

Bristol City Council

Minutes of the Development Control B AGM

Committee



11 July 2018 at 2.00 pm

Members Present:-Sultan Khan (Chair), Richard Eddy (Vice Chair), Lesley Alexander, Mike Davies, Harriet Bradley, Mark Bradshaw (Substitute), Carla Denyer, Jude English (Substitute), Margaret Hickman (Substitute), Olly Mead.

Officers in Attendance:- Gary Collins - Head of Development Management, John Fellingham – Transport Development Management, Peter Westbury, Alex Hawtin, Ben Royston – Development Management Officers, Allison Taylor – Democratic Services.

1. Election of Chair for 2018/19 Municipal Year.

Councillor Sultan Khan was nominated and seconded. There were no further nominations and it was therefore:-

Resolved – That Councillor Sultan Khan be elected as Chair of Development Control Committee B for 2018/19.

2. Election of Vice Chair

Councillor Richard Eddy was nominated and seconded. There were no further nominations and it was therefore:-

Resolved – that Councillor Richard Eddy be elected as Vice Chair of Development Control Committee B for 2018/19.

3. Terms of Reference.

The Terms of reference as determined by Annual Council on 22 May 2018 was noted.



4. Dates of future meetings.

Resolved – that the meetings for DC B Committee for 2018/19 were agreed as follows:-

6pm 15 August 2018;
2pm 26 September 2018;
6pm 7 November 2018;
2pm 19 December 2018;
6pm 30 January 2019;
2pm 13 March 2019;
6pm 24 April 2019.

5. Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Brook with Councillor Bradshaw as substitute, Councillor Hance with Councillor English as substitute, Councillor Sergeant with Councillor Hickman as substitute and Councillor Clough.

6. Declarations of interest.

Councillor Hickman declared that she would stand down from application 18/01892/A - Public Footpath West Side Of Bond Street South as she had submitted a Public Forum Statement on this.

7. Minutes of the previous meeting.

Councillor Denyer referred to Minute 9 i), St Mary's Hospital – Councillors' Comments – last bullet point and suggested that the first sentence be deleted and replaced with:-

'It was noted that, whilst most of the bins were planned to be located at the gatehouse lodge, some were proposed to be outside the Pavilion, near the wall.'

This was agreed and it was therefore:-

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



Appeals

The Head of Development Management referred to Items 9 & 10 – 131 Bridgwater Road and reported the appeal hearing was taking place today at City Hall and the outcome would be reported to the Committee once it was known.

1. Enforcement.

These were noted.

2. 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.

3. Planning and Development

The Committee considered the following Planning Applications.

1. 17/06459/P - Land Of Former Post Office Depot Cattle Market Road.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The Committee's attention was brought to the further representations received since the report was published as set out in the Amendment Sheet and to an email sent to the Committee members last night regarding transport and mitigation;
2. The application sought outline planning permission for a new mixed use University Campus including 1500 students beds with all matters reserved except access;
3. The application was currently indicative and further detail would be brought back to Committee at a later stage in the form of Reserved Matters applications;



4. Officers were engaging with the applicants to establish how the application might emerge. It had been established that it would have an active frontage with the campus building being accessible to students and the public;
5. A key consideration was the view of Historic England regarding the development's height and its impact on Temple Meads Station. Ongoing work was taking place in this regard and a height plan had now been received;
6. The indicative proposals were amended to reduce the height and bulk and these had satisfied officers;
7. Information on the routes through the site which was within the Enterprise Zone was currently fluid;
8. The development would be car free save for disabled users;
9. The Head of Development Management, in summary, stated that the development was a work in progress and lots of improvements had been made so it was considered appropriate to bring to Committee. Officers would use their delegated powers to finalise the transport mitigation package and members would be updated regularly at agenda meetings.

The following points arose from debate:-

1. Councillor Denyer observed that there were many outstanding objections and asked whether it was better to wait for greater detail and mitigations to objections before outline planning permission was granted. The Head of Development Management acknowledged that there were a number of outstanding objections but officers would be in continued dialogue with the applicant to work through the transport issues. The City Design team had enough confidence in the scheme to allow issues to be dealt with through Reserved Matters and those matters would also be reported back to members at agenda meetings;
2. The Council was obliged to provide the University with a clear site and this work was underway. A decision today was crucial to that timetable but as the Local Planning Authority the Committee had to be satisfied with what was presented to it;
3. Quantums of the development were set out. The floor space and 1500 student beds were committed to and officers were working with the University to agree parameters and place-making principles;
4. It was confirmed that Reserved Matters could be refused should the design be unsatisfactory;
5. Conditions could be imposed regarding archaeologists excavating the burial ground;
6. Councillor Bradshaw appreciated that the application was outline but felt that there was insufficient transport detail and was informed that these would be worked through with the applicants and proposed conditions and Heads of Terms would be reported to members;
7. Councillor Hickman understood a development might come forward nearby providing more student accommodation and this could result in low-skilled work being taken away from the area. The Head of Development Management replied that the Council had set out its response to emerging speculative housing schemes through the Local Plan Review. On-going dialogue was taking place with the University regarding mixed use housing but there would be no positive policy to rely upon until the completion of the Local Plan Review. The Committee could not, therefore, give any weight to the matter;
8. Councillor Hickman referred to the condition imposed on the arena consent regarding training opportunities for local people and asked if it could be imposed for this development. She was informed



that local employment opportunities condition would be imposed and would bring in the involvement of economic development colleagues;

9. Councillor English asked whether any work had been done regarding the numbers of student accommodation proposed in the circular area of the campus and whether there were any controls the LPA could impose on mixed dwelling. She stated that students did not benefit from being with just their own kind but benefited from a mix of residents. Finally, she asked whether 1500 students beds was a set number and was informed that this number would form part of the agreement though the nature of the units would be part of the Reserved Matters;

10. It was noted that Transport Development Management made no substantial objection on the basis of no car trips and air quality officers were content on that basis. It was confirmed that should it become clear that the development was not car free air quality would be re-consulted;

11. It was confirmed that the Environment Agency's objection was only partially alleviated, should it not be fully overcome outline permission would not be granted;

12. Councillor Denyer highlighted the subjects within the Masterplan but asked why other issues had not been addressed such as the impact on noisy venues on the development and vice versa. She was informed that the Masterplan could be refined. A noise condition would be imposed;

13. In response to a concern regarding the under-provision of 2000 bed spaces (when compared to the University's stated growth plan) with this development, The Head of Development Management stated the University would not be able to accommodate every student at this campus and there would be other providers. He referred to Article 4 Directives which exerted control over the uncontrolled change of use of small HMO's. It was noted that Article 4 Directives would be brought to the Committee in the near future as it was one of this Committee's Terms of Reference;

14. Councillor Bradley was in favour of the proposal as it was an important development for the City and would bring jobs at all levels to the city. She urged the University to consult stakeholders and engage the public;

15. Councillor Mead was content with the proposals and moved the officer recommendation to grant, with an additional condition regarding local employment opportunities and this was seconded by Councillor Eddy;

16. Councillor Bradshaw moved an amendment requiring the transport recommendation to be enhanced to include public transport, access and ease of movement. This was seconded by Councillor Eddy and on being put to the vote the amendment was unanimously carried. The substantive vote then took place and it was:-

Resolved (Unanimous) – That outline planning permission be granted subject to:

1. Resolution of the Environment Agency's objection;

2. The completion of a Section 106 Agreement securing:

i) Appropriate transport mitigation, including a framework for public transport, ease of movement, and integration with the surrounding area;

ii) Details of Allowable Solutions.

3. Appropriate conditions, including those set out in the report and also to include a condition securing local training opportunities.



2. 18/01374/F & 18/01375/LA - Mortimer House Nursing Home Clifton Down Road.

1. The Chair expressed concern regarding this application given the level of Public Forum and suggested that it might be prudent to undertake a Site Visit;
2. This was supported by Councillors Bradley and Eddy.
3. Councillors Mead and English felt able to determine the application as set out in the report;
4. Councillor Denyer was conflicted due to the high number of public who had taken the time to attend the meeting;
5. Councillor Bradley moved that a site visit take place and this was seconded by Councillor Eddy and on being put to the vote it was:-

Resolved (6 for, 4 against) – that the application be deferred pending a site visit.

3. 18/01892/A - Public Footpath West Side Of Bond Street South.

Councillor Hickman stood down. This left 9 Committee members to vote on this item.

The Head of Development Management introduced the report stating that the Council was a party to the application in its property role in partnership with the advertiser and would benefit from some revenue. He emphasised that officers gave no weight at all to this fact when considering this application and the officer recommendation was based on amenity and public safety. The Committee was asked to determine the application on its merits.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The application was referred to the Committee by ward member, Councillor Hickman;
2. The application sought consent for the erection and display of a single sided advertising structure to be used to show illuminated advertisements capable of automatic change image;
3. The display would be 11m high and 5m wide;
4. The consent would be for a 5-year period;
5. Following consultation, 37 responses were received with an additional 2 since publication of the report;
6. The key issues for consideration were public safety and amenity. The proposed display was away from residential properties and the nearest heritage asset was a public house 80m away;
7. The location of the display was an appropriate scale for the surrounding buildings and Transport Development Management officers had no concerns after a public safety audit was carried out;



The following points arose from debate:-

1. Councillor Mead questioned the Transport Officers' assertion that the panel was visible far enough away so as not to cause a last minute distraction and allow drivers the opportunity to assimilate the road layout;
2. Councillor English felt the proposal raised serious road safety issues and was too dangerous to consider granting. The display would be a huge distraction and there was insufficient research on their use near roads. The Committee was informed that officers had been involved in pre-application proposals and a great deal of work was undertaken to get the proposal to this stage which they considered acceptable. It was noted that lessons had been learned from appeal outcomes for similar applications that had been refused at Committee and where the Inspector had sometimes disagreed that they were a road safety hazard or an impact on amenity;
3. Councillor Davies expressed concern that drivers would be distracted by the display and fail to notice a pedestrian running across the crossing and was informed that Transport Development Management officers had considered the crossing to be far enough away to allow sufficient time for drivers to view the road ahead before driving;
4. Councillor Bradley wondered why this site was chosen when drivers often changed lanes and it was badly signalled. She believed this was one of the worst locations to position a display. She was informed that the applicants had originally proposed Newfoundland Circus where there was much greater movement which officers had recommended against so was withdrawn;
5. Councillor Denyer disagreed with the officer view that there was no impact on amenity as it provided a negative contribution to residents' amenity. It might not be outside of residents' windows but was in their nearby neighbourhood. She too was concerned on the road safety issues. Finally, she disagreed with the officers' view that there was no detrimental impact and thought a more accurate view was that it was insufficiently detrimental to refuse. She was minded to vote against the officer recommendation;
6. Councillor Mead expressed concern at the loss of part of the existing bus lay-by and the proximity of the pedestrian crossing to the display and moved that the application be refused for the risk to pedestrian safety, the proximity of the display to the pedestrian crossing and the loss of part of the bus lay-by and this was seconded by Councillor Denyer;
7. Councillor Denyer then moved an amendment to add to the motion the impact on visual amenity and this was seconded by Councillor English. On being put to the vote, the amended motion was carried (4 for, 2 against, 3 abstentions). The substantive vote then took place and it was:-

Resolved (8 for, 1 against) – that the application be refused for the following reasons:-

- 1. The impact on visual amenity;**
- 2. The impact on highway and pedestrian safety, including the proximity of the proposed signage to a pedestrian crossing and also the loss of part of the existing bus lay-by.**



4. 18/01897/A - Central Reservation Temple Way.

Councillor Hickman returned to the Committee. 10 Committee members to vote on this item.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The application had been referred to Committee by Councillor Paul Smith, and not Councillor Hickman as set out in the report;
2. The application sought the erection and display of a single sided advertising panel to show illuminated advertisements capable automatic sequential change for a 5-year consent;
3. The site was located within the central reservation on Temple Way;
4. The display was 11m in height and 5m in width;
5. The application had received 50 objections including two from Councillors, and another objection was received since publication of this report. The objections included distraction to drivers, street clutter, impact on the character of the area and risk to pedestrian safety;
6. Officers assessed there was no impact on the character of the Conservation Area and recommended approval.

The following points arose from debate:-

1. Councillor Denyer felt the same arguments applied as in the previous application and moved that the application be refused for the same reasons as set out in the previous decision and this was seconded by Councillor Mead, noting that the bus lay-by element was not relevant to this application;
2. Councillor Bradshaw noted that the site was largely commercial so believed that the same issues did not apply as the previous application. The road safety issues previously raised did not apply in this case;
3. Councillor Hickman agreed stating that the site was more spacious, less busy and believed a refusal in this instance would be more open to challenge;
4. The Chair was minded to support this application;
5. Councillor Mead maintained his concerns for highway safety but was less concerned on amenity grounds;
6. On being put to the vote it was:-

Resolved (5 for, 4 against, 1 abstention) – that the application be refused for the following reasons:-

- 1. The impact on visual amenity;**
- 2. The impact on highway and pedestrian safety, including the proximity of the proposed signage to a pedestrian crossing and also the loss of part of the existing bus lay-by.**



5. 18/01906/H- 97 Downend Road Horfield.

The representative of the Head of Development Management made the following points by way of introduction:-

1. The application was before the Committee as the applicant was a ward member;
2. The application sought the demolition of an existing kitchen extension and erection of side and rear extension;
3. Following officer advice, the applicant had reduced the elevation so as not to cause harm to the amenity of the property by virtue of overbearing and overshadowing;
4. Officers were therefore satisfied that the application was acceptable with regards to design and amenity.

The following points arose from debate:-

1. It was noted that the 1 objection received was not a 'neutral' objection as set out in the report officers confirmed that the revised proposals satisfied that objection;
2. Councillor Eddy acknowledged that the application was before the Committee for transparency purposes and therefore moved the officer recommendation which was seconded by Councillor Davies and being put to the vote it was:-

Resolved (Unanimously) – that the application be granted subject to conditions.

4. Date of Next Meeting

6pm 15 August 2018.

Meeting ended at 4.50.pm

CHAIR _____

