

Bristol City Council

Minutes of the Development Control A Committee



30 June 2021 at 2.00 pm

Members Present:-

Councillors: Richard Eddy (Chair), Donald Alexander (Vice-Chair), Tony Dyer (substitute for Fi Hance), John Geater, Tom Hathway, Philippa Hulme, Chris Jackson (substitute for Paul Goggin), Ed Plowden and Andrew Varney

Officers in Attendance:- Gary Collins and Jeremy Livitt

1. Welcome, Introductions and Safety Information

All parties were welcomed to the meeting.

1. Confirmation of Chair

The Committee noted that Councillor Richard Eddy had been elected as chair of Development Control A Committee for 2021/22 Municipal Year by Annual Full Council at its meeting on Tuesday 25th May 2021.

1. Confirmation of Vice-Chair

The Committee noted that Councillor Don Alexander has been elected as Vice-Chair of the DCA Committee for 2021/22 Municipal Year by Annual Council at its meeting on Tuesday 25th May 2021.

1. Membership of the Committee

The membership of DCA Committee for 2021/22 Municipal Year was noted as follows:

Councillor Richard Eddy
Councillor Don Alexander
Councillor Fi Hance
Councillor Andrew Varney
Councillor John Geater



Councillor Paul Goggin
Councillor Tom Hathway
Councillor Philippa Hulme
Councillor Ed Plowden

1. Terms of Reference

The Terms of Reference of Development Control Committees were noted, as confirmed at Annual Council on Tuesday 25th May 2021.

1. Date of Future Meetings for the 2021/22 Municipal Year

The Committee approved the following dates for future meetings of the Development Control A Committee for the remainder of the 2021/22 Municipal Year.

1. Apologies for Absence and Substitutions

The Committee noted apologies from Councillor Fi Hance (Tony Dyer substituting) and Councillor Paul Goggin (Councillor Chris Jackson substituting).

1. Declarations of Interest

Councillor Tony Dyer declared an interest in Agenda Item 13(a) – Planning Application Number 20/05811/F – Plot 3, Dalby Avenue and Whitehouse Lane as he was the Director of the Bedminster area bid.

1. Minutes of the previous meeting held on Wednesday 28th April 2021.

RESOLVED – that the minutes of the meeting held on Wednesday 28th April 2021 be approved as a correct record and signed by the Chair.

1. Appeals

Officers explained the process under which appeals operated and were brought to Development Control Committee meetings for information.

The Committee was updated concerning the following:

Items 12 and 13 – Land and Buildings on the South Side of Silverthorne Lane: These applications were approved by the Committee but called in to the Secretary of state following an objection from the Environment Agency. The Inspector had now heard all the evidence and the appeal had just concluded.



This would be submitted to the Secretary of State for a decision to be made. The Committee would be advised as soon as the Local Authority had been advised of this situation.

Item 14 – Police Dog and Horse Training Centre, Clangage Road – Proposed Change of Use to Caravan Site - This decision had been called in by the Secretary of State. The Inquiry was scheduled to commence on 20th July 2021.

Item 50 – 12 Lodge Causeway, Bristol – This appeal had been allowed but no costs were awarded against Bristol City Council.

1. Enforcement

Officers explained how the enforcement process worked.

The Committee noted that four enforcement notices had been served since May 2021.

1. 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.

1. Planning and Development

The Committee considered the following applications below.

1. Planning Application Number 20/05811/F - Plot 3, Dalby Avenue and Whitehouse Lane Bristol

Officers presented this report and made the following arrangements:

- Details of the site were outlined, including photos showing the site from various directions
- One of the slides showing the site had been referred to in one of the Public Forum Statements
- The site was split into two units – Unit A consisted of 3 to 9 storey buildings and a 33 student cluster, together with 145 square metres of social distancing and study space; Unit B consisted of 4 to 9 storey buildings with 49 student clusters and a social meeting space
- There would be a biodiversity gain due to planting within the south of the property (40 trees of additional planting)
- Details of the changes to the original application were shown



- Consultation – there had been 79 original responses including 70 objections to the original proposal. There were 85 objections to the revised application
- As part of the Bedminster Green framework, there was a humanised avenue along Dalby Avenue with enhanced cycle developments
- Ground Floor – it was envisaged that there would be flexible ground floor space available
- Building Heights – the Bedminster Green Framework gave indicative parameters for the Bedminster area
- There would be no loss to existing employment from the proposal
- The Environmental Health team expressed no concerns about the proposal
- Housing was identified as of high demand in the area
- University of Bristol supported the scheme
- City design supported the proposed layout. It was noted that there would be tree planting and improved walking and cycling
- The height, size and massing for the revised application was considered acceptable. Views from different locations were shown
- Details of the various separation distances between the application and neighbouring buildings were shown
- Historic England had raised some concerns about the proposal
- Details of the proposed Section 106 agreement were set out, as well as the CIL funded works along Dalby Avenue. These would also include transport improvements
- Daylight and Sunlight Amenity Study – All 9 areas assessed BRE guidelines. Rooms that did not meet the guidelines showed minor or very minor loss of sunlight. If there had been any concerns about the impact of the property on the neighbouring Windmill City Farm, officers would have required changes to the application
- Flood Risk Drainage and Air Quality – these were all considered suitable subject to conditions
- Sustainable Design and Construction – all requirements had been met

Therefore, officers recommended that the application is approved subject to a Planning Agreement, to officers being given delegated authority as required to finalise the wording of any conditions and to progressing the Section 106 agreement.

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

- Details of Historic England's objections were set out in further detail on Page 78 of the report. The organisation did not believe that it delivered the contextual approach that was required and that a more positive approach was needed to the historic environment in the area
- Changes made to the original proposal were set out on the screen. These included the introduction of colour and cladding to reflect a modern design and include a choice of materials. There had also been changes to increase the fenestration and level of daylight and sunlight
- Whilst members concerns were noted that a nearby similar scheme led to serious concerns being raised by the Planning Inspector relating to height, scale and massing, each scheme needed to be considered on its own merits. This was a larger site in which work had been carried out to improve



particular aspects of the application, such as the separation distances and increased variation in height for upper levels

- Officers pointed out that the same team had dealt with all plots on this site which had enabled a consistent approach to each one. Developers had taken more time to work with officers on this project and as a result, they were confident that the benefits now outweighed the harm
- It was noted that there were references in the report to less than substantial harm but that these did not indicate whether the harm was significant and demonstrable. However, members' attention was drawn to the report which indicated that Historic England did not believe there was unacceptable harm to the Conservation Area
- In relation to proposed student numbers on the site, officers stated that there were no exact numbers on that. However, the issue of student accommodation had been addressed in Page 72 of the report and was considered a suitability issue
- BRE guidelines were used to assess the impact of daylight and sunlight amenity. A consistent approach had been followed in this using detailed modelling to see the impact on adjoining properties. There had been a high level of compliance with existing guidelines
- The number of required accessible units was in line with the 3 to 4 % policy
- Whilst officers noted members concerns that the number of student beds would not reach the required numbers set out in the Student Plan, there were differing views on the significance of this since this was the first introduction of students into the area. However, any future plans for more students would need to be considered on their merits. The Spatial Framework for the area would need to take these into account. Under 1,000 was the indicative figure at the moment
- There was a mix of housing areas on the site which was the purpose of the framework and allowed an approach with greater holistic planning. Different applications could then hold different types of developments
- The issues of sound and refuse had been considered. Each building had a refuse store servicing through the development before being removed off site. The waste and transport teams had indicated that the proposed development was acceptable
- The amount of land available had grown substantially and were driven by affordability. Planning officers had been strongly advised that a connection was needed to ensure transport and cycling improvements. Officers had avoided creating gaps wherever possible
- The site would include a Management Plan which would require the Management Company to remove any litter which fell into the River Malago

Councillors made the following comments:

- Whilst they had been exacerbated by the COVID pandemic, there had been a general decline in the High Street since Wills had gone from the area. There was therefore a need to look at regeneration and restoring property there. Therefore, a framework to provide a policy context for development in the area should be welcomed.
- Whilst this application would be of more concern if it was for a wider scheme, since it was for only one part of it and supported by the policy context, it was acceptable.
- The height and massing had been carefully examined and only provided a very minor loss. The scheme should be supported.



- There were many environmental reasons to support this scheme – BREEAM buildings, enhancement of the River Malago area, sustainable transport and the fact that it was zero car led. Therefore, it should be supported.
- This scheme was excellent news for East Street. As well as opening up the river area, it achieved a net positive in terms of biodiversity gain
- The officers should be thanked for their hard work in helping to improve this scheme. Whilst there was significant opposition, particularly in terms of height and the impact on GPs, there were some good aspects of it. these included the fact that it was located on a brownfield site and that there were economic, cultural, housing and biodiversity gains. However, there remained some concerns about the proposed finger design and architecturally it was not good.
- Regardless of the wider development, there remained concerns about the number of student beds proposed for one location, as well as the height of the buildings. The improvements to the River Malago area were, however, to be welcomed.
- Whilst officers had carried out great work improving this application, the benefits were likely to have been achieved without this development. The viability of the Bedminster Plan needed to be revisited to ensure it was not a catalyst for unsustainable development
- A very similar nearby scheme had been deemed unacceptable by the Inspector. It did not seem realistic to suggest that this scheme would not create light issues for the Windmill Hill Area. The proposed fingers were also not sufficient. Therefore, the application should be opposed
- Whilst there remained some concerns about this application, the benefits outweighed the impact and the area needed investment. The scheme should be supported
- The biodiversity gain from this scheme was to be welcomed. The area badly needed this development and it should be supported.
- Whilst there remained some concerns about massing with this scheme, it should be supported as it provided good accommodation for students which could help to free up family homes elsewhere
- Whilst the area had great potential, the proposed application should not be supported on the grounds of height and massing. Whilst the principle of development on this site should be supported, this application should be opposed

Councillor Richard Eddy moved, seconded by Councillor Don Alexander and upon being put to the vote it was

RESOLVED (5 for, 3 against, 1 abstention) – that the application be approved with a request to the appropriate Cabinet member to fast track the proposal for an RPZ for Windmill Hill.

1. Planning Application Number 20/00968/F - 349 to 351 Gloucester Road Bishopston

Officers introduced this report and made the following points during their presentation:

- Details of the site were provided. It was noted that it had been vacant since 2008 and was currently a commercial shell which would require a great deal of work to return to active use



- It was currently designated for Class E use, including for use as a café, restaurant, gym or office use
- It was noted that it consisted of 2 storeys and was designated for town centre use under Policy DCM8
- The application was outlined. It was explained that all external walls would be refurbished and that seating areas would be provided for customers. A roof terrace would be provided. There would be a lift on site, as well as two long corridors with service entrances. A floor extension was proposed for the area with the staircase. Doors leading to the roof terrace were enclosed by walls to the south and east
- A visualisation of how the building would look was provided showing new windows and lighting
- There had been 241 objections to the application, with 59 supporting comments. Many nearby residents objected on noise grounds and some objected on parking grounds since there was no on-site parking. Those who supported it did so on the grounds that it would bring a vacant building into use and provide jobs. Other pubs in Gloucester Road had been closed
- The application needed to be assessed in land use terms rather than generic use
- As the site was within the Gloucester Road Town Centre, it was accessible and would be served by very good public transport
- Planning policy was now more flexible than in the past. It wouldn't be harmful to shopping in the area. Once built, there would be under 4% public houses. A map showing public houses in the area indicated that it would be the fourth in this section of Gloucester Road and that there would remain a good mix of uses in the area. In addition, it would have wider benefits since it would create 50 full and part time jobs
- The proposal for a public house was not a reason for refusal on planning grounds
- Amenity – the application had been revised to seek permission for opening 0700 to 23:30 hours Sunday to Thursday and 0700 to 00:30 hours Friday and Saturday. It was proposed that the roof terrace would close at 9pm daily
- There would be a site management plan with high security staff employed
- A series of other measures to manage use would operate to reduce the level of noise on the roof terrace. An assessment of noise indicated that it would be lower than the World Health Organisation's Annoyance Level, although noise nearby might be higher due to existing traffic. The noise level might be 2 decibels above background level for 2 properties near the site
- Pollution Control had assessed the background levels of noise from proposed kitchen and extractor fans as being acceptable
- Following various assessments, officers now believed the application could be recommended for approval subject to a monitor of the noise level through a Noise Impact Assessment
- There would be a limit of 30 people on the roof terrace
- The application was supported on design grounds on the basis of its existing character and appearance
- Highways – there were no objections. Conditions were proposed to secure a travel plan, together with a Delivery and Service Strategy to ensure delivery at the appropriate times
- There was a proposal for 6 cycle spaces
- Energy and Sustainability – there would be on site renewable energy regeneration



- Proposals were required to be BREEAM compliant
- Details of the CIL liability were provided

Officers were satisfied that the key issues had been resolved and therefore were recommending approval subject to conditions relating to highway works, a construction management plan, assessment of noise levels, a site management strategy, a service and delivery plan, a waste management plan and an odour management plan.

Officers responded to members' questions as follows:

- The Anchor Pub had a roof terrace which was required to close at a similar time (ie 9pm) and which was closer to the existing site
- The noise impact assessment was that 850 would be the absolute maximum on site and would only be achieved for a very few days a year. Most of the time noise levels would be significantly below this
- The applicant had provided dispersal data since they had other public houses but these were not heavily relied on as part of the assessment. It was noted that the noise assessment took account of the average sound of the human voice
- Previous refusals had been due to the design of the building but the provision of screening with opaque glass and site management was in place to deal with this. There were also additional measures which would need to be covered by licensing
- The Management Plan was in the hand of the owner but was judged against Bristol City Council's policy. The Management Plan would be maintained in perpetuity.
- Anti-Social Behaviour - CCTV would cover the front of the buildings. Police approval would also be required

Members made the following comments:

- There was a case for change of use for this property since it had been vacant for so long. There was no overconcentration of pubs at this location in Gloucester Road. This would not significantly affect the amenity of residents. Therefore, this application should be supported
- Whilst there would need to be careful monitoring of the establishment under the licensing regime, this application should be supported
- Whilst there remained some concerns about the proposed use, there were lots of mitigation measures in place. It was good to see that the transport and design sustainability issues had been resolved. Therefore, the application should be supported
- This was a derelict site which needed to be brought back into use and most objections were not material. Therefore, it should be supported.

Councillor Richard eddy moved, seconded by Councillor Chris Jackson and upon being put to the vote, it was

RESOLVED (8 for, 0 against, 1 abstention) – that the application be approved.



1. Planning Application Number 21/00746/F - 6 Clyde Park

Officers introduced this report and made the following comments during the presentation:

- Details of the application and the site were shown, including photos from different locations
- The application involved the demolition of an existing garage and replacement with a part single storey property
- The height would increase from 3.6 to 5.3 metres
- The property would be built from natural brick and would include timber cladding and a flat green roof with clay tiles and no windows on the side elevation
- There would be a larger external amenity area
- There had been 24 objections to the original proposal and there were continuing objections despite some revisions to the scheme
- Objections included a concern that it would impact on the character and appearance of the Conservation Area, an impact on the nearby St Xavier's Church and a concern about the impact on trees and ecology
- Objections to the application had been received from the former Councillor Lake and current Councillor Guy Poultney, as a result of which it had been brought to Committee for consideration
- The principle of development was that this should take place on previously undeveloped land. It was acknowledged that this application would result in the loss of some garden land
- The application is very close to the city centre. Overall officers were satisfied that this was a sustainable location and that a significant amount of private land would be retained at 6 Clyde Park
- The development was in an established mews setting and was in an area characterised by this type of development within the Redland and Cotham Conservation Area. The principle of removing the garage and redesigning it was considered appropriate
- Officers' original concerns related to scale, height and materials but did not believe the current proposal would cause overly significant problems, since the 2 storey element was only slightly greater than the garage. The original boundary wall would be retained
- Precedent – the building was already constructed but any application is assessed on its own individual merits. Officers were satisfied that the design and scale were appropriate to the setting and, following consultation with the City Design Team and Conservation Group, believed that the character and appearance of the Conservation Area would be preserved
- There would be a significant separation distance between the property and nearby dwellings
- The applicant had provided details of a section through the site which showed that the development would be only marginally bigger than the boundary wall and was set back. Officers believed that there was no harm in terms of overbearing and overshadowing
- A privacy screen existed in the bedroom to the new property and a condition would be included to ensure this was kept in perpetuity



- The Transport Development team had no objections subject to conditions. The development was in the Residents Parking Scheme area
- An advice note would be attached to the scheme indicating that visitors are eligible for permits
- A Management Plan would be secured by condition
- Trees and Ecology – there were no objections subject to a condition. Two small trees will be removed but would be adequately replaced. A Landscape Plan would be secured by condition. There was no objection to the proposal from the ecology officer

The Committee noted that the application was recommended for approval subject to conditions.

Members noted there were a number of concerns in relation to this scheme.

Councillor Richard eddy moved, seconded by Councillor Tom Hathway and it was

RESOLVED (5 for, 1 abstention, 3 against) – that the application be deferred pending a formal Site Inspection.

NB – The Committee was reminded that, since this would be a formal Site Visit confirmed by a formal resolution, all Committee members would need to attend in order to be able to participate in the debate and vote when it was considered at a future meeting,

1. Date of Next Meeting

Following the approval of dates for 2021/22 Municipal Year, it was noted that the next meeting was scheduled for 6pm on Wednesday 11th August 2021.

Meeting ended at 5.35 pm

CHAIR _____

