

# Bristol City Council

## Minutes of the Development Control B Committee

24 April 2019 at 6.00 pm



### Members Present:-

**Councillors:** Carla Denyer, Harriet Clough, Lesley Alexander, Tom Brook (Chair), Mike Davies, Fi Hance, Olly Mead, Jo Sergeant, Fabian Breckels and Tony Carey

### 1. Election of Chair - Remainder of 18/19 Municipal Year

Councillor Brook was nominated and seconded. There were no further nominations and it was therefore:-

**Resolved – That Councillor Brook be elected Chair for the remainder of the Municipal Year 2018/19.**

### 2. Welcome, Introduction and Safety Information

The Chair welcomed all parties to the meeting and explained arrangements for emergency access in the event of a fire.

### 3. Apologies for Absence

Apologies were received from Councillors Bradley (substitute Councillor Breckels) and Councillor Eddy (substitute Councillor Carey).

### 4. Declarations of Interest

There were none.

### 5. Minutes of the previous meeting

**Resolved – that the Minutes be agreed as a correct record and signed by the Chair.**



## 6. Appeals

The representative of the Head of Development Management introduced the report and summarised it for everyone. There were no questions.

## 7. Enforcement

The representative of the Head of Development Management introduced the report and summarised it for everyone. There were no questions.

## 8. 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.

## 9. Planning and Development

It was noted that application 18/06522/H – 12, Channells Hill had been withdrawn from the agenda. The Committee considered the following Planning Applications:

### 10 18/05731/F - 2 Smyth Road Bristol BS3 2BX

The Chair noted that Councillor Lesley Alexander had attended after the start of Public Forum for this item so would not be able to participate in the debate or vote on this application.

The representative of the Head of Development Management introduced the application with the following points:-

1. The application was for the demolition of a retail unit and construction of 9 apartments (4 number 1 beds and 5 number 2 beds) with associated bike and bin storage;
2. The site of the application was considered a transitional location between the more traditional buildings and more recent new developments;
3. The design was modern and in keeping with new developments to the north of the site;
4. It was before the Committee due to the number of objections received during consultation. Of the 40 comments received 38 were objections. Consultation with BCC's City Design Group (CDG) and Transport Development Management (TDM) has resulted in revised plans which were re-consulted on and attracted 23 objections. The key issues were transport, design and impact on residential amenity;



5. In the revised plans the applicant had proposed further transport and access measures including off-site highway improvements, car club membership for future occupants and a Travel Plan to encourage the use of sustainable forms of transport;
6. The site was not within a Residential Parking Scheme and an Advice Note had therefore been attached to the consent stating that should a scheme be introduced the occupiers of this development would not be eligible for the scheme;
7. TDM were now satisfied with the application;
8. The design used modern materials. The CDG had some concerns regarding the scale and massing on the Balfour Road elevation and these were addressed by the applicant. The CDG therefore considered the design, scale, height and massing acceptable;
9. Amenity – Balconies have been recessed into the building and privacy screens would be included on all balconies to mitigate the potential for overlooking. Any windows facing north would be conditioned to be non-opening and obscured glaze in order to mitigate risk to neighbouring amenity. Officers were satisfied that overbearing was not significant. Shadow studies had been undertaken to evaluate overshadowing and some increased overshadowing was found to the gardens along Smyth Road but this was only in the garden and on Winter evenings. There was some limited overshadowing during Spring equinox on Balfour Road but officers found that on balance this did not warrant refusal;
10. In conclusion, officers were satisfied that that the key issues had been addressed by the applicants and recommended that the application be granted.

The following points arose from questions and debate:-

1. TDM were happy that there was sufficient space for the refuse access area. All bins would not be on the street but located behind a latched door. There was a traffic plan to access the site and it was intended that Bristol Waste Company would access the area to collect the waste;
2. it was not possible to completely enforce the Travel Plan condition as there would not be any active policing of the area but if officers were informed of breaches they could take enforcement but there was a limit to what could be done;
3. It was possible to condition the exploration of possible anti-graffiti/tagging measures to building elevations;
4. It was not possible to guarantee that the development would be car free and officers were aware of the local pressures in such a high density area and of a recent residential survey concerning issues of new development and the Mayor's Office had been briefed on this subject. Yellow lines would be in place to deter unsafe parking. It was very difficult to ensure sufficient disabled bays on street;
5. Councillor Sergeant had reservations on the design and that it was not in keeping with the area and concerning the issues around parking and she was inclined note to vote in support of the officer recommendation;
6. Councillor Breckels was content with the design but shared concerns regarding parking. He commented that it would be preferable to have one less flat on the ground floor and provide some parking instead;
7. Councillor Hance approved of the design. She appreciated the residents' concerns regarding parking but the arrangements were in line with BCC policies and could not therefore be turned down on that basis. She was inclined to vote in support of the officer recommendation;



8. Councillor Mead approved of the design shape but not of the colour. He supported the inclusion of a condition regarding tagging/graffiti and would vote on balance for the officer recommendation;
9. Councillor Carey observed that public transport journeys from that location to the City Centre took too long;
10. Councillor Denyer was concerned regarding the parking arrangements and the obvious solution was a Residents' Parking Scheme for the area. She approved of the front face but the Balfour Road face was not good and could perhaps be improved with conditions. There were not sufficient grounds to refuse so would vote for it along with a condition regarding disabled access for bin storage and Bristol Waste Company confirming that they would collect;
11. Councillor Mead moved the officer recommendation with additional conditions regarding waste access and collection and consideration of possible anti-graffiti/tagging measures and this was seconded by Councillor Hance. On being put to the vote it was:-

**Resolved – (7 for, 1 against, 1 abstention) that planning permission be granted subject to conditions as set out in the report and the following additions:-**

- 1. To amend the wording of the Refuse Storage and Recycling Facilities condition to require details to be submitted to the Local Planning Authority for approval including access and waste collection;**
- 2. To note that through the consideration of details submitted pursuant to the submission of samples condition, to explore possible anti-graffiti/tagging measures to building elevations.**

#### **11 18/06309/F - 87 - 89 Park Street City Centre Bristol BS1 5PJ**

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 Head of Development Management introduced the application with the following points:-

1. The application was for the change of use of the lower ground, ground, ground mezzanine and first floor from a restaurant (A3 Use Class) to a mixed use café, bar and restaurant with onsite rum distillery and educational and training facilities (Sui generis Use Class) and for listed building consent for interior alterations;
2. The application had attracted five comments of support including the ward member and no objections;
3. There were no objections from internal consultees;
4. The application was compliant with local plan policies;
5. It was considered that the application would provide a strong and positive contribution to the diversity of the area;
6. Amenity had been suitably addressed and was policy compliant. Background noise was higher at the anticipated closing times;
7. There was an Operational Management Plan detailing smoking area and waiting arrangements;



8. The hours were curtailed from the original restaurant planning consent;
9. Transport Development Management were satisfied with the arrangements for deliveries to the rear;
10. The interior refitting would not impact on the historic fabric of the building;
11. In conclusion, officers on balance recommended approval of the application.

The following points arose from questions and debate:-

1. Discussion took place regarding the overarching hours of the proposal and the different hours the various elements of the business might open. It was noted that Pollution Control had looked at the hours and were satisfied. It was concluded that these hours would be considered by the Licensing Authority and could only be considered at this Committee with respect to their impact on amenity;
2. It was noted that any servicing/delivery arrangements would not put additional burden on traffic in the area. As these arrangements were the same as the previous Jamie's Restaurant additional restrictions were not required;
3. Councillor Breckels commented that this was a key location and it was crucial to reinvigorate Park Street and bring the building back to use and he would therefore support the officer recommendation;
4. Councillor Davies remarked on previous concerns regarding the number of bars in the area and that this application would not exacerbate those concerns and he would therefore support the officer recommendation;
5. Councillor Mead moved the officer recommendations and this was seconded and on being put to the vote it was:-

**Resolved – (Unanimous) That planning permission be granted subject to conditions as set out in the report and in the Amendment Sheet;**

**Resolved – (Unanimous) That Listed Building Consent be granted subject to conditions as set out in the report.**

Meeting ended at 7.15pm

**CHAIR** \_\_\_\_\_

