

Bristol City Council

Minutes of the Development Control A Committee



2 February 2022 at 6.00 pm

Members Present:-

Councillors: Richard Eddy (Chair), Amirah Cole (substitute for Philippa Hulme), John Geater, Paul Goggin, Fi Hance, Tom Hathway, Chris Jackson (substitute for Steve Pearce), Ed Plowden and Andrew Varney

Officers in Attendance:-

Gary Collins, Jeremy Livitt

34 Welcome, Introductions and Safety Information

Councillor Richard Eddy welcomed all parties to the meeting and outlined the arrangements in the event of an emergency evacuation of the Council Chamber.

35 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Philippa Hulme (Councillor Amirah Cole substituting) and Councillor Steve Pearce (Councillor Chris Jackson substituting).

36 Declarations of Interest

37 Minutes of the previous meeting held on Wednesday 15th December 2021

It was moved by Councillor Eddy, seconded by Councillor Hathaway and

RESOLVED (unanimously) – that the minutes of the above meeting be confirmed as a correct record and signed by Councillor Eddy.

38 Action Sheet

The updated rolling Action Sheet was noted.



39 Councillor Eddy's Announcements

At the request of Councillor Richard Eddy, the Service Manager (Development Management) advised the Committee on the situation concerning the following items:

Broadwalk Shopping Centre – outline planning agreement had recently been obtained following a lengthy Section 106 agreement but considered at Committee some time ago . The site had received a change in ownership in the last 18 months. This was at the pre-application stage. A new application would need to be considered for these proposals.

Doncaster Road Park, Southmead – This housing development was at an early stage but was not included in the Southmead Development Area. It was however designated as important open space in the Local Plan.

Hengrove Park – This benefited from outline planning permission. Any detailed application would require a reserved matters application. Whilst Goram Homes could fall within reserved matters, each case would be assessed on receipt

Western Slopes – There was no specific proposal yet for the Council-owned part of the site. The northern site was under private ownership. There was an application for this area which would be considered at Committee.

40 Appeals

The Service Manager (Development Management) introduced this report and made the following comments:

- Items 17 and 19 – Land and Buildings at Silverthorne Lane – The Secretary of State had called in the applications relating to these two sites. It was noted that these had been approved by DCA Committee in August 2020 but called in following an objection on flooding grounds by the Environment Agency. A public inquiry had been taking place since May 2021 and the Inspector's report had now been completed and sent to the Secretary of State. A decision would be provided to Bristol City Council by 3rd May 2022
- Item 19 - Former Police Dog and Horse Training Centre, Clanage Road – Following a delay in this decision due to a call-in to the Secretary of State by the Environment Agency on flooding grounds, this appeal would be heard next week
- St Mary Le Port – following the recent approval of this planning application on 13rd December 2021, Central Government were considering a further request for a call-in by the Environment Agency. Officers would advise the Committee when a decision on this issue had been made
- Pages 24 and 25 – Details of the decisions confirmed that these had mostly been dismissed and all those that had been granted (three) were awarded without costs



41 Enforcement

Councillor Richard Eddy pointed out that there had been little enforcement action reported to the Committee over the last few meetings. The Committee agreed that discussions would take place between Spokespersons at future Development Control A Agenda Meetings to decide whether or not other pieces of enforcement action needed to be submitted to Committee. The relevant enforcement officers would be invited to attend future DCA Committees to report on these cases as required.

ACTION: Service Manager (Development Management) to make necessary arrangements for discussions at future Development Control A Committee Agenda Meetings.

42 Public Forum

Members of the Committee received Public Forum Statements in advance of the meeting, details of which are included as a supplementary dispatch for the meeting.

43 Planning and Development

The Committee considered the following Planning Applications:

43a Planning Application Number 21/02835/F – Fulford House, Fulford Road

Officers introduced this report and made the following points:

- The site was a former public house in South Bristol. Details of the frontage site were shown
- There would be accommodation for 2 HMO's with 11 buildings and refuse storage on site
- 112 public responses had been received, all from Hartcliffe. Objections were mainly due to HMO use and character
- There was no significant alternative provision including within walking distance
- There were two elements to the policy in this area – a suitable alternative in the area or existing use being viable. Officers were satisfied that it was not viable.
- There were no other HMO's within a 100 metre radius of the area.
- There were no objections from the Police or from highways who had indicated that they were happy with parking including street parking

Officers then responded to Councillors' questions as follows:

- Whilst the original feasibility study response addressed some of the CAMRA criteria, there remained an issue concerning the diversification in areas such as food which was not included. It was reasonable in other respects. As a residential pub in a suburban housing estate, it was unlikely to be a draw for tourism. It was also noted that the rugby club was not yet on stream



- 45 of the objections were from within a 200 meter radius. The vast majority were from the Hartcliffe and Withywood area
- There had been no changes to the marketing of the site for the last 15/16 months
- Whilst it was acknowledged from sliding data that there had been a slight increase in customers at the pub during 2018/19 just before the pandemic, the information included in the report had been obtained from the assessment which had taken place during the COVID period.
- There was no scrutiny on the numbers obtained from the assessment which had been taken on trust. These required a declaration of accuracy Officers were not qualified to analyse the information provided.
- Whilst officers used external consultants to assess Housing schemes, there was no expertise available for assessing alternative provision and viability in commercial operations. However, officers could carry out comparisons with other schemes to assess whether the assessments were broadly reasonable
- Living space standards were used during the assessment which were different to nationally proscribed standards
- The policy did allow independent verification of viability. However, officers did not have access to regular expertise in this area
- The criteria for external verification stated that there should be no HMO's within 100 metres. If this application was approved, these would be the only two HMO's in the area. Some local residents had raised concerns in the past about local affordability. It was beneficial for there to be a wide range of accommodation
- Triggers on financial tests had not been carried out in the past for pubs in Bristol
- Councillors' concerns were acknowledged about taking guests into account in the assessment. However, the numbers did meet the criteria for the survey and highway officers were satisfied with the assessment. It was confirmed that 4 spaces would be required on site
- It was noted that people using cars outside the development might choose to park on the pavement. However, this was not something that could be controlled and could not be taken into account in the assessment.
- No assumptions could be made as to whether or not there would a need for disabled parking with a development of this size.
- Officers had attempted to obtain information concerning a nearby shop which might operating illegally but had been unsuccessful

During debate, Councillors made the following comments:

- Good community pubs were very important and had already been under huge pressure before the pandemic. There had been a major reduction in the provision of such facilities in wards in nearby areas of the city
- The viability report could not be ignored in terms of a future pub on this site. It also noted that in order to make it viable, employees might need to be paid less than the minimum wage. There was a need for alternative housing in the area which was affordable for young



people. Whilst a plethora of HMO's caused problems in some areas, it would add to the mix in this area

- Space standards were more than acceptable. The application was acceptable on the grounds of noise, pollution and transport. The site was near a showcase bus route. Parking seemed reasonable in view of the survey indicating off street parking
- Officers and residents were thanked for their comments. Whilst the loss of a pub to this area is a blow, there had been no other proposals put forward. There were not many HMO's in the area and there would be a Premises Management Plan. In addition, there were no objections from the Police and the highways team were satisfied with the proposal. The application should therefore reluctantly be supported
- This was a difficult decision to make. It was unfortunate that a decision needed to be made on data that had not been fully scrutinised. However, based on the information received, the application should be supported
- Whilst it was disappointing to see a pub closing, it was not financially viable to continue. In addition, there continued to be a significant amount of anti-social behaviour in the area. It was disappointing to see some of the comments that had been made concerning vulnerable people who might be residents of the HMOs. Whilst the viability report was not ideal, the application should be supported
- There was insufficient information to make a decision. In particular, the financial information provided was insufficient

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

RESOLVED (5 for, 2 against, 2 abstentions) – that the application be approved as set out in the report.

Following a further brief discussion concerning the need to strengthen the viability assessments into the future of community pubs, it was further

RESOLVED (unanimously) – that Councillor Richard Eddy writes to the Director (Development of Place) to consider raising the threshold employed by Development Management in its viability assessments into the future of community pubs.

43b Planning Application Number 20/05326/F – Cambridge House, 34 Cambridge Crescent

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

- Members' attention was drawn to the Amendment Sheet which indicated that there had been further objections received after the publication of the agenda and reports. These related to design, amenity and concerns about traffic congestion/parking
- Previously agreed Planning Permissions made in 2020 were highlighted in blue on the plan



- The application being considered was indicated on red on the plan
- Further consultation had been carried out on the new application. Officers were required to consider the application on the basis of the situation as it exists now regardless of whether or not the previously agreed development is built in future
- An image of the current site showing the current and previous developments were shown
- Whilst there was some concern about overlooking in relation to the area opposite side of Westbury Hill, officers did not feel there were any grounds for refusing the application

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

- Due to work pressures, it had not been possible to deal with both Planning Applications at the same time. The application was considered as the relevant plans were submitted
- Whilst the additional consultation had not been required, it was felt necessary to ensure that residents were aware of the situation concerning the 2020 approved scheme. The consultation had been properly followed
- The proposal was deemed acceptable. There were no design grounds to refuse it
- Everything had been taken into account to ensure the development would meet conservation designs. Due to the objections received from the Conservation Advisory Panel and the Westbury society, it was submitted here
- The proposal was sustainable since there was no loss of parking. There was public transport in Westbury Centre
- A decision had already been made on the previous scheme. Therefore, this application needed to be considered on its own merits. Officers acknowledged that developers were able to seek approval for a series of schemes in the area and not build them until they were all approved
- There was no new parking space provision, just existing provision.

During the debate, Committee members made the following comments:

- Although the views of objectors on this issue were understandable, there did not seem to be any reason to refuse this application and it would be difficult to defend any subsequent appeal
- This was not ideal and there was sympathy for residents. However, there did not seem to be any planning policy to refuse this application

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

RESOLVED (8 FOR, 1 ABSTENTION) – that the application be approved.

44 Date of Next Meeting

It was noted that the next meeting was scheduled for 2pm on Wednesday 16th March 2022 (not 13th March as indicated on the agenda) in the Council Chamber, City Hall, College Green, Bristol.



The meeting ended at 7.40 pm

CHAIR _____

