

**Bristol City Council**  
**Minutes of the Development Control B**  
**Committee**  
**29 January 2025 at 6pm**



**Members Present:** Donald Alexander (Chair), Guy Poultney (Vice-Chair), Fabian Breckels, Lisa Durston, Caroline Gooch, Mohamed Makawi, Jenny Bartle (Substitute), Lisa Stone, Bador Uddin

**Officers in Attendance:** Simone Wilding - Head of Planning, Pip Howson – Transport Development Manager, Jim Cliffe - S106 and CIL Project Manager, Steve Gregory – Democratic Services

### **1 Welcome, Introduction and Safety Information**

The Chair welcomed everyone to the meeting and issued the safety information.

### **2 Apologies for Absence**

Apologies were received from Councillor Paula O'Rourke, substituted by Councillor Jenny Bartle.

### **3. Declarations of Interest.**

There were none.

### **4. Minutes of the Previous Meeting.**

These were agreed as a correct record.

**Resolved – that the minutes of 20 November 2024 be agreed as a correct record.**

### **5. Action Sheet.**

No outstanding actions.

### **6. Appeals.**



The Head of Planning emphasised that most appeals had been dismissed and that there had also been a reduction in non-determination appeals, so the overall situation was positive.

## **7. Enforcement.**

The Head of Planning commented that no Enforcement Notices had been issued recently. It was important to note that the Development Management team performance had improved significantly as a result of the improvement plan that the team had been implementing over the past 18 months. This had enabled the movement of 2 graduates into enforcement in September last year. It was also explained that the priority in enforcement was always to try to resolve by negotiation wherever possible with notices being issued only as a 'last resort' where other action did not work. The results from resolving cases through negotiation had been under reported but had also significantly improved, particularly since summer 2024.

Members were encouraged to attend an Enforcement Briefing/Training opportunity on 05/02/2025 which was open to all Members of the Council and not just members of Development Control Committees.

## **8. Public Forum.**

Members of the Committee received Public Forum Statements and questions 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.

With regard to a supplementary question from the first set of questions (Q1) concerning the criteria used for deciding whether planning applications were determined by officers with delegated authority or by councillors on the Development Control committees, the Head of Planning confirmed that this was always decided at the next available agenda setting meeting by all four party leads who attended the agenda meeting. A decision was made by simple majority vote but most of the time the members agreed unanimously.

## **9. Planning and Development.**

The following applications were considered by the Committee: -

### **9a. 24/01850/P - The Galleries, Shopping Centre, Broadmead BS1 3XA**

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

- 1) The S106/CIL Manager confirmed that the exact eventual ICB contribution depended on whether they remained on site or moved off site. Either way once the building was demolished there would be additional costs so compensation for this would be looked for. The outline for this had been agreed which caters for each of the possible scenarios. This would still need to be further fleshed out in detail



as part of the s106 finalisation process. The agreed principle was to work out the contribution based on the two distinct elements of disruption costs and increased demand from the new development costs. The 'disruption cost' element would be triggered by the demolition of the existing building. The growth element trigger still needed to be defined.

- 2) Regarding Transport routes during the development phase, the Transport Development Manager confirmed that movement would be enabled at each stage of the development. It was expected the plan would be updated accordingly where necessary during the construction phase. The applicant had been informed of the need to coordinate works also with the construction activity programmed for the delivery of the City Region Sustainable Transport Settlement (CRSTS) and required to co-operate with BCC to ensure effects could be mitigated wherever possible. It was acknowledged that some disruption was inevitable however bus diversions would ensure traffic was kept moving via suitable routes and minimise service impacts.
- 3) Significant work had been done to ensure that temporary replacement public disabled parking spaces and taxi ranks would be made available during the development phase and that advance notice would be given so that the public were made aware of replacement spaces.
- 4) The applicant had consulted appropriately regarding tall building compliance and members were assured that both policy and guidance had been complied with and that all information was available for members to make an informed decision.
- 5) There was a clear justification for the location of tall buildings and public realm areas, and this would ensure that the development would bring about a high quality and functional living area for both residents and visitors.
- 6) Spacing and proximity of buildings had been fully consulted on, members were reminded that this element of the application before them was part of the outline permission, with the final detail remaining to be decided on. It was further explained that Reserved Matter applications would need to comply with the design code set through this outline application. Historic England had removed its objection to this matter on that basis. Members were assured that this part of the permission was only the start of the process and that Reserved Matters for each, and every subsequent application would have full consultation and consideration before final decisions were made.
- 7) Regarding the size of buildings, the Development floor schedule related to maximum and minimum parameters, both of which could not be exceeded. Design Codes would direct the quality of the development overall. Any changes to these would require an application to be made for this to be considered and managed including taking consultation responses into account.

Comments made during the debate were in support of the officer recommendation.

It was moved by Councillor Breckels and seconded by Councillor Poultney that the recommendation in the report to Grant permission be approved.

On being put to the vote it was unanimously -

**Resolved – That the application be Granted subject to S106 Planning Agreement, conditions and delegated authority as set out in the report and amendment sheet.**



## **9b. 22/04728/F - Concrete Fabrication Limited, Blackswarth Road, Bristol, BS5 8UU**

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

1. Block 5 was of a different scale and location, so a different approach had been taken regarding its consideration. The proposal would be of good urban design.
2. On site parking had been reduced during the course of the application, topography had limited what could be done, overall was within policy standards and acceptable, this included accessibility, and cycle parking provision.
3. The applicant was a commercial provider not a housing association. As it had been demonstrated through viability assessment that no affordable housing could be viably delivered on this site therefore nil provision of affordable Housing was policy compliant in this case. The scheme could ultimately come forward as a 100% affordable housing scheme, if for instance the developer sold the scheme to a housing association. However, this was not a pertinent matter for consideration at this time.
4. The application could not be considered as an Enabling development as this was only in regard to retention of listed buildings whereby planning policy could be relaxed, however this application was not within that criterion.
5. Cycle parking provision was being looked at again by the developer and it was anticipated that it would likely lead to an improvement, and this could be required by condition.

Comments made during the debate were broadly in support of the officer recommendation, members were in favour of delegating the resolution of the Environment Agency objection (as per the officer recommendation) to officers. The extra flood defences in the area were particularly welcomed.

It was moved by Councillor Donald Alexander and seconded by Councillor Fabian Breckels to approve the recommendation in the report.

On being put to the vote it was unanimously -

**Resolved –That the application be Granted subject to S106 Planning Agreement, conditions and delegated authority as set out in the report and amendment sheet.**

## **9c. 24/02269/F - 29 Falmouth Road, Bishopston, Bristol BS7 8PU**

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

1. The data regarding pending HMO licences was not held by the Development Management team for use in assessment
2. With regard to a local area the concentration criteria for HMO's was based on a 100-metre radius from the application site.
3. The approach set out in the SPD indicated that pending applications for HMO's should not be taken into account as they might not materialise into actual licences. However, for this application officers had



ascertained whether there would be a material difference in concentration levels if these were taken into account. It was established that the overall *potential* concentration would not materially alter the consideration of this application.

4. It was clarified that HMOs which included more than six people sharing did not fall within any specified use class and were considered Sui Generis. This meant they were in a class of their own and required planning permission on its own merits.

After further consideration Councillor Donald Alexander moved the recommendation to approve the application, this was seconded by Councillor Guy Poultney.

On being put to the vote it was -

**Resolved – (8 for, and 1 against) That the application be granted subject to condition(s).**

#### **9d. 24/04328/F - 87 Wick Road, Bristol BS4 4HE**

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

- 1) An HMO licence would be required to operate this property as a HMO.
- 2) As the application was an HMO licensing standards would apply regardless of its use class due to the council's own mandatory licencing scheme. Consideration was based on core policies as national space standards were not applicable to this application.
- 3) HMO licencing standards do not include a total floorspace minimum requirement. As the building already existed Licensing standards would apply, and the criteria set in the licencing standards are whether the bedrooms and the living area meet the minimum floor area set in the licencing standards per relevant room. HMO licensing space standards also apply to amount of living and kitchen space dependent on the number of occupants.
- 4) Diagonal opposite development of the HMO did not count as sandwiching due to the separation through a major road/junction and could therefore not be considered.
- 5) The application for HMO development was below the acceptable HMO concentration threshold of 10%. This was supported by the SPD when assessed and the concentration within 100 metres had been confirmed as acceptable. This meant that the application could not be prevented as small HMOs were permitted development the site being outside an article 4 area. Refusal of change of use from a small to large HMO applications had led to failure when attempting to defend it at the planning appeal stage.
- 6) The issue of noise pollution would be mitigated by the Licensing process and could be controlled through the proposed condition. If subsequently licensing conditions to mitigate noise were not complied with then an enforcement action could be taken.

The following points arose from debate: -

- 1) There were no planning grounds to refuse the application.



- 2) The Licensing function would ensure compliance.
- 3) The concentration threshold was low.
- 4) There had been a significant number of objections about noise concerns.
- 5) BCC Environmental Health team had not raised objection regarding noise issues, subject to recommended condition.
- 6) A proposal to defer the application to review noise issues was suggested to look at potential cumulative harm to local residents.

After further discussion Councillor Donald Alexander moved the officer recommendation to approve the application.

This was not seconded.

Councillor Guy Poultney moved that the application be deferred pending further investigation and work with the developer on the potential noise issues and compliance with planning policies DM2, DM30 and DM35.

This was seconded by Councillor Gooch.

On being put to the vote it was unanimously -

**Resolved –That the application be deferred pending further investigation and work with the developer on the noise issue and compliance with planning policies DM2, DM30 and DM35.**

#### **10. Date of next meeting.**

2pm 12 March 2025.

The meeting ended at 9.10 pm

Chair \_\_\_\_\_

