

# Bristol City Council

## Minutes of the Development Control A Committee



2 September 2020 at 2.00 pm

### **Members Present:-**

**Councillors:** Donald Alexander (Chair), Chris Windows (Vice-Chair), Clive Stevens, Fabian Breckels, Paul Goggin, Stephen Clarke, Mike Davies, Margaret Hickman, Afzal Shah, Steve Smith and Tony Carey

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

Gary Collins and Norman Cornthwaite

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

The Chair welcomed all parties to the Meeting.

## **2. Apologies for Absence and Substitutions**

Apologies for absence were received from Councillor Mark Wright, substitute Tony Carey.

## **3. Declarations of Interest**

The following Declarations of Interest were received and noted:

Councillor Stevens – Item No. 18/05203/F 493 – 499 Bath Road. Has written a book but does not consider that his views on Affordable Housing expressed in it will preclude him from participating in the item.

Councillor Stevens – Item No. 20/01032/F and 20/01033/LA 85 Whiteladies Road. Has submitted a Statement and will not participate in the item.

## **4. Minutes of the previous meeting held on Wednesday 5th August 2020**

**Resolved – that the Minutes of the above meeting be confirmed as a correct record and signed by the**



**Chair.**

## **5. Appeals**

The Head of Development Management introduced the report and summarised it for everyone.

## **6. Enforcement**

The Head of Development Management introduced the report and summarised it for everyone.

## **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. Application Number 13/05023/F - 493 to 499 Bath Road, Brislington BS4 3JU**

The Head of Development Management and his representative gave a presentation and summarised the report for this item. The application is for the demolition of the existing building and redevelopment of the site for 146 residential units, including apartments and houses (Use Class C3), with associated car parking, landscaping and works. (Major application)

The Planning Obligations Manager summarised the Viability and Affordable Housing position.

The Project Manager, Sustainability summarised the sustainable design and energy strategy aspects of the application.

Answers for clarification:

- The application is for 100% affordable dwellings, the BCC Policies require up to 30% affordable dwellings with no public funding – i.e. at the developer's expense; although there would normally be a S106 agreement to secure affordable dwellings, as the Officer recommendation is to refuse the application there is currently not a Section 106 Agreement in place to secure the 32 affordable housing dwellings proposed (22%)
- If the applicant wished to appeal the refusal, the lack of affordable housing reason could be



overcome by the applicant and the Council concluding a Section 106 Agreement to secure the affordable housing, and presenting it to the Inspector prior to the subsequent appeal

- Although residents would be able to choose their energy suppliers on the open market, it is considered that electrical heating is going to be more expensive than other forms of heating
- Heat hierarchy measures should have been included in the design of the development from the start; it is considered that other forms of providing heat are technically feasible
- All grant money is public sector funding; only S106 units are provided at the developer's expense
- If individual heat pumps were provided these could be switched off; this is more difficult to do if a communal heating system is provided
- An air quality assessment has been undertaken which concludes that the effects of local traffic on the air quality for future residents would be acceptable; the development is set back from Bath Road by circa 8 metres
- The relationship between Blocks A and B is not considered to be acceptable, Block B would be located between 2 and 13 metres from the rear elevation of Block A of which both elevations feature windows. The proposed distance between flats would be unacceptable and would result in unacceptable levels of overlooking for future occupiers. The amenity value of the courtyard space between Block A and Block B is also considered to be compromised
- There are no specific rules about the density of developments, the Bath Road site is 0.7 hectares in area, this site was allocated for 85 dwellings in the Local Plan, which would be 121 dwellings per hectare; the pre-application enquiry was for 121 dwellings, which would be 172 dwellings per hectare; the application is for 146 dwellings which is 209 dwellings per hectare

#### Debate:

- Members had various concerns about a number of aspects relating to the application including the heating system proposed, the relationship between Blocks A and B, and aspects of the design
- It was noted that this is a 100% affordable housing scheme
- Members recognised the benefits of delivering more housing and had mixed views on the issues of design and heat hierarchy compliance, but wanted to find a solution

The Head of Development Management reminded Members if they refused the application on limited grounds they could not then go back to other issues. If a decision on the application is deferred it would enable Officers to re-open discussions with the applicant but it was important to manage expectations.

Councillor Hickman moved the Officer Recommendation for refusal.

Councillor Shah seconded this Motion.

On being put to the Vote it was LOST voting was 5 for, 6 against.

Councillor Breckels moved that a decision on the application be deferred pending compliance with Heat Hierarchy measures, the amenity space and relationship between Blocks A and B being improved, whilst



recognising that a S106 agreement relating to affordable housing would ultimately be forthcoming.

Councillor Smith added that wider design issues including the long corridors should also be improved.

Councillor Stevens stated that light entering the dwellings should be improved.

Councillor Stevens then seconded the Motion put by Councillor Breckels and added to by Councillor Smith and himself.

On being put to the Vote it was

**Resolved – (voting 8 for, 3 against) that a decision on the application be deferred until a future Meeting of the Committee pending compliance with Heat Hierarchy measures, the amenity space and relationship between Blocks A and B being improved, wider design issues including the long corridors and light entering the dwellings being improved.**

Councillor Shah left the Meeting.

#### **10 Application Number 20/01032/F and 20/01033/LA - Land To Rear of 85 Whiteladies Road BS8 2NT**

Councillor Stevens did not participate in this item.

The Head of Development Management and his representative gave a presentation and summarised the report for this item. The application is for the partial demolition of a modern brick rear wall and construction of 2 storey building for use as a 6 bedroom HMO (sui generis student use) with associated refuse and cycle storage.

There were no questions from Members for Officers.

Debate:

- There were concerns about policy DM2 not being complied with

Councillor Smith moved the Officer recommendation for approval of the application.

Councillor Goggin seconded this Motion and on being put to the Vote it was LOST (Voting 4 for, 5 against).

Committee members noted the decision making process diagram, which would usually lead to a motion to defer if members were minded to refuse, however members decided to not follow this approach.



Councillor Breckels moved refusal of the application on the grounds of Policy DM2 and over concentration of HMOs.

Councillor Davies seconded this Motion and on being put to the Vote it was

**Resolved – (voting 5 for, 4 against) that the application be refused on the grounds of Policy DM2 and over concentration of HMOs.**

#### **11 Application Number 20/02205/F and 20/02206/LA - 8 Harley Place BS8 3JT**

The Head of Development Management and his representative gave a presentation and summarised the report for this item. The application is to convert the existing living accommodation over the garage to be self-contained.

Answers for clarification:

- An application was approved earlier this year for the building which did not allow the property to be used as separate accommodation; this application is to remove this restriction and allow for the property to be used as separate residential accommodation
- It is not known if the residents pay for the maintenance of the road as this is a civil matter and is not a planning matter
- It would not be possible to add a condition preventing the premises being used as a holiday home

Debate:

- It is a prestigious building but there is nowhere to put the bins
- It would not be acceptable if it could not be restricted to being used as a dwelling
- The restriction on the property should not be lifted
- Concerns about parking

Councillor Goggin moved the Officer recommendation for approval.

Councillor Alexander seconded the Motion.

On being put to the Vote it was LOST (Voting 4 for, 6 against).

Councillor Smith moved that a decision on the application be deferred pending a receipt of a further report providing reasons for refusal including parking and bins.

Councillor Carey seconded this Motion.



The initial Vote was 5 for, 5 against the Motion. Councillor Alexander used his second (casting) vote to vote against so the Motion was LOST.

Councillor Stevens moved that the application be refused as it is not a suitable location due to waste and parking issues.

Councillor Windows seconded this Motion and on being put to the Vote it was

**Resolved – (voting 6 for, 4 against) that the application be refused on the grounds that it is not a suitable location due to waste and parking issues.**

## 12 Date of Next Meeting

It was noted that the next meeting would be held as a remote zoom meeting at 2.00 pm on Wednesday 30<sup>th</sup> September 2020.

## 13 Amendments Sheet

Meeting ended at 5.25 pm

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

