

Bristol City Council
Minutes of the Development Control A
Committee



4 April 2018 at 6.00 pm

Members Present:-

Councillors: Tom Brook, Stephen Clarke, Mike Davies (Vice-Chair), Margaret Hickman, Olly Mead, Jo Sergeant, Clive Stevens, Chris Windows (Chair) and Mark Wright

Officers in Attendance:-

Jess Leigh, Anna Schroeder, Claudette Campbell (Democratic Services Officer) and Peter Westbury

1. Welcome, Introductions and Safety Information

The Chair led introductions.

The Committee noted arrangements for exiting the building in the event of an emergency.

2. Apologies for Absence and Substitutions

Apologies for absence was received from Councillor Steve Jones and Councillor Ceila Phipps

3. Declarations of Interest

Councillor Mark Wright advised the Committee that he work not far from the development proposed on Colston Street Agenda item 8(b) 15/05680/F and 16/05681/LA and explained that it would not in any way affect his ability to make a decision on this application.

The Chair asked for any further declaration and assurances that members were able to make un-bias decision on the applications to be presented.

None were declared.

4. Minutes of the previous meeting



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

5. Appeals

Officers asked that the Appeals were noted.

6. Enforcement

Committee were asked to note the Enforcement Notices Served.

7. 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.

The Chair advised comment that he had made a determination on the submission of late statements and their appropriateness.

8. Planning and Development

The Committee considered the following Planning Applications.

9. 17/06559/FB - Land To Rear Of Silbury Road, Alderman Moores - Erection of 133no. dwellings with associated access, landscaping and services (Major Application)

Officers introduced this report and outlined the following key issues in relation to this application:

- a. The application is for the development of 133 dwellings on the land comprising of 83 flats and 50 flats. The land is owned by the City Council. Proceeds from the sale of 80 units will fund the development of 53 new council properties.
- b. The development is conditioned to support the wildlife corridor; to preserve and encourage wildlife; maintain the ecological buffer zone.
- c. A number of trees are planned to be removed from the site but mitigation provides for an agreed number to be replacement together with a sum to be paid.
- d. Further investigation was undertaken in relation to a large specimen that had veteran characteristics. Officers concluded that it was unclear whether it met all the criteria to be classed as a veteran tree. Consideration was given to redesigning the development to preserve the area but doing so would impact the number of units that could be delivered on the site.



- e. The development is located near the metro bus route and for that reason an acoustic fence would be erected around the site.
- f. Officers were seeking Committee approval of the scheme.

Officer's responded to Councillor's question as follows:

- g. Trees: Officers confirmed the current figures were 211 out and 148 replacements with a payment of £9,182.52 in mitigation as outlined in the amendment sheet because of the shortfall.
- h. That this would be revisited as the development moved forward.
- i. Council Housing: The units that are to be sold to provide the funding for the development of council houses did mean that they would be in a set location. Officers had taken advice and acted upon direction given by landlord services.
- j. Officers acknowledged that the current noise levels were based on the existing levels from the freight business(es) located nearby. That further consideration may need to be given to those dwellings backing on the railway line development area. Councillors sought assurance that action would be taken to future proof the dwellings on this development for noise impact so not to impede the future development of the railway line.
- k. Councillors were concerned about the missed opportunity to link the development to the District Heating system (DHS). Officers advised that the DHS did not extend to this location.
- l. The land in question was previously allotments, which was declared surplus through legal process in 2008.
- m. Heating: Conditions have been included to support shared boiler schemes. Members were directed to Condition 17.
- n. Councillors noted the possibility of football supporters walking from the park & ride using the estate as a short cut to the Stadium; Officers advised that preventing walking access to the estate was not possible.
- o. Parking on the development had been calculated to minimise impact on the surrounding lanes.

The following was noted from the discussion that followed:

- p. Cllr Stevens sought further clarification of the ecological buffer; queried the word 'corridor' ; advised that the word should read 'corridors'; expressed his disappointment at the loss of trees.
- q. Cllr Mead saw the efforts made to preserve the hedgerow and other related wildlife provision positively; noted the lack of a play area; noted that the density percentage could have been better.
- r. Cllr Wright commented on the loss opportunity to link the development to the District Heating scheme; noted that the density was only 3% above required minimum; believed that the City Council as landowner could have been done more; minded to abstain.
- s. Cllr Sergeant expressed her disappointment over the segregation of Council Housing from the private housing on the development.
- t. Cllr Davies supported the development acknowledging that the private houses had to be built and sold to allow for the building of the Council Housing.

It was moved by Cllr Olly Mead, seconded by Cllr Tom Brook and upon being put to the vote, the Officer recommendation for approval it was;



RESOLVED: that (7 for, 0 against, 2 abstentions) that the application with amendments be agreed with a slight change to the wording at Condition 20 adding the letter 's' to the word 'corridor' so it now reads 'Landscaping of ecology corridors'.

10 16/05680/F and 16/05681/LA - (Land To The East Of) Colston Street - Alterations to boundary wall, new access, development of sui-generis residential units for students (2 no. 5-bed cluster flats), with associated refuse and cycle storage

Officers introduced the report and outlined the following key issues in relation to this application:

- a. The application relates the construction of a two storey building, to provide 2 residential units for students. The construction would be on the garden land formerly part of the Foster's Alms-house estate, renamed Three Kings Court when the property was converted to private residential apartments.
- b. The application has been referred to Committee by Councillor Smith.
- c. Committee received a full presentation on the report provided including plans and details of the conservation area impact.
- d. Officers recommended approval of the scheme.

Officer's responded to Councillors question as follows:

- e. Clarity was sought on the access to the site for emergency vehicles and to the Western Power (WP) sub-station. The report detailed at page 61 the consultation with WP and the actions to be taken by the developer.
- f. Further explanation was sought on what the public benefit would be from the development. Officers advised that the disused land would be brought back into use; the scheme was of a high quality with high quality materials; that it would enhance the site; that the site was secluded and was appropriate for a modern design.

The Following was noted from the discussion that followed;

- g. Cllr Wright referenced the conservation section of the report and commented that it was not for them to give direction on setting of precedent. Concerned that the conservation area needs were being ignored.
- h. Cllr Davies noted the care put into the planning application; the unique modern design; the CIL monies that would be generated; was minded to vote in favour.
- i. Cllr Mead quoted from the Conservation Act; stated the development did not enforce local distinctiveness; that he was not opposed to modern designs in a conservation area but that design should add to the area; saw no public benefit having a student accommodation in that locality; minded to vote against.
- j. Cllr Clarke stated that the land was neglected; it needed to be brought back into use; that students were welcome in the City; that the design was divorced from its context; that altering the plan design to allow for the increase in the height of the boundary wall would allay some concerns.
- k. Chair viewed the design unacceptable next to a classic building and would be voting against.



- I. Cllr Mead moved that the committee voted against granting on the grounds that the design was out of character in an conservation area; that its contemporary design using contemporary materials not sympathetic to conservative area.

It was moved Cllr Olly Mead and seconded by Cllr Mark Wright and upon being put to the vote Officers recommendation for approval it was;

RESOLVED: (2 for and 7 against) that the application be refused on the grounds;

The application proposal would by virtue of its angular form, flat roof design and modern character, appearance, detailing and materials result in an unsympathetic form of development that would overall, fail to preserve the Grade II* Foster's Almshouses or its setting, which is not outweighed by any other public benefits arising from the proposal. This is therefore contrary to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990; S12 of the NPPF, policy BCS22 of the Core Strategy (2011) and DM31 of Site Allocations and Development Management (2014).

11 17/07108/F and 17/07109/LA - 6 All Saints Lane, Change of use to create a HMO (Sui Generis) for 8 occupants and associated works

Officers introduced this report and outlined the following key issues in relation to this application:

- a. The application property is a four-storey Grade II Listed Building fronting All Saints Lane, sat within the City and Queen Square Conservation Area. The application proposes to change the use of the building to residential use, to form a House in Multiple Occupation (HMO), primarily for student rental.
- b. This is a modified submission to avoid the appeal of the previous decision to refuse.
- c. The plans now reflect the concerns raised at the time of refusal. The plans now allow for 8 bedrooms instead of 9 and an extended communal area. The relocation of the cycle storage area to the ground floor. The revised plans were shared with committee.
- d. The site had been vacant for 2 years because of its location and accessibility issues; not attracting either retailers or commercial businesses needing office space.
- e. Officers recommend that the application is granted subject to conditions.

Councillor's points for clarification:

- f. Officers were asked to clarify if any ongoing monitoring would take place during the refurbishment and what actions could be conditioned.
- g. The proposal included a pre-commencement condition no.2 to ensure the appropriate recording of the Listed Building. Members were informed that enforcement in respect of the breach in relation to listed buildings was no longer with the Council. There were no specific officers tasked with monitoring in this area.
- h. There was a request that the waste collection agreement to be more appropriate.
- i. Officers confirmed that condition no.2 could be strengthen.

The following was noted from the discussion that followed:



- j. Cllr Wright viewed favourable the alteration to the plans; also noted the Conservation Officers comments detailed on page 103 of the report whose comments were not favourable to the scheme and would take on board this when making a final decision.
- k. Cllr Clarke considered that the unused building would be put to good use so was minded to support.
- l. Cllr Brook looked to Officers to improve condition 2 as above and to specify weekly collections in condition 12.

It was moved by Cllr Tom Brook and seconded by Cllr Davies and on being put to the vote Officers recommendation to approve it was;

RESOLVED: (6 for, against 0, Abstentions 3) that the application is granted subject to conditions and the following amendments:

1. Application 17/07108/F

a. **Condition 2** be amended to:

- i. **Building Recording** - Prior to work commencing a Building Record to Level II of Historic England's Historic Buildings A Guide to Good recording Practice shall be undertaken, submitted to the Local Planning Authority and approved in writing. This shall include a dated photographic record of the interior of the building including all interventions. This shall be carried out by an accredited professional approved by the Local Planning Authority.
- ii. **Reason:** To ensure the appropriate recording of the Listed Building.

b. **Condition 11** be amended to:

- i. **Property Management** -With the exception of frequency of refuse/recycling collections, which shall occur once per week, the development shall be carried out in full accordance with the approved Management Plan throughout the lifetime of the development hereby approved.
- ii. **Reason:** In the interests of amenity and highway safety.

2. Application 17/07109/LA

a. **Condition 2** to be amended to:

- i. **Building Recording** - Prior to work commencing a Building Record to Level II of Historic England's Historic Buildings A Guide to Good recording Practice shall be undertaken, submitted to the Local Planning Authority and approved in writing. This shall include a dated photographic record of the interior of the building including all interventions. This shall be carried out by an accredited professional approved by the Local Planning Authority.
- ii. **Reason:** To ensure the appropriate recording of the Listed Building.

3. In other respects the conditions are to remain as per the recommendation.



12 Date of Next Meeting

Meeting ended at 8.34 pm

CHAIR _____

