

Bristol City Council
Minutes of the Development Control A
Committee
4 September 2024 at 2pm



Members Present: Rob Bryher (Chair), Katja Hornchen (Vice-Chair), Al Al-Maghrabi, Sarah Classick, George Calascione, Ellie Freeman, Zoë Peat, Serena Ralston, Richard Eddy

Officers in Attendance: Jonathan Dymond – Deputy Head of Planning, Pip Howson – Transport Development Manager, Steve Gregory – Democratic Services

1 Welcome, Introduction and Safety Information

The Chair welcomed everyone to the meeting and detailed the building safety information.

2 Apologies for Absence

There were no apologies.

3. Declarations of Interest

There were none declared but in the interests of openness and clarity members made the following comments.

Councillor Eddy stated that the applicant for the first item had done a number of a schemes in his ward however he remained unaffected by this and approached this application with an open mind. Councillor Zoe Peat said in the interest of transparency the work proposed was in her ward but had not made up her mind about it at this stage. Councillor Ellie Freeman said the second application was in her ward but confirmed that she had not had any conversation about it with anyone prior to this meeting.

4. Minutes of the Previous Meeting.

Resolved – That the minutes of 24 July 2024 be agreed as a correct record.

5. Action Sheet.



There were no outstanding actions.

6. Appeals

The Deputy Head of Planning reminded members that at last meeting a question was asked about how many appeals were dismissed/allowed by percentage, as more appeals were being allowed against refusal of planning permission than dismissed. Arising from this the planning team were working on trends and themes to find out why this was happening. The findings would be shared with committee lead members as soon as possible.

7. Enforcement.

A member suggested that it would be useful to have a wider presentation and more detail to better understand why enforcement rates were low and not seen as much of a deterrent.

The Deputy Head of Planning advised the committee that work on this was ongoing and additional resource had recently been employed to clear the backlog of older cases. An update would be given to members in due course.

8. Public Forum.

Statements - the Committee noted all written statements and heard from those submitters who wished to speak.

Questions – The Committee noted the responses and the Chair invited Supplementary Questions from Questioners.

Roger Sabido

1. What degree Planning Officer investigated enforcement on the site, why was enforcement not pursued?

Response – noted no enforcement case on file only about building regulations which cannot be discussed due to confidentiality reasons. Acknowledged condition of building and deterioration since 2019 and was vulnerable to vandalism. Owner was working with police for more secure fencing, however this was not a material consideration for the application.

2. Has security issue been pursued with the police?

Response – No evidence that owner had been negligent, and that the owner had taken measures to secure the site. Noted that there had not been any enforcement case opened for the site and this matter was not a material consideration for the application.



Mary Page – how many reports had there been about the site?

Response – there was a bat survey done and this had been mentioned including damage to the roof. There was also a viability report which gave information on the condition of the property, which was found to be in a poor state.

Mary Page – did report include information about contractors who removed part of the roof and which police were satisfied that they were employed by the owner, and which contributed to the deterioration of the property?

Response – no evidence of neglect and in terms of the planning decision this was not a material consideration.

Christopher Gibson – why were documents hidden from us? eg, Revised planning statement?

Response – recent bat survey had been updated and response received from CAMRA and comments from ecologist for bat survey. The revised planning statement and CAMRA objection were available on Monday this week so was available in the public domain. The information was also covered in the planning report and amendment sheet. Not aware of a CAMRA link but this was referenced in the report.

Christopher Gibson – in response to Q3 why does the case officer feel that a small microbrewery was a good enough replacement for a public house?

Response – alternative provision had to be considered and a microbrewery was a public house. This would be conditioned as a direct provision on site.

9. Planning and Development.

The following application was considered by the Committee.

9a 22/06075/F - Giant Goram Barrowmead Drive Bristol

The Committee had regard to the contents of the Amendment Sheet.

The report was summarised for the benefit of the Committee and the following points arose from questions and discussion: -

- The role of the committee was to consider the merits of the application before it today.
- Financial viability was evidenced but not conclusive, however a conventional public house had not previously been successful. There was no evidence of non-viability for a microbrewery and as it was run on a smaller scale the risk of failure was considered to be low.
- In planning terms, a microbrewery and conventional pub had equal status.



- The local community had not been formally consulted as this was a minor application and there was not a statutory requirement to do so.
- Conditions would be in place to ensure adequate protections on the site.
- Asset of community value was put on register for a fixed time and gave a chance for the community to make a bid for the pub. Once expired open to the LPA what weight was given to any application. An offer had been made prior to expiry but was too low and no proof of funds had been given.
- The proposed microbrewery was conditioned for use, any further changes would require a fresh planning application, this was done to ensure that a microbrewery would be on the site and given an opportunity to succeed.
- There was not a diverse range of pubs in the area and a conventional pub was not deemed to be economically viable. This was evidenced by looking at financial accounts and marketing over a long period of time. There was not conclusive evidence of non-viability, CAMRA had also given evidence.
- Regarding timeline, from within 12 months of the residential part of the application being completed, the microbrewery would be marketed, and it was thought that finance would be available within one year to fund this.
- Conditions to control noise and antisocial behaviour would ensure that the microbrewery would not be prejudiced by objections. A license to run the pub was separate to the application itself. Condition 27 provided substantial control to mitigate and protect future residents.
- It was for future residents to decide if they were comfortable living near a microbrewery and was not a planning consideration.
- The application was a minor one so there was no requirement for affordable housing provision.
- Photos of the property in the report appeared to be out of date and visiting the site showed there was greater deterioration of the roof.
- The current application did provide provision of a microbrewery pub and additional housing. If the site was not developed the risk of further vandalism would likely increase.
- Evidence of non-viability of a conventional pub had not been provided conclusively. It had been there since 1958 and there were no competing facilities.
- The community needed a space where families could go to socialise. A microbrewery would not meet the needs of the community. The developers should work closer with the local community to have a better outcome.
- There was a real issue with pubs and community facilities being in decline and this needed to be addressed.
- More information was required about viability for a conventional pub. It would be for the applicant and LPA to provide further information on this. The decision would need to be deferred to enable this.
- It was not clear that a microbrewery pub would be viable. It was relatively small when compared to a conventional pub.
- Some members were not convinced about viability either way.

Discussion being complete a member moved the officer recommendation to approve the application, there was no seconder.



The Chair then moved that the application be deferred to allow more time for grounds of refusal to be clarified and to look at Policy DM6 again regarding viability and wider provision of community facilities and that a report for be brought to the next DC A Committee for consideration. This was seconded by Councillor Sarah Classick.

On being put to the vote there were seven for, one abstention, one against the motion. The motion was carried.

Resolved – That the application be deferred pending further clarification about reasons for refusal and to look at Policy DM6 again regarding viability and provision of wider community facilities.

9b 22/06075/F - 22/06070/F - 85 Ruby Street Bristol

The Committee had regard to the contents of the Amendment Sheet.

The report was summarised for the benefit of the Committee and the following relevant points arose from questions and discussion: -

- The HMO license allowed only 3 to 6 people to reside in the property.
- HMO planning regulations and licensing were two separate regimes and were not interlinked.
- The planning application was retrospective.
- There was no control over the status of the occupants.
- There were no known noise complaints made about the previous occupants in the property.
- Control of parking would be strengthened by ensuring that HMO occupants would not be entitled to any permits in a resident's car parking zone. There was a permit free Advice included within the planning permission. This was standard practice following legal advice from BCC legal team.
- There was no harm to the local community regarding concentration of HMO provision in the area.
- The property was within an article 4 area, if it wasn't the development would come under permitted development criteria.
- The development had passed the test for HMO provision in the local area, so it was not considered to be at a harmful level. The calculation was based on a 100-metre radius and was currently at 6.28%. The tipping point was 10%.

Discussion being complete the Chair moved the officer recommendation, this was seconded.

On being put to the vote there were six for and three against.

Resolved – That the application be granted subject to condition(s) and Advice's listed in the report.

The meeting ended at 4.20 pm.

Chair

