

# Bristol City Council

## Minutes of the Development Control B Committee

22 July 2020 at 2.00 pm



### **Members Present:-**

**Councillors:** Tom Brook (Chair), Lesley Alexander, Clive Stevens, Mike Davies, Fi Hance, Olly Mead, Jo Sergeant and Sultan Khan

### **Officers in Attendance:-**

Gary Collins and Jeremy Livitt

### **1. Welcome, Introduction and Safety Information**

The Chair welcomed all parties to the meeting.

### **2. Apologies for Absence**

Apologies for absence were received from Councillor Richard Eddy.

### **3. Declarations of Interest**

There were no Declarations of Interest.

### **4. Minutes of the previous meeting - Wednesday 24th June 2020**

A Councillor expressed concern that the contamination documents referred to in the minutes for the Planning Application related to Lower Ashley Road which was on the agenda for this meeting were not included with the application as indicated.

Officers confirmed that they were historic documents that were not available with the current application but to previous ones. It was agreed that the Committee would be provided with the relevant documents as soon as possible.

Officers also reminded members that the applicant had withdrawn their application for Lower Ashley Road and that therefore this item would not be considered at the meeting.



In response to a members' question, officers confirmed that any documents accompanying a planning application would be automatically provided without requiring a Freedom of Information request.

**RESOLVED – that the minutes of the above meeting be confirmed as a correct record and signed by the Chair.**

## 5. Appeals

Officers introduced this report and made the following comments:

### **Item Number 43 - Plot Of Land Fronting Former 164 - 188 Bath Road, Totterdown, Bristol BS4 3EF**

The Committee was reminded that this had been split decision (1 part refused, the other approved). The applicant had appealed against the refusal but had been unsuccessful.

### **Item Number 46 - 55 Newfoundland Circus Bristol BS2 9AP - Delegated decision Appeal against refusal = 2 x No internally illuminated fascia signs.**

This appeal had been allowed.

### **Item Numbers 61 and 62 - Cabot Circus Car Park Newfoundland Circus Bristol BS2 9AB - Retention of existing internally illuminated 48-sheet display and Replacement of existing internally illuminated 'backlight' landscape advertisement (6m by 3m) with an internally illuminated landscape D-Poster display (8m by 4m).**

It was noted that these appeals had been dismissed.

## 6. Enforcement

The Committee noted the enforcement notices.

## 7. 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.

## 8. Planning and Development

The Committee considered the following Planning Applications:



## 9. 19/02157/F - Lower Ashley Road

It was noted that this application had been discussed at the previous meeting when the Committee had resolved that they were minded to refuse and had deferred a decision.

Officers confirmed that the application had been withdrawn and so would be discussed at the meeting.

## 10 19/04932/F - 21 to 31 North Street Bedminster

Officers gave a presentation on the above application and made the following comments:

- The issue of the land ownership of the site had been assessed. The land adjoining the public highway was owned by Picture House Court residents
- The proposed development would take it across private land. Whilst it was possible to make an application for a site including someone else's land, the applicant was required by law to make every effort to notify all owners in advance.
- In accordance with this requirement, an advert had been placed in the Evening Post and a response received from one of the Public Participation Speakers confirming the list of properties affected. Four of these properties had not yet been contacted. In the event that the application was approved, these 4 properties would need to be contacted and 21 days' notice would need to be given prior to any approval
- Details of the location of the site were provided
- The proposal would demolish the existing building and replace it with a 5 storey building
- The scale and massing of the building was considered out of character
- The proposed reduction in A2 Floor Space was not considered problematic
- The scheme proposed 20 co-living apartments
- An area of communal living space was proposed with 80 square metres internal space. It was devised as short term accommodation for young people
- The draft London Local Plan recommended a minimum of 50 units. However, there was no national policy guidance to follow for these type of units.
- The only comparable scheme was at Unity Street where 107 co-living units had been approved comprised of 7 to 10 unit blocks. This was fairly typical student accommodation with smaller rooms approximately 20.5 square metres
- Whilst the overall accommodation was larger than proposed at Unity Street, the communal areas were smaller
- There were a number of rear windows proposed for the development. These had prompted concern from occupiers of neighbouring properties. However, these did not affect any habitable rooms only the staircases
- Whilst there were objections raised by urban design officers, any refusal needed to be made under an existing policy



- Other objections were that the site did not comply with amenity needs, that was in a Conservation Area and it was deemed harmful to this
- The development would improve pedestrian movement
- Details of arrangements were provided for refuse and recycling, drop kerb access and the response on sustainability. It was noted that the shading caused by solar collectors would impact on the sustainability credentials of the neighbouring development
- A concern about cleaning maintenance for some of the proposed windows on the site had been addressed by the applicant by changing the angle
- Whilst there had been a number of concerns expressed about the size of the unit, this was better than other examples of co-living and so refusal could not be made on this basis
- Officers were recommending refusal due to the impact on the Conservation Area through the removal of existing buildings or merit, due to over scaling and also due to the lack of mitigation for sustainability

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

- Officers had chosen to go to Committee directly with a recommendation for refusal since there was a policy vacuum for the type of co-living units proposed in this application since these were a type of accommodation in between student accommodation and HMSO's. In addition, officers had referred to the Unity Street scheme which was the only comparable scheme in Bristol available
- The standard conditions concerning noise pollution control would apply. Enforcement could be trickier concerning the occupiers. This could be arranged through hours of usage and enforcement through environmental health as applied generally across the city
- The policy concerning undeveloped plots was outlined. There was no reason for officers to recommend refusal on that basis. Planning Permission could be sought anywhere if reasonable steps were taken to ensure the landowner was notified.
- Access negotiations were a private matter between different parties and were not a planning issue
- If Councillors felt that the cramped living conditions were a reason for refusal, they should include it in any refusal decision they made at this stage
- Whilst officers noted that policy research was required into these types of developments and in comparing differences with the Unity Street scheme, this could not be provided in this instance. The application would need to be assessed on its merits
- There was no specific policy in respect of the pump, If the application was approved, there would be a standard noise condition limiting the noise to 5 decibels below background noise
- It would not be practicable to make a condition of approval if one of the occupants had a child

Councillors made the following points:

- Co-living could and should be a solution to the housing crisis in Bristol for some people. This was not a particularly objectionable design and should be supported
- The issue of COVID-19 and its impact on co-living was an important for consideration in future developments



- Since the advice from the Conservation Advisory Panel and Archaeology Officer was that this development was contrary to Heritage Policy, the application should be refused
- Whilst there were a number of features of this development that were good such as the cycle racks and charging points, it should be refused on the grounds of visual amenity
- It was unacceptable that the Committee had to set policy on a new form of housing. The space standards for the UK were the smallest in Europe and these were cramped even by these standards. There was not enough communal space. For that reason and the damage to the Conservation Area, this application should be refused
- It was important that people should have a roof over their heads at an extremely difficult time when some people were struggling with rent. If people did not follow hygiene requirements necessary under COVID-19, then this was at their own risk. The applicant had made efforts with the development, such as the provision of appropriate charging points. The application should be supported
- This application was entering a new policy area and the Committee needed to be very careful in respect of co-housing. Whilst there were good elements to this scheme, it was too overcrowded with very limited communal space. There were also implications for people's mental health. The officer recommendation to refuse should be supported

Councillor Clive Stevens moved, seconded by Councillor Jo Sergeant and upon being put to the vote, it was

**RESOLVED - (6 for, 2 against) that the application is refused on the grounds that the small individual private unit sizes, many of which are also single-aspect with limited outlook, along with the limited extent of communal living space, are such that the proposed residential accommodation would be cramped and of poor quality, with an inherent inability to be flexible or adaptable.**

**As such the development would fail to provide an adequate living environment for future residents, to the unacceptable detriment of occupier amenity. The proposal is therefore contrary to policies BCS18 and BCS21 of the Bristol Local Plan: Core Strategy (2011); policies DM2, DM27 and DM29 of the Bristol Local Plan: Site Allocations and Development Management Policies (2014), and the guidance within the Urban Living SPD (2018).**

## **11 19/05300/F - 51 to 53 Westbury Hill**

Officers made the following points in presenting this application:

- Details of the site location and of the proposed application were provided
- Materials had been chosen to match the existing site
- There were separate bin and bike stores with no parking provision on site



- Twelve objections had been received, including from the Westbury-on-Trym Society relating to the lack of amenity for the proposed development and the loss of employment use and the shortage of flat provision in the area
- The application is the commercial core of the conservation area
- The City Design Group didn't raise any concerns at the pre-application stage
- The nearest property was at 49 Westbury Hill and was approximately 15 metres away from the application site. The proposed development was approximately 20 metres from other residential dwellings
- Two to three storey buildings were predominant within this commercial core
- The required space standards would be exceeded for both flats and it was considered acceptable
- Transport Development Management indicated they would not recommend refusal on the grounds of lack of car parking. Following objections, the applicant had agreed to re-locate the bin and bike storage at the ground floor level
- Sustainability – the development would have a 22.3% carbon saving

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

- The new development rights would not allow the ability to negotiate space standards, affordable housing or sustainability criteria. There were likely to be very limited circumstances in which these would apply and would require examination in more detail in future
- The site in question was not in a residents' parking zone
- Prior approval had been granted for a three bedroom flat. With the proposed increase in the application to 6 flats, it was noted that this was likely to generate an extra two to three cars
- Waste bins would be installed using a ramp system and could be conditioned
- Councillors' concerns were noted as to how recycling would operate. However, they were reminded that there were only three steps leading up to the recycling area. There was a ramp internally within the ground floor and facilities within the building in the corridor

Councillors made the following comments:

- There was unlikely to be a significant impact on street parking in this area. The arrangements with the car park ramp and bin seemed acceptable. The scheme should be supported
- The attempts to make the development blend in were impressive and the scheme should be supported
- This development is in accordance with the council's urban living policy. It addressed the issue of the shortage of flats. There were lots of parks nearby so the lack of amenities on the site should not be a difficulty. There was a need for a residents parking zone in this area. Any concerns over the situation with the bins was not enough to refuse it and therefore the application should be supported
- The frustration from residents about parking was understood. A Residents Parking Zone was the solution to this problem.



- Waste Management on the site was a cause for concern. A Waste Management Plan was required to show evidence of a workable solution
- The rooms and flats were suitable. However, there were difficulties with parking and a lack of outside space. In addition, the situation with waste bins could cause problems for an elderly or disabled resident
- Whilst the situation with the bins was not ideal, the scheme should be supported

Councillor Tom Brook moved, seconded by Councillor Sultan Khan and upon being put to the vote it was

**RESOLVED: (7 for, 1 against) – that the application be approved.**

## **12 Date of Next Meeting**

It was noted that the next meeting would be held as a remote zoom meeting at 2pm on Wednesday 19<sup>th</sup> August 2020.

Meeting ended at 4.20pm

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

