

Bristol City Council

Minutes of the Development Control B Committee

31 January 2018 at 6.00 pm



Members Present:-

Councillors: Martin Fodor (Chair), Richard Eddy (Vice-Chair), Donald Alexander, Harriet Bradley, Fabian Breckels, Harriet Clough, Mike Davies, Carla Denyer and Olly Mead

Officers in Attendance:-

Gary Collins and Claudette Campbell (Democratic Services Officer)

1. Welcome, Introduction and Safety Information

The Chair, Cllr Martin Fodor, welcomed those present and outlined how the committee would proceed for the benefit of the public.

2. Apologies for Absence

Apologies were received from Cllr K Quarterly and Cllr A Shah.

3. Declarations of Interest

None

4. Minutes of the previous meeting

Resolved – that the minutes of the meeting held on the 20th December 2017 be confirmed as a correct record and signed by the Chair subject to the following amendments:

- i. Members reviewed the notes in respect of the Former Central Ambulance Station Marybush Lane, Bristol 17/04267/F at section 9 as to whether they were a correct reflection of the discussion and the resolution. It was agreed after a comprehensive discussion to insert 'access to some of' in paragraph (k), last line of the last sentence, after the word and, so that it read;



- a. Officers were able to confirm that a condition could be imposed requiring the applicants to submit information regarding access to membership of the gym facilities and access to **some of** the other communal facilities for all residents.

5. Appeals

The committee considered a report of the Service Director – Planning, noting appeals lodged, imminent public inquiries and appeals waiting decision.

The Following was highlighted:-

- a. Old Bristol Royal Infirmary Building Marlborough Street – Officers were pleased to report that a request had been made for an award of cost against the developers for their unreasonable behaviour in the way they had handled the appeal. The developer withdrew their original appeal after lodging a revised second appeal. This had put the council to considerable expense and this view was supported by the Inspectorate with an award of cost, this directs them to pay the council's cost from the 25th March 2017. The sum to be paid is to cover all legal fees including those relating to the use of consultants and Barristers.

6. Enforcement

An update was provided on the notice issued against 3 Haverstock Road.

7. 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)

8. Planning and Development

9. 17/00799/F The Glen Hospital

The representative of the Service Director – Planning made the following points by way of introduction:-

- a. There was an incorrect reference to refusing the application in the Equalities section of the report. This was an error as the application was being recommended for approval.



- b. The application is for the construction of a 3 tier (four storey) decked car parking in place of existing open air surface car park, with associated landscaping works within The Glen Hospital Complex. To provide; 263 car parking spaces; 14 disabled parking spaces; 4 electric car spaces; 68 cycle parking spaces.
- c. The construction would not be visible from street level because it will take place in the Quarry. The roof would be level with the street level, and over looked by Victoria Court.
- d. Committee were provided with a CGI imagine showing the street view, looking into the Quarry following construction, together with location & design plans.
- e. Noise Disturbance: this was considered as the application came supplied with an acoustic report. All authorities were satisfied that with the majority of parking on the lower level; parking spaces on the top level limited to 36 spaces; the possible limited use at night; that the change in noise levels will be insignificant.
- f. Air Quality: There would be an increase to cars coming on site because they will no longer be parking in the surrounding areas. An Air Quality assessment concluded that the air quality impact of the development will be negligible.
- g. The trees being removed will be replaced by 27 new ones.
- h. Committee were requested to approve the application with agreed conditions.

Councillor's points of clarification

- i. Explanation was sought on the term 'Brown Roof'; this represents a living roof; using locally sourced material to support wild life; extends to the use of other materials such as sand and rubble being used in establishing the roof area.
- j. Clarification on the Travel Plan was given. This had been conditioned. The applicants are unable to use the building until the travel plan is approved. The plan was centred on staff travel arrangements and not on service users, hospital patients travel arrangements.
- k. The CIL calculation of nil was queried. The committee members were informed that the levels of CIL applicable to all developments were set out in policy with a car park development given a nil rating.
- l. The developers had reduced the number of parking spaces from that proposed but were not given any direction as to how to redesign the spaces. This has resulted in larger parking bays. Members commented that larger bays would facilitate patients with disabling conditions get into and out of their cars.

Councillor's comments and observations

- m. Cllr Mead was in favour of the application. The applicant, the hospital, provided services to many who were driven to the hospital by a relative and taken home again following treatment therefore the application for parking should be viewed in favourable terms. The additional parking would reduce the numbers of patients cars parked in the surrounding area.
- n. Cllr Davies noted that the great strides made by the City in reducing car usage but this application was different as it relates to hospital parking. The proposal addresses issues currently being experienced by local residents and patients. Acknowledged the efforts made by the applicant to address a number of issues. Minded to support.
- o. Cllr Eddy reminded all of his time in hospital that has shaped his view on hospital service provision. The local RPZ had impacted both patients and staff. Travelling to the hospital by bus for many required taking 2 buses and when arrival was time critical often bus services were not always reliable. Minded to support.



- p. Cllr Breckels viewed hospital provision different from a shopping centre and this development was a sensible approach to mitigate issues and therefore minded to support.
- q. Cllr Breckels proposed a vote to approve and Cllr Eddy seconded.

Resolved - unanimous vote (9 for) that planning permission be granted subject to conditions as set out in the report.

10 17/05185/F & 1705186/LA Mortimer House

The representative of the Service Director – Planning made the following points by way of introduction:-

- a. The application relates to a three-storey, Grade II* Listed Building known as Mortimer House, in Clifton. The applicant seeks to reinstate the curtilage to the front of Mortimer House to the original eighteenth century landscape layout and provide 10 car parking spaces to the rear of the listed building with associated landscaping.
- b. Committee were shown the plans for the 2016 scheme that was approved. The plan detailed the parking in the front. The application approved 6 parking spaces. An image of the property from 1828 was shown together with the wall to Mortimer Road.
- c. No objections to the application were received from Historic England or the Conservation Officer. The public benefit of returning the curtilage to the front of Mortimer House was viewed favourable.
- d. Transport Development Management had no objection to the scheme as there would be no significant increase in traffic resulting from the proposals.
- e. The applications for planning permission and listed building consent are both recommended for approval subject to conditions.

Councillor's point of clarification

- f. Clarity was provided on the current layout of the site. Renovations are underway with contractors parking on site to the front of the building. The permissions granted in the 2016 application allows for parking in the front and that application had not yet expired.
- g. Public forum submission alleged that assurances were given that the rear garden would remain intact but this was not conditioned in the 2016 application.
- h. The restoration of the front garden would have a beneficial visual impact but the design appeared to allow for vehicles to enter the site and this was queried. To prevent this, condition 7 had been included to provide for 'protection of parking and servicing provision'.
- i. Concerns had been raised in respect of the residents access to the pump on site and the issues surrounding the wicker fence boundary.
 - The application provides for improved access to the pump, committee were referred to the plans.
 - The boundary to the properties at the rear, would be screened off by a low level wooden fence and addition planting to provide screening for residents.
- j. The applicants intend to use the renovated building as office space and as a training centre. Planning policy commonly allowed for similar developments to be permitted 18 car parking spaces.



Councillor's comment

- k. Cllr Davies, was minded to approve as he viewed the return of the building to the historical setting would be beneficial and this would require parking to be moved to the rear of the building so cars would not spoil the view.
- l. Cllr Mead, was unable to support this view. The building was historic in nature whether it was viewed from the front and/or rear; considered that it was situated in an area well served by public transport; the loss of a mature garden would also be a loss of amenity; minded to vote against approval.
- m. Cllr Eddy, viewed the proposed changes to the front and rear as an enhancement to the gardens and would add to the historic setting; considered public transport for those attending training and/or staff members not always adequate. Minded to support approval.
- n. Cllr Denyer, inclined to vote against. Took the view that the existing permission provided 6 parking spaces at the front of the building and that design did not negate the impact of the historic building. The garden in its existing condition was not a reason to move parking spaces to the rear as the rear garden can be restored to the benefit of existing neighbours.
- o. Cllr Breckels, would vote against. The permission granted in 2016 provided for landscaping to the front to accommodate parking for 6 vehicles which was adequate; balanced with good public transport between local train stations to the development; there were benefits to keeping the rear garden as a break-out space; improvement in the garden amenity was worth exploiting.
- p. Cllr Clough, was minded to approve. Considered improvement to the car parking spaces accessibility a benefit to those with mobility issues.
- q. Cllr Denyer in answer to her question on what construction material was provided for in the 2016 permission for the frontage was advised that it allowed for a combination of paving and loose gravel.
- r. Cllr Eddy proposed approval and Cllr Davies seconded.

The resulting vote was 4 in favour of the motion and 5 against, so the motion was lost.

Cllr Mead then proposed refusal on the grounds that the site was in a sustainable location well served by public transport, that the proposal would have a harmful impact on the character and appearance of the listed building and the conservation area, this was seconded

Resolved: (4 votes for approval and 5 against approval) that planning permission be refused for the following reason;

- The development is in a sustainable transport location well served by public transport and the proposal would have a harmful impact on the character and appearance of the listed building and the conservation area.

11 17/04057/F 171 - 178 Coronation Road

The representative of the Service Director – Planning made the following points by way of introduction:-



- a. The application was for the conversion of the ground floor office space at 171-178 Coronation Road from B1 office use to A1 retail. The applicant advised that the Co-op had expressed interest in occupying the unit.
- b. The proposal had generated a number of objections from local residents and those living in the upper floors of the building based on the possibility of noise and disturbance from the operation of a retail outlet and those relating to traffic on the highway.
- c. The applicant had explored the possibility of occupation of the unit by a B1 office occupier but the lack of parking had resulted in little interest.
- d. Negotiations had taken place and conditions proposed to accommodate the change of use and concerns arising from the use of the unit for retail. Conditions included a Delivery Management Plan to cover delivery and loading time. Adjustments to the highway was also included to accommodate delivery vehicles.
- e. Approval is recommended subject to conditions and the completion of a legal agreement for the Traffic Regulation Order.

Councillor's points of clarification

- f. Cllr Eddy requested and was advised that the application was within marketing guidelines permitting an application for change of use after 6 months,
- g. Cllr Davies sought clarity on the loading times amendment. The proposal was for 2 x 3hr slots for loading between 7am and 8pm. The loading bay would be kept clear for this purpose during that time period.
- h. Chair enquired about use of loading trolleys and clarification on conditions. Condition 14 had a number of modifications detailed on the amendment sheet including limited use of trolleys Monday to Saturday not between 7-8am and on a Sunday not between 7-10am.
- i. The loading bay outside the unit would be available for parking from 8pm.
- j. Cllr Mead asked what mitigation would be employed to manage cars being parked irresponsibly impacting this main artery road into and out of Bristol. Officers confirmed that there were pre-existing parking controls in place to manage the highway which were enforceable.
- k. Cllr Denyer explained her concerns with the actions of the developer and sought clarity on the impact of the loading bay on both the residents and an already congested highway.
 - The application was concerned with a floor space that was below the threshold that would push it to major development requiring specific actions.
 - The loading bay outside the loading time(as above) is accessible for parking therefore would keep cars off the highway. The existing traffic regulation orders that manage Coronation Road remain in force.
 - Any complaints about a breach of the Delivery Management Plan conditions would result in an investigation and situation could be monitored through the issuing of a planning contravention notice. The notice is a request for information; would give rise to monitoring of the situation; with the possibility of prosecution on failure to provide accurate information.

Councillor's comments

- l. Cllr Breckels viewed the space and design as one for retail because of the large area at the front given over for window space. Concerned that if refused, on appeal it would be granted. The conditions imposed would go some way to mitigation the issues raised by public forum.



- m. Cllr Mead acknowledged the efforts made by the retail industry to adhere to delivery management plans and that conditions had been imposed to mitigate issues so it would be difficult to vote against.
- n. Cllr Eddy considered the negative impact on the highway and local residents and was minded to vote against.
- o. Cllr Davies shared that he had been employed in the retail trade and was aware that goods deemed to have a short shelf life were delivered before 6am; that most customers would walk to the store; that the new store would result in employment for local residents.
- p. Chair enquired about the options of discussing additional conditions with the retailer to reduce delivery times and better manage impact during rush hour.
 - The amendment sheet combined condition no.4&12 in respect delivery and an option to add to the delivery plan restrictions to delivery during peak rush hour period.

Resolved – (7 for, 2 against) that planning permission be granted subject to the conditions set out in the amendment sheet and;

- i. An amendment to Conditions 4 & 12 that are combined, the delivery management plan to direct that deliveries to the unit should avoid peak rush hour period.

Meeting ended at 8.45 pm

CHAIR _____

