

Bristol City Council

Minutes of the Development Control B Committee

23 August 2016 at 6.00 pm



Members Present:-

Councillors: Harriet Clough, Mike Davies, Richard Eddy, Martin Fodor, Sultan Khan, Olly Mead, Celia Phipps, Kevin Quartley, Afzal Shah, Clive Stevens and Steve Pearce

Officers in Attendance:-

1. Apologies for Absence

Apologies were received from Councillor Carla Denyer (substituted by Councillor Clive Stevens).

The Committee noted that Councillor Asher Craig had resigned from the Committee and was being substituted at this meeting by Councillor Steve Pearce until a permanent replacement member was appointed.

2. Declarations of Interest

Councillor Khan declared a non-pecuniary interest in respect of agenda item 7 (2) Shah Jalal Jame Mosque, being a member of the Mosque and confirmed that he would not take part in the debate or the decision process.

Councillor Shah declared a non-pecuniary interest in respect of agenda item 7 (2) Shah Jalal Jame Mosque, as he sometimes attended the Mosque but confirmed that this would not prejudice his view when considering the Application.

Councillor Fodor declared a non-pecuniary interest in respect of agenda item 7 (2) Shah Jalal Jame Mosque, as he had called in a previous Mayoral decision about digital advertising but confirmed that this would not affect his view when considering this Application.

3. Minutes of the previous meeting



The Minutes of the Development Control Committee B meeting on the 13 July 2016 were approved as a correct record and signed by the Chair subject to the inclusion of the following wording, after numbers 1-5 of the second paragraph, in respect of Minute No. 12 (1) 16/00719/F – Avonbank Feeder Road, Bristol –

‘6. Have receptors at relevant locations and heights to represent the exposure to 3-4 year olds at the nearby nursery, i.e. at lower than 1.5m above ground level.

7. Account for start-up and shut-down effects (as highlighted by one of the public forum statements), not just divide the full-time-running emissions by the number of hours it will run’.

4. Appeals

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

5. Enforcement

The Committee was advised there were no updates for this meeting

6. 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. An additional statement in respect of item 7 (3), which had been mislaid, was also included (A copy of the public forum list and statements are held on public record by Democratic Services).

7. Planning and Development

- (1) (a) 16/02785/F - 821 Bath Road Brislington Bristol BS4 5NL – Brislington East.
- (b) 16/02786/A - 821 Bath Road Brislington Bristol BS4 5NL – Brislington East.

The Planning Case Officer gave a detailed presentation on the application and emphasised that the first application related to buildings and the second related to advertisements. The recommendation was for approval of both applications subject to conditions.

It was considered that the development proposal would bring about significant benefits to the site in terms of visual amenity, contribute toward public transport infrastructure and increase the level of employment floor space in the south of the city. The design, landscaping, sustainability, drainage and land contamination / stability mitigation were considered acceptable but this would be subject to further evaluation. A condition was included to require such evaluation.



The Committee debated the Application and a summary of the main points clarified were –

1. The overriding use of the development would be approximately 65% warehousing in broad accordance with Planning policy;
2. Parking of vehicles on the site was a landowner issue and was not part of the planning application;
3. The proposed food outlets related to café and restaurants and did not include fast food takeaway units;
4. Noise issues eg deliveries, could be controlled by condition;
5. The Application was submitted after consultation had been completed;
6. Unexploded ordnance on the site had been fully taken into account by the Applicant;
7. Concern expressed about potential use of air sourced heat pumps instead of ground sourced heat pumps which were considered a better alternative for environmental reasons.
8. Concern expressed about confliction of pedestrians with vehicles. Highway officer clarified that work on this had mitigated risk with regard to school access and retail access, work still remained in respect of the drive through lane and the delivery area but it was considered that this could be controlled by an appropriate condition;
9. There had been some loss of community facility however it was considered that this did not have a direct impact on the Carmel building so was not relevant with regard to this Application;
10. Car parking rights had only been in actual use for approximately 2/3 years;
11. Tree cover mitigation was covered by condition 9 Landscaping, however there was significant support amongst members for additional trees to be planted above and beyond the minimum amount and members asked that their wish be recorded in the Minutes.

It was moved and seconded to approve the recommendations as set out in the report.

The Committee was reminded that there were two separate applications and that they would need to be voted on separately.

On application 16/02785/F being put to the vote there were ten in favour, one abstention and none against.

On application 16/02786/A being put to the vote there were ten in favour, one abstention and none against.

Resolved –

1. That application 16/02785/F be approved subject to the conditions and advices listed in the report;
2. That application 16/02786/A be approved subject to the conditions listed in the report.

(2) 15/05596/A – Shah Jalal Jame Mosque, Easton – Erection of a double sided Digital Advertising Tower with associated Logo Boxes – Easton



Councillor Khan remained for this item but took no part in the debate or the decision process.

The Planning Case Officer gave a detailed presentation on the application and drew the Committee's attention to the Amendment sheet. The recommendation was for a split decision part approval and part refusal.

The Committee debated the Application and a summary of the main points clarified were –

1. The duration between advertising changes was 30 seconds and this had been conditioned. It was noted that Highways England had been satisfied with a 10 second delay but the Council's highway officer considered that this would be too much of a distraction for motorists with consequent impact on road safety;
2. A condition was in place to mitigate any negative impacts from light pollution both in terms of brightness and light levels and this had not been objected to by Highways England;
3. Members were advised that a previous application near to this site was also a split permission due to highway safety issues so the recommendation for this application was consistent with this approach although the Committee was not bound by this when considering this application;
4. The content of the advertising was not a planning consideration and therefore could not be taken into account;
5. The financial impact on the Mosque was not a planning consideration and therefore could not be taken into account;
6. There were similar examples of this type of proposal and each had been considered on their own merits with safety being a paramount issue;
7. Management of the advertising screen to take into account volume of use of the motorway was not practical as the motorway was in use 24 hours a day. Light pollution of nearby residential properties would be limited as the screens would be directed toward road user, this was in addition to the Condition to manage light pollution;
8. The advertisements were of a static display and for 30 seconds duration;
9. The amount of energy used by the advertising screens was not a planning consideration. There were only two planning considerations namely visual amenity and highway safety;
10. A suggestion to compromise on the Application to use one digital and one plain non-digital advertising board was not possible as the Committee could only consider the Application currently before it.

The Committee was reminded that although the Application must be considered on its own merit there was already in existence a similar permission for advertising with a split permission granted. If the Committee decided to amend this application to a double permission this could have an impact on the current application which was currently the subject of an appeal against the current permission which approved a split decision.

It was moved and seconded to approve the recommendation for a split decision as set out in the report.

On being put to the vote there were five in favour and five against. As the result of the vote was inconclusive the Chair exercised his casting vote and voted in favour.



Resolved –

1. That the structure and digital display screen facing northeast only be approved subject to the conditions listed in the report;
 2. That permission for the digital advertising screen mounted to the proposed structure facing southwest be refused for the reasons set out in the report.
- (3) 15/05503/F – Land east of Wesley College – Proposed Construction of four new residential dwellings with associated access and landscaping – Westbury-on-Trym and Henleaze.

The Planning Case Officer gave a detailed presentation on the application and drew the Committee's attention to the Amendment sheet which included the withdrawing of refusal reason no.2 from the case officer's recommendation in the report in relation to the loss of the existing playing field. It was also noted that because Sport England was not a statutory consultee, if approved, there would be no need to refer the Application to the Secretary of State for decision in accordance with The Town and Country Planning (Consultation) (England) Direction 2009. The recommendation was for refusal.

During the public forum session an e-mail from Sport England in respect of the application was circulated to members for information by a member of the public, which cited that one objection to the loss of the sport ground remained.

The Committee debated the Application and a summary of the main points clarified were –

1. A member queried the amount of CIL or other financial contribution that would be necessary to mitigate any harm caused by the proposed development, a figure was not given;
 2. The proposed development was for low density housing;
 3. There was no significant precedent for permission for this type of development on this type of land, the only previous application for this site had been refused and the decision upheld at subsequent appeal;
 4. The road safety issues had been fully considered and addressed and the revised highway layout was now supported by the Council's highway officers;
 5. The pathways would be flush with the speed tables to enable inclusive access;
 6. Concerns expressed about damage to 'wildlife corridor', the Committee advised that this had not been a reason for previous refusal on this site and the Nature Conservation officer had not raised any objections or concerns in this respect, however this could be conditioned if necessary. Some Members asked that training about 'wildlife corridor' in relation to planning issues be provided.
- It was moved and seconded to approve the recommendation as set out in the report, having regard to the amendment sheet which removed the second reason for refusal.

On being put to the vote there were seven in favour, three against and one abstention.



Resolved – that permission be refused for the reason set out in the report, as amended by the amendment sheet.

(4) 16/02301/FB – Proposed creation of a permanent overflow car park for 66 cars at Oldbury Court Estate – Frome Vale.

Councillor Khan was absent for part of the proceedings for this item and therefore took no part in the debate or decision process.

Councillors Clough and Eddy left the meeting at this point.

The Planning Case Officer gave a detailed presentation on the application, seeking a solution to the issue of overflow car parking at the estate site. The recommendation was for approval subject to conditions.

It was moved and seconded to approve the recommendations as set out in the report.

On being put to the vote it was unanimously -

Resolved – that permission be granted subject to the conditions listed in the report.

8. Additional Information Relating To Agenda Item Number 7

Additional information was noted as appropriate.

Meeting ended at Time Not Specified

CHAIR _____

