

Bristol City Council
Minutes of the Development Control A
Committee



23 October 2024 at 6.00 pm

Members Present:-

Councillors: Rob Bryher (Chair), Katja Hornchen (Vice-Chair), Al Al-Maghrabi, Sarah Classick, George Calascione, Richard Eddy, Zoë Peat, Guy Poultney (substitute for Ellie Freeman) and Serena Ralston

Officers in Attendance:-

Philippa Howson, Jonathan Dymond and Jeremy Livitt

1 Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting and outlined the emergency evacuation procedure.

2 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Ellie Freeman (Councillor Guy Poultney substituting).

3 Declarations of Interest

The committee noted that Agenda Item 9c Giant Goram, Barrowmead Drive, Bristol Planning Application Number 22/0607S/F was in the ward of Councillor Zoe Peat.

4 Minutes of the previous meeting held on 4th September 2024

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

5 Action Sheet

There were no outstanding actions from previous meetings.



6 Appeals

The Committee noted that a number of additional appeals had been received by officers and that details would be provided at the next meeting.

Following a request by Councillor Richard Eddy concerning Item 84 (Station Road, Shirehampton, Bristol BS11 3TT – Redevelopment of the Site to Include Care Home With Associated Facilities, Works to Include Access, Parking and Landscaping – Appeal Upheld), officers agreed to provide details of this appeal and an update on the current situation to him and all ward Councillors. **ACTION: Jonathan Dymond – added to Action Sheet**

7 Enforcement

The Committee's attention was drawn to enforcement notices issued in respect of HMOs.

Following questions from members of the Committee, Planning Officers confirmed the arrangements for assessments on whether or not to take enforcement action in particular circumstances.

The Committee noted that there would be a briefing in early 2025 concerning the local enforcement action in particular circumstances.

The Committee noted that there would be a briefing in early 2025 concerning the local enforcement plan and providing an overview of enforcement.

ACTION: Jonathan Dymond – to be included in the Action Sheet

8 Public Forum

Questions – there were no supplementary questions.

Statements - the Committee noted all written statements and heard from those submitters who wished to speak. The following people spoken on behalf of those listed to speak with their agreement:

A2 – Andrew Smith (on behalf of Steve Bluff)

B1 – Keith Ertle (on behalf of Susan Strickland)

B3 – Norman Spalding (on behalf of Dave Redgewell)

B9 – Michael Orr (on behalf of Ben Larcombe)

C4 – Mary Page (on behalf of Jon Mackenzie)



9 Planning and Development

The Committee considered the following planning applications:

9a 22/05/268/F and 24/00202/LA - 38 Victoria Street, Bristol BS1 6BY

Officers gave the following presentation on this planning application:

- Details of the redevelopment of Canningford House were provided, together with the proposed alterations to the old toilet block and the altered beer garden
- The Committee was shown the on screen site location
- Details of the existing site were provided and of the proposed reinstatement of Long Row as an historic route
- Access to Long Row was shown, including a view from Temple Street and a site overview, side and front views and the Victoria Street frontage
- 51 objections had been received to the original application, together with 1 supporting comment. Most of the objections related to the impact on the public house, the loss of the garden and the viability of the pub
- Following this, significant revisions had been made including improvements to the route to address concerns about public safety. 3 objections and 5 comments of support had subsequently been received with most concerns relating to the pub and some to the design
- The existing office building was not fit for purpose and was not in good condition. The proposed development aligned with market trends for this sort of accommodation
- The development would enhance movement of the area, provide a new toilet block and increase footfall past the pub
- Historic England had raised concerns about the impact of the changes to the Victoria Street frontage and to the fact that the proposed office development would be visible in silhouette to the Grade II* Listed Church. Bristol City Council had also raised concerns about this
- However, whilst this was an area containing several heritage sites, it also contained modern development and was therefore also an area of change. Conservation believed that the less than substantial harm should be weighed against the benefits of the development such as an enhanced public realm and increased biodiversity gains. There would also be accessible toilet facilities and a rear door to help with access to the beer garden
- Officers recommended both applications for approval, with the full office realm application requiring to be referred to the Secretary of State as a result of the objection from Historic England

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

- A number of measures had been proposed to improve sustainability, including a heating system to connect to the local heat network and 200 square metres of solar panels. It was noted that, in the case of a development of this scale, it was difficult to get a 20% level of carbon reduction. In addition, the Section 106 provision would help to offset the 9% shortfall in this area
- Planning policies did not specifically require prevention of overheating but the carbon offset would help to achieve this
- The 8 storey Temple Street was designed to align with the height of buildings on the other side of the road and the 5 storey frontage was consistent with more modern developments along Victoria Street



- The Secretary of State could either allow the development if the Committee voted to approve it or they could request a further assessment. This was likely to depend on whether the Committee's views were substantially different from what was included in the report
- Disabled toilets were not outside with male and female toilets also being accessible within the block. The additional access was provided since access through the pub could be difficult for some
- The lighting impact assessment was made as part of the application and was based on BRE standards with works immediately behind having increased in height being covered in the lighting assessment
- 14 rooms tested including Cornubia will achieve the recommended targets – if it is a reduction, it is within BRE standards
- In addition to the impact of the garden, the proposals would make parts of the pub more visible and the building would accommodate office workers which could be attractive for a pub
- The officers provided details of how the viability assessment was made
- Whilst members' concerns about the agent of change and the issue of cooking smells and the noise from pub users, officers pointed out that this would mostly take place in the evening which was not when people were not likely to be occupying the office space
- Any conversion to future residential use would require a planning application. Whereas the footfall may decrease, the need for office space would remain and existing office space would not necessarily meet the new requirements for it (?)
- The design of the cycle store could be amended subject to a condition to require cycle spaces since the current number of parking space exceeds existing requirements

Committee members made the following comments:

- The existing 50-year old office block was unsustainable in energy terms and the scheme seemed well designed. It would provide a significant increase in employment spaces with public realm improvements and reinstatement of the public street. In addition, the opening up of the site would give it a new lease of life. Hopefully, the Secretary of State would accept the well-argued position of the case officer in the report
- The developer had been very responsive to the officers' concerns and the proposed scheme had noticeably improved. The proposed building looked good. The recommendations should be supported
- There were good elements to the scheme such as disability scooters and charging points. Any archaeological discoveries could be included within the new development to provide historical context for users
- The proposed solar panels would help provide a carbon offset. It was good to see the developer working with the community. The scheme should be supported
- Whilst the scheme looked good and the degree of community engagement was impressive, it was a concern that there seemed a lack of support amongst residents
- This was a good application and had involved good engagement with the community and pub. Home working was not always preferable or viable. Examples of offices that required work with hard documents were noted
- It was encouraging to see a development to help support a pub. However, there remained concern about the bulk and massing of the development and therefore the Committee was right to challenge it vigorously. However, on balance the benefits from the development outweighed the existing provision
- The reopening of Long Road would provide more opportunity for the pub to thrive and increased the viability. Whilst the height was slightly higher than ideal, this was not a substantial enough reason to refuse the application



The presenting officers were thanked for the work that they had put into this application.

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

RESOLVED: (unanimously) that, subject to referral to the Secretary of State for consideration, Application Number 22/05268/F be approved subject to relevant conditions contained within the report including planning obligations and subject to officers considering a possible condition for cycle parking including further accessible spaces for mobility scooters.

Councillor Rob Bryher moved, seconded by Councillor Al Al-Maghrabi and upon being put to the vote, it was

RESOLVED (unanimously) that Application Number 24/00202/LA be approved subject to relevant conditions contained within the report

9b 23/02680/F and 23/02681/LA - The Old Tavern, Blackberry Hill, Bristol BS16 1DB

Officers gave the following presentation on this application:

- There were two applications, including a full application and an associated listed building application
- The listed building was a Grade 2 building and the residential area was part of the Stapleton Valley Conservation Area
- Photographs of the existing site were shown. The public house was in a poor condition. The application proposed a change of use for conversion of the public house, a student block with 32 spaces and extension
- The item had been referred to committee by the local Councillor
- There had been 47 objections including two from local amenity groups. One of the main concerns had been the secondary loss of the public house, together with a concentration of student accommodation, highways concerns and the loss of the public house
- The proposed site plan was shown. This was policy compliant
- Three parking spaces would be used by students and would be controlled by condition. A parking survey had indicated there was insufficient capacity to meet demand. The site would be governed by a Management Plan and would include highway works
- Officers recognised the issue of concentration of students and acknowledged that, whilst there was a demonstrable need for students in the area, it was in excess of the 10% limit
- In applying policies DM2 and BCS18, officers had assessed that the development would cause levels of activity involving excessive noise and disturbance and would have a detrimental impact on the building
- It had not been demonstrated that a pub was not viable since there was a diverse range of public house provision within the area. As no public house was located within 800 metres of the proposed development, it would not comply with DM6. Both nearby public houses (Fishponds Tap and the Golden Lion) were in excess of 10 minutes from it. In addition, an isochrome gradient assessment had been made which indicated that this was significant for travel to the existing pubs
- Since any development needed to be accessible to all members of the community, officers recommended refusal of the main application
- Following conservation officer's advice, the listed building application was assessed as causing less than substantial harm and therefore on the basis of this, it was now recommended for approval



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

- UWE's possible future plans for their campus could not be taken into account as part of this application which needed to be considered on the basis of the information submitted
- Whilst Councillors' views about other preferred options were noted, they were required to consider the application on its own merits
- Councillor concerns were noted about people living on the road very close to heavy transport. However, an assessment of living accommodation had deemed this satisfactory with sufficient natural light and was comparable to other areas
- The transport team had indicated that this development was wholly compliant whilst acknowledging some other issues such as a high concentration of students which did not breach the required policies. Officers' only concerns remained DM6 which would be undermined by the development
- The assessment for DM6 was made using distance and the need for a diverse range of public house provision within walking stance. On this basis, the development did not comply with the policy. There was also not sufficient detail provided to explain how adequate provision could be made for those with mobility issues in view of the terrain in the area
- The report set out the criteria for what a building being recorded as listed
- In assessing the issue of residential amenity (Policy DM2) and the high number of student concentrations, a calculator was used based on pinpoint data and taking into account the differences between licensing and planning permissions. Whilst the impact of the recent Oak Road appeal was noted, this was a different situation relating to complaints from neighbours

Committee Members made the following comments:

- Whilst the development is stunning, it was disappointing that there was no intention to provide a pub. In addition, traffic congestion was a big concern with HMOs. In view of the many concerns, it should not be supported
- Any refusal based on grounds which were not the strongest possible could leave the Council open to having costs awarded against them if they were overturned on appeal. Since the assessment based on pinpoint seemed sound for over 10% student provision being harmful to the community, this should be used as a refusal criterion instead of one less likely to be successful (ie DM6 – distance to the nearest pub)
- This was a very complicated site and there had been a lack of community consultation. The committee should consider whether the reasons for refusal need to be strengthened. Whilst the importance of students to areas of the city should be noted, the concentration that would be caused by this development was an issue of concern
- Walking to a pub could be difficult for people with mobility issues and therefore the reasons for refusal for the main application seemed sound
- The development could create an over concentration of students in what was a very family led area. In addition, this was a very hilly area and the development could also be unsuitable as a residential area
- Whilst students contributed a lot to this area, the development was not appropriate for this location and seemed unsuitable within a residential area
- Pubs needed to be protected in the area and since DM6 was designed to do this, it should be used for refusal in this instance. Any other reasons such as population imbalance would also help to strengthen it
- Due to the impact of the development on transport and amenities in the area, together with



the difficulty for people with mobility issues to the nearest pub, as well as the lack of public consultation, this application should be refused

- Since the UWE plans for the area could not be considered, the Committee should consider the application based on the officer advice received. On this basis, DM6 provided the clearest reason for its refusal

Councillor Rob Bryher moved, seconded by Councillor Zoe Peat and upon being put to the vote, it was

RESOLVED (8 for, 0 against, 1 abstention) – that Application Number 23/02680/F be refused in accordance with officer recommendations on the following grounds:

There are no public houses within 800metres of the application site, therefore it has not been adequately demonstrated that there is a diverse range of public house provision existing within the locality and that meets the needs and expectations of all members of the community, particularly those who share protected characteristics that affect mobility. This harm is not outweighed by the wider benefits of the scheme. The application is therefore

contrary to: National Planning Policy Framework (2023), Policy DM6 of the Site Allocations and Development Management Polices 2014 and Policies BSC12 of the Core Strategy (2011).

Councillor Rob Bryher moved, seconded by Councillor Zoe Peat and, upon being put to the vote, it was

RESOLVED (unanimously) – that Application Number 23/02681/LA be deferred concerning Listed Building Consent to allow a further update report from officers at the next meeting on Wednesday 4th December 2024.

9c 22/0607S/F - Giant Goram, Barrowmead Drive, Bristol BS11 0JT

Officers gave a presentation on this application and made the following points:

- This application had previously been considered at the last meeting on 4th September 2024 and had been deferred on grounds of viability pending a further report back to this meeting
- Following consultation, there had been 28 objections and 8 letters of support with the main reasons for objection being the loss of the pub, lack of housing, lack of community facilities, lack of community engagement, complaints that the pub had been deliberately run down to make it unviable and that a micro pub does not meet the needs of the community
- The Committee was shown details of the north and south elevations of the proposed development and of a revision since the last meeting of an inclusion of outdoor seating with an indicative sketch showing the front elevation
- A supplementary viability report had been submitted by the applicant with limited financial information and focusing on CAMRA viability only. Whilst this had stated that there would be lower financial risks, there was no further evidence for the viability of Giant Goram
- The officers' view assessed whether it met the needs of DM6 and had recommended approval but had indicated there was not sufficient evidence to confirm whether or not it was economically viable
- Whilst there were some negative aspects of the development which were highlighted by officers



in the report (the loss of the existing building, the loss of the public house, conflict with the Neighbourhood Development Plan), officers considered that the development outweighed harm. Their view was that it complied with the relevant policies and was of public benefit with the creation of 8 new dwellings, providing sustainability, mixed usage on the site and would bring a long-term vacant site back into use

- It was also noted that there had been no alternative proposal on the site since 2019. Officers recommended approval of the development

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

- Officers were aware of a ministerial statement made last year that if committees vote against officer recommendations to approve an application, the Secretary of State would report instances

where this had happened and to remind councils that such instances should be rare and infrequent

- The CAMRA test only applied concerning the viability of the existing facility
- The two tests for viability of an established pub had not been met – there was no evidence for viability or of alternative provision
- It would be outside the scope of planning permission to compel any developer to operate a full pub on the site. For the purposes of the assessment of the development, a micro pub was a pub
- The design evaluation indicated that it was in keeping with the wider street scene albeit with a slightly higher corner plot. The pub was set back into the site so it does not maximise the impact of the development
- Whilst the micro pub may not have some elements of a full pub (ie a skittle alley or darts) which would limit some of what could be done internally within the building, it would have some community group usage (albeit on a smaller scale).
- The proposed micro pub would have a toilet and would be on one level and therefore be accessible for someone in a wheelchair
- Whilst there was no suitable pub outside the site, the Committee needed to whether or not alternative provision could be provided

Committee members made the following comments:

- The deferral had been made to assess whether non-viability for a pub on the site could be demonstrated but the information did not support this
- It is clear that the public want Giant Gorum reinstated as a full pub. There was insufficient evidence for viability of a micro pub in the area since prices would need to be more expensive and it would not meet the key criteria for what was needed (ie cheap drinks, a TV, bar, pool table)
- The community had made their voices heard. It was clear that the disadvantages outweighed the benefits of the proposed development. The application should be refused
- The application failed DM6. Some of the applicant's costings did not seem realistic since the income and costs had been underestimated. The CAMRA assessment suggested that a full pub could be viable on the site if it had not got into the condition that it had. Therefore, the application should be refused under Policy DM6
- It was disappointing that a solution with the community had not been found since a micro pub is not a replacement for a community pub with the kind of activities you would expect to find there, such as yoga classes etc.
- Whilst the Committee had identified two concerns about the application at the last meeting, officers had now examined these and had indicated that they could not sustain these. There was a



housing crisis and, whilst the provision of eight dwellings would have a small impact on this, it would help to address it. If this application was not approved, the Giant Goram site could be an eyesore for years to come

- The proposed development would not provide appropriate provision for people with a disability. It should be opposed as there was insufficient evidence that it was economically viable and the benefits do not outweigh the harm caused
- A micro pub was not a pub. It failed DM6 and would not provide the facilities that were required

In accordance with the convention for decision-making of applications, Councillor Rob Bryher invited a member of the committee to move the officer recommendation to approve the application subject to conditions.

Councillor Richard Eddy moved approval of the application but this was not seconded. Councillor Rob Bryher moved, seconded by Councillor Zoe Peat and upon being put to the vote, it was

RESOLVED (8 for, 1 against) – that the application be refused on the grounds set out by officers in the report as possible refusal reasons:

1. The loss of Giant Goram public house and community asset would cause unacceptable harm to the community by demolishing the last remaining public house in Lawrence Weston. A lack of evidence has been provided to demonstrate the public house is no longer economically viable and that there is no longer a need to retain the community use. It is not considered that the redevelopment of the site will provide a suitable alternative use. The application is therefore contrary to Policy BCS12 (Community Facilities) of the Bristol Core Strategy (2011), Policy DM5 (Protection of Community Facilities) and Policy DM6 (Public Houses) of the Site Allocations and Development Management Policies (2014) and Policy CSF1 (Provision of Community Facilities) of the Lawrence Weston Neighbourhood Plan (2017).

2. The total demolition of the existing building at the site would fail to respect the historic and social value of the building and would harm the character and local distinctiveness of the area. It is considered that the benefits of the proposed development would not outweigh the harm. The application is therefore contrary to Policy BSC21 (Quality Urban Design) and Policy BCS22 (Conservation and the Historic Environment) of the Bristol Core Strategy (2011) and Policy DM26 (Local Character & Distinctiveness) and Policy DM31 (Heritage Assets) of the Site Allocations and Development Management Policies (2014).

10 Date of Next Meeting

The Committee noted that the next meeting is scheduled to be held at 2pm on Wednesday 4th December 2024 in the Council Chamber, City Hall, College Green, Bristol.

The meeting ended at 9.30 pm

CHAIR _____



