Councillor Stevens. There were no further nominations and it was therefore:-

Resolved – that Councillor Alexander be elected as Chair of Development Control Committee A for 2016/17.

2. Election of Vice-Chair 2016/17

Councillor Breckels was nominated by Councillor Bradley and seconded by Councillor Pearce. There were no further nominations and it was therefore:-

Resolved – that Councillor Breckels be elected as Vice Chair of Development Control Committee A for 2016/17.

3. Membership of the Committee 2016/17

The membership for the 2016/17 Municipal Year as detailed above was noted.

4. Terms of Reference



The Terms of reference as determined by Annual Council on 31 May 2016 was noted.

5. Dates and times of Meetings of the Committee 2016/17

These were agreed as :-

27 July 2016 @ 6pm
7th September @ 2pm
19th October @ 6pm
30th November @ 2pm
11th January @ 6pm
22nd February @ 2pm
5th April @ 6pm

6. Apologies for Absence and Substitutions

Apologies were received from Councillor Mead with Councillor Craig present as substitute.

7. Declarations of Interest

Councillor Stevens stated that he would be standing down when the Committee considered the **Queen Victoria House** Application as he was not open minded in respect of this application.

Councillor Clarke stated that his brother-in-law lived in Kennington Avenue, close to the **Brunel College, Bishopston** Application but he remained open minded.

Councillor Wright stated that he lived very close to the **Regent House, Consort House** Application but was open minded. He also stated that the developer had shown him the plans for the **Queen Victoria House** application but he was open minded.

8. Minutes of the previous meeting

The Minutes of the Development Control Committee B meeting on the 6 April 2016 were approved as a correct record and signed by the Chair.

9. Appeals

The Committee considered a report of the Service Director, Planning noting appeals lodged, imminent public inquiries and appeals awaiting decision.



10 Enforcement

The Committee was advised there were no updates for this meeting.

11 Public Forum

Statements

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. *(A copy of the public forum statements are held on public record in the Minute Book).*

12 Planning and Development

15/06289/F, 15/06290/LA and 15/06293/F - Brunel House City of Bristol College, College .

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 brought before the Committee as former Councillor Radice had requested that it be considered by committee. The request made specific reference to the lack of affordable housing in the development, concerns over pedestrian safety, particularly in relation to the close proximity of the development to the local school, and the lack of provision of renewable technologies;
- The three applications were for the conversion of the existing City of Bristol College building (a grade II listed building) to residential use, with the erection of a new build element to the west of the building to provide further flats;
- The applications comprised an application for full planning permission, one for listed building consent and a separate application for demolition of existing structures on the site. Overall, the development would provide 92 units of accommodation including the provision of 60 units in the converted listed building, with 32 flats in the new build;



- It was also proposed to provide 70 parking spaces on site, as well as cycle storage and refuse storage;
- a joint consultation was carried out for the three application and several key areas of concern were made, a key issue was that the lack of affordable housing was not justified. The applicant stated that to remain viable in planning terms, the proposed scheme was unable to provide the full policy requirement of 40% affordable housing. The applicant's viability assessment was independently assessed to establish if it was reasonable. It was concluded that whilst the scheme could not provide the full 40% affordable housing, it would be able to provide approximately 15% affordable housing (14 dwellings);
- the conversion of the listed building was uncontentious but there were concerns regarding the scale of the new build but if this was reduced the level of affordable housing would have to be reduced;
- There was concern regarding the parking spaces given over to this development. However, it was noted that the spaces outside the college were not highway but belonged to the college who allowed them to be used for residents. It was therefore not the colleges responsibility to provide for those displaced residents;
- The recommendation to approve was a balanced one. The impacts were recognised but the affordable housing and listed building works added weight.

The following points arose from discussion:-

- Councillor Wright was pleased to see new housing. He would have preferred to see 20% affordable housing and would not have accepted less than 15%. He noted that the development was fairly close to a good bus corridor and that the cars to flats ratio was in line with the rest of the city. He would have preferred the new build in stone to the proposed grey brick. He was, on balance, in favour of approval;
- Councillor Bradley hoped that the affordable housing would be a mix and not all small one bedroom flats. She was not convinced there was sufficient parking spaces and believed that the current calculation for car usage for a typical modern family was too low ie. it should be two cars per property. There were insufficient issues for her to vote against the application;
- Councillor Breckels shared the same concerns regarding parking spaces, stating this would put more pressure on fewer spaces in the area. He believed the correct number should be one space per dwelling. He was concerned at the lack of affordable housing, stating that government policy made this more difficult. He stated a preference for a mix of housing across both new and old build;
- Councillor Clarke stated that the developers should not be penalised because the parking spaces had historically been used for residents. It was necessary to get used to living with less cars. Referring to the applicant's submission, he found it extraordinary to believe that one car club space was equivalent to 20 cars spaces. With respect to renewable energy, the



representative of the Service Director (Planning) reported that the new build would have PV panels and solar water heating. Whilst it would be possible to provide renewables on the converted listed building it was considered that this would result in harm to the historic fabric, which outweighed the benefits;

- Councillor Craig echoed concerns regarding affordable housing and asked if consideration had been given to a tenure blind approach. She had slight concerns regarding the cladding on the new build. She noted that bus routes were in close proximity. She stated there was nothing within the application that would lead her to vote against approval;
- Councillor Stevens felt it was unfair to displace 15 residents from parking. With respect to renewable energy, he felt it was better to provide better sources of alternative energy such as heat pumps;
- Councillor Pearce supported the use of parking on the existing building. He noted the limited affordable housing and asked if it was possible to condition the properties being marketed within Bristol. He also asked whether a condition could be imposed requiring a panel to be erected stating the percentage of affordable housing being delivered. He was informed that the Committee had no powers to influence marketing or to condition a panel;
- Councillor Bradley agreed suggesting that developers should be pressed to market housing for Bristol residents and not rich people elsewhere;
- Councillor Dudd stated that parking would be an issue and found it hard to believe that a car club would reduce car numbers by 20. He noted that that the Council was failing to meet its 40% target for affordable housing. He had been elected on a mandate to increase affordable housing and 15% was not acceptable. He wished there to be a mix of housing across the development so as not to segregate the affordable housing;
- Councillor Breckels supported a Tenure Blind condition so that there was a mix of affordable housing and not just one-bedroom housing but a variety of sizes;
- The representative of the Service Director (Planning) stated that if granted the development would be subject to a S106 agreement and the details would be worked up. He noted the requirement for Tenure Blind and a range of housing.

In conclusion, it was moved by Councillor Wright and seconded by Councillor Windows and on being put to the vote, it was:-

Resolved – (10 for, 1 against) that planning permission be granted subject to conditions as set out in the report.

15/04726/F, 15/04727/LA 15/04731/F, 15/04732/LA - Regent House, Consort House, Imperial Arcade and Land Rear of 36-40 East Street Lombard Street, Bristol, BS3 1AL.



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

The following points were made by way of introduction:-

- There were two interlinked planning applications and associated listed building consent applications and were referred to as the core scheme and supplementary scheme;
- The Core Scheme change of use of Regent House and Consort House from offices to residential use and the erection of new blocks of residential accommodation. The scheme proposes the erection of 235 residential units (80 of which will be located within the converted building, 151 within new blocks on the main site and 4 units on Lombard Street).;
- The Supplementary Scheme was for the conversion of Regent House to residential accommodation and the erection of a mansard roof extension. Part of the ground floor will be retained as office/commercial floor space;
- if both the Core and Supplementary Schemes were implemented together, the combined development would deliver a total of 247 residential units;
- the historic buildings would be retained and the new build would be added to the rear;
- A key issue was affordable housing. Government policy and guidance states that scheme viability was a key consideration in determining the level of affordable housing that a development could provide, and that Council's should not require a level of affordable housing that would render a development unviable. A scheme was viable if the Residual Land Value (RLV) of the development was greater than the Site Value. The applicant's submitted a detailed viability appraisal which stated that to remain viable in planning terms neither the Core or Supplementary schemes could make an affordable housing contribution.;
- This appraisal was independently assessed by the District Valuer and it was concluded that both schemes were unviable in planning terms and therefore an affordable housing contribution was not possible. However viability reviews should be required and secured via a Section 106 Agreement, to reassess the scheme viability. In addition, an advice note would be added to any planning permission advising the applicant that should any subsequent planning applications be submitted to amend the mix of uses (particularly if additional residential units were proposed), a further viability assessment would be required to accompany any such application. In addition, a caveat would require a review of the viability should the work not have commenced within a year;
- Officers were satisfied with the design and recommended that planning permission be granted for both schemes.

The following points arose from discussion:

- Parking would be located in an undercroft with flats and landscaping above it;



- Councillor Wright was familiar with the site and was relatively happy with the scheme design. He noted the number of objections and could not understand why as the building was only visible from Asda car park. He was content with all aspects of the applications other than the lack of affordable housing;
- Councillor Pearce was content with the scheme design but was unhappy with the lack of affordable housing;
- Councillor Bradley noted the scale of the development and the developer's profit. She believed that developers should change their views and consider the wellbeing of city and not just their shareholders. She felt the modern building was ugly but as it was concealed this was not an issue. She noted that the development would provide employment but it was a disappointing application to be asked to approve;
- Councillor Clarke noted that this area, which was within his ward, had the quickest growing house prices in Bristol. The viability of the development was a difficult issue to explain to local residents. He was supportive of the viability review but was minded to vote to vote against approval because of the lack of affordable housing;
- Councillor Davies was informed that officers assessed applications submitted. It was not for them to request a redesign so that it was viable and could therefore include affordable housing;
- Councillor Dudd echoed all previous comments regarding affordable housing and was minded to vote against approval. The new build was modern and not in keeping & unsympathetic to the industrial heritage of the site;
- Councillor Stevens referred to Condition 17 and noted that the Core Strategy recommended 20 % on site renewables and he therefore urged that this be sought for this application and this was supported;
- Discussion took place regarding the narrowing down of the area of price increase to BS3 in relation to the viability review. The representative of the Service Director (Planning) stated that the condition could be amended to reflect this and this was supported by the Committee.

In conclusion, and in relation to the core schemes (Planning Application no's. 15/04731/F and 15/04732/LA), it was moved by Councillor Wright and seconded by Councillor Windows and on being put to the vote , it was:-

Resolved (6 for, 5 against) that planning permission be granted subject to conditions as set out in the report and with an amendment to Condition 17 to specify

'20% on-site renewables (or otherwise agreed in writing).'

And subject to an additional condition as follows:-

That BS3 price increases be applied to the viability review process secured by the S106 Agreement.

In relation to the supplementary schemes (Planning Application No's 15/04726/F and 15/04727/LA) it was moved by Councillor Windows and seconded by Councillor Wright and on being put to the vote, it was:-



Resolved (6 for, 5 against) that planning permission be granted subject to conditions as set out in the report.

At this point, Councillor Pearce left the meeting.

15/01681/F - Queen Victoria House Redland Hill, Bristol BS6 6US.

- This application was originally made for sui generis as it did not fall into any of the Use Class orders. Officers had debated the C2 use for older people's homes and C3 for residential accommodation. It was eventually decided to apply C3 because of the range of services available to future residents. It was noted that 60 years age plus accommodation needed its own use class;
- The loss of trees had been a big concern in the objections received. The applicant submitted an Arboricultural Statement. This included a tree protection plan and also provided information on tree loss and replacement.

The following points arose from discussion:-

- Councillor Davies stated that this was good accommodation for older people and would also assist with freeing up large family homes for those who needed it;
- Councillor Bradley had visited the site, noting how wonderful the building was but was in a state of disrepair. She believed it catered for real need for a segment of society and would be an asset to the community. She regretted that the building could not be moved and express some concern regarding traffic on Redland Hill;
- Councillor Windows admired the quality of the building and believed the proposal would diminish its appeal and would therefore vote against approval;
- Councillor Clarke was disappointed there was no affordable housing and asked for the meaning of 'without prejudice' statement from the developer. The representative of the Service Director (Planning) was unable to assist and therefore the Chair allowed the developer to explain. He stated that this was in order to progress matters they had accepted the officers decision regarding the C3 Class Use. He supported the point made in Councillor Steven's statement regarding the moving of the site a few metres away from the wall. The representative of the Service Director (Planning) stated that he was obliged to assess the scheme submitted on its merits and in his judgement that this would not have a harmful impact on amenity;
- Discussion then followed regarding the moving of the new blocks by a few metres and the applicant informed the Committee that there was a covenant preventing this however he was unsure who had the benefit of that covenant;
- Councillor Breckels accepted the benefits of the application in freeing up family homes but proposed that the application be deferred to find out the detail of the covenant.

In conclusion the Chair moved that the application be deferred for a site visit and in order to ascertain the content of the covenant. This was not seconded.



It was then moved by Councillor Breckels and seconded by Councillor Clarke and on being put to the vote, it was:-

Resolved – (unanimous) that the application be deferred for further consideration of the proposed siting of the new blocks and for information on the restrictive covenant that applies to the site.

The Meeting finished at 5.30pm

CHAIR _____

