

# Bristol City Council Minutes of the Development Control A Committee



15<sup>th</sup> May 2019 at 1.00 pm

## Members Present:-

**Councillors:** Donald Alexander (Chair), Fabian Breckels, Stephen Clarke, Mike Davies, Margaret Hickman, Afzal Shah, Chris Windows and Mark Wright; Richard Eddy (for Cllr Carey) and Jude English (for Cllr Stevens).

## Officers in Attendance:-

Gary Collins - Head of Development Management, relevant Development Management Officers; Norman Cornthwaite – Democratic Services

## 1. Welcome, Introductions and Safety Information

The Chair welcomed those present and explained the process to be followed on hearing of each application.

## 2. Apologies for Absence and Substitutions

Apologies were received from Councillors Tony Carey (substitute Cllr Eddy) and Clive Stevens (substitute Cllr English).

## 3. Declarations of Interest

The following were received and noted:

Councillor Hickman stated that in relation to Application Number 18/05628/F, she and her Ward colleague, Councillor Jama, had referred the application to Committee. She had not however made her mind up about the application.



Councillor Davies stated that his employer had made a comment on Application Number 18/05628/F.

#### **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**

The Head of Development Management introduced the report and summarised it for everyone. He highlighted two of the Appeals. No. 31 - Wilder Street was refused and a decision is awaited. Nos. 35 and 36 - Brunswick Square were refused by Officers but the Appeals were allowed.

#### **6. Enforcement**

There were no Enforcements to report.

#### **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.

#### **8. Planning and Development**

The Committee considered the following Planning Application:

##### **a. 18/05628/F – Philip Street Scrapyard, St Philips**

The Head of Development Management and his representative gave a presentation and summarised the report for this item including the following:

- This is a full application for a standby gas generator and associated infrastructure
- The key issues
- The details of the consultation
- The reasons for recommending approval of the application

Questions and Answers



- The policy relating to securing a 20% reduction in carbon dioxide emissions (below residual levels) is set out in BCS14. This requires a building to be made more thermally efficient, for example, by using insulation. Then a further 20% reduction in carbon emissions should be secured through the use of renewable energy. However, when this policy was written, standby gas generators and similar schemes had not been developed. The policy was not written for such development and is therefore not considered reasonable to apply to the current application. There is one area where the impact of the plant is not 'negligible' in terms of hourly NO<sub>2</sub> increases resulting from the proposed plant. This is a car park to the northwest of the site. However, resultant pollutant levels would still be well within Air Quality Assessment Level defined limits (these are national and EU levels, which are considered to be acceptable in terms of impacts of pollutants on health and the environment). Officers did not consider that this would prejudice any future development of the site. Officers reiterated that the plant does not cause any breaches of air quality objectives. In relation to wind speeds, the applicant's model used previous metrological data to model speeds and direction and how this affected the dispersal of pollutants.
- In relation to whether this application would have been recommended for approval if it were located in a different part of the City, each application is treated on its merits including the local environment, the designated land use and planning policies. This site is within a predominantly commercial area which is designated as a Principle Industrial and Warehousing Area (PIWA) in the Local Plan.
- Planning cannot normally take financial issues into account.
- Policies will change, but BCC can only judge the application against the current policies; policies are changed through the Local Plan and this process is going on now; policies have to go through a process of consultation and be examined by an Inspector prior to being formally adopted. The Local Planning Authority can only give limited weight to emerging policies.

The noise levels in the area are already above recommended levels for schools and offices. The increased noise from the generator would not be perceptible; the additional noise from the generator would be absorbed into the background noise. Officers have carefully considered the noise reports and have sought clarification and additional information on noise-related issues, and are satisfied with the conclusions.

## Debate

- There is a history of residential and industrial development in the area
- A lot of modelling has been carried out to measure the actual effects on health (arising from pollutants and increased noise), and it is not considered that there would be an actual harmful impact. However, the impact of peoples' perceptions of health issues also needs to be considered.
- There were concerns from members that air quality would become worse if the application is granted, in that there would be a minor increase in Nitrogen Dioxide, however this will still be within EU and National target limits.
- There were concerns about the increase in carbon dioxide.
- There is a need for reliable forms of energy to address the shortfall in times of increased demand or limited supply; noise and air pollution standards are not exceeded; and there is no reason to refuse the application.



- The application goes against a number of Planning Policies.
- This is not an effective use of the land.
- The development is perceived to have an adverse impact on health.

Councillor Alexander moved the following Motion - "That the application be refused on the grounds that the perceived adverse impacts on health arising from the development would cause unacceptable harm to the wellbeing of local people. This would be contrary to policy DM14 of the Bristol Local Plan – Site Allocations and Development Management Policies, July 2014."

Councillor English seconded this motion. On being put to the Vote it was

**RESOLVED – (10 for, 1 against) that the application be refused on the grounds that the perceived adverse impacts on health arising from the development would cause unacceptable harm to the wellbeing of local people. This would be contrary to policy DM14 of the Bristol Local Plan – Site Allocations and Development Management Policies, July 2014.**

## 9. Date of Next Meeting

19<sup>th</sup> June 2019 at 2.00 pm.

Meeting ended at 3.30 pm.

**CHAIR** \_\_\_\_\_

