

Bristol City Council
Minutes of the Development Control A
Committee



19 June 2019 at 2.00 pm

Members Present:-

Councillors: Donald Alexander (Chair), Clive Stevens, Mark Wright, Fabian Breckels, Paul Goggin, Tony Carey, Mike Davies, Margaret Hickman, Olly Mead and Richard Eddy

Officers in Attendance:-

Claudette Campbell (Democratic Services Officer) and Gary Collins

1. Election of Chair for 2019/20 Municipal Year

The Clerk to the Committee invited Members to propose a Chair & Vice Chair.

Cllr Eddy moved the election of Cllr Alexander as Chair this was seconded by Cllr Davies.

When put to the vote it was;

Resolved (9 for 0 against) that Cllr Alexander be Chair.

Cllr Carey moved the election of Cllr Windows as Vice Chair this was seconded by Cllr Breckels.

When put to the vote it was:

Resolved (9 for 0 against) that Cllr Windows be Vice Chair

2. Election of Vice-Chair for 2019/20 Municipal Year

3. Terms of Reference for Development Control Committees

Members resolved to accept the terms of reference for the operation of Development Control Committees.

4. Dates of Future Meetings 2019/20



Members resolved to agree the proposed meeting dates set out in the report.

5. Welcome, Introductions and Safety Information

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

6. Apologies for Absence and Substitutions

Apologies were received from Councillors Stephen Clarke and Chris Windows (substitute Cllr Eddy).

7. Declarations of Interest

There were none

8. Minutes of the previous meeting

Resolved that the minutes of the 15th May be approved as a correct record and signed by the Chair

9. Appeals

The Head of Development Management introduced the report providing an overview of the appeals process. He highlighted appeal no.51 Stoke Lodge Playing Fields which had been refused by the Committee in June 2018 and the appeal had been dismissed with the Inspector strongly supporting the Council's case in relation to highway safety.

10 Enforcement

There were none

11 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.

12 Planning and Development

13 18.04620.F -Former Esso Garage Bath Road



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

- a. Construction of 152 new residential dwellings contained in three buildings comprising of a 15+2 storey tower; ground and lower ground floor for commercial office space; car & cycling parking; refuse & recycling storage.
- b. Informing committee that the application came at the end of two years negotiations with all parties; taking into account the decision outcomes following an appeal in 2009; had regard for the Urban Living SPD; national and local planning policy.
- c. Public consultation resulted in 99 objections; challenging the proposed height of the buildings and the impact of traffic on the Bath Road and overspill parking onto nearby streets amongst other issues.
- d. Officers had considered in full all objections and areas of concern in the report.
- e. The height of the building: Officers had measured the development against all relevant policies and the Temple Quarter Spatial Framework that support the view that this location was appropriate for a tall landmark building. Together with the issue of the height impact on local heritage assets specifically: Grade II listed Holy Nativity Church tower; Grade II listed Thunderbolt pub; Arnos Vale Cemetery.
- f. The development will provided 20% affordable housing (30 affordable dwellings) to be secured through a Section 106 Agreement as outlined in the report.
- g. The proposed dwellings exceed the minimum space standards; many apartments have a balcony.
- h. The proposed travel plans intends to discourage residents owning cars; the developers have agreed to make a financial contribute to a future resident parking scheme that may need to be considered should parking in the vicinity of the development become an issue.
- i. Officers sought delegated authority to continue the discussion on trees.

Questions of clarification

- j. Heat Network: a condition will be imposed to direct that the development joins the heat network when it is available.
- k. Affordable Housing: 20% affordable housing is secured that will include 5 shared ownership units; the development may provide additional affordable units but this would be a commercial decision and not one for planning to consider.
- l. Urban Living SPD; Members questioned whether the principles were being set aside to enable this development. Officers reassured committee that the development performed well against the SPD and this rationale was detailed in the report.
- m. Stability of the River Bank: Concerns were raised over the development sliding into the river; Officers advised that a ground investigation would be conditioned; that at the request of the Environment Agency the development was moved back further away from the river this adjustment is detailed in the current plans to satisfy the concern raised; there is a requirement that the building includes piled foundations in its construction to ensure stability.
- n. Fire Safety: In light of the Grenfell Tower fire tragedy the single stairwell design was challenged. Officers assured committee that:
 - The report confirms that the developers had complied with fire safety recommendations



- Building regulations will shortly reflect the additional requirements following the tragedy and allow for further assessment of the design & construction.
 - That the developers must adhere to current building regulations and would have incorporated all recommendations in the plans.
 - Avon Fire & Rescue service had engaged with the developers on the matter of fire safety and accessibility with regards the single stairwell.
- o. Trees: officers confirmed that they sought delegated authority to negotiate the final mitigation for the loss of trees on site
- p. Condition 73: Cllr Stevens asked whether the viability could be reassessed if the net to gross ratio of the residential element of the development increased above 75%, in order to see if additional affordable housing could be provided. Officers responded that such a change would require a new planning application. If the application was a full application then the viability would be assessed as a matter of course. However, if the application was a Section 73 application, officers advised that a viability review would be appropriate. Officers suggested that a planning obligation that required the viability to be reassessed if a **Section 73 application was submitted that resulted in the Net to Gross percentage increasing from the current level of 75%**, be included in the Section 106 Agreement.
- q. Children's play area: that there were a number of local parks near to the development at School Road and Arnos Vale.
- r. Car Parking: concerns were raised over resident parking and overspill into the neighbouring streets that are already congested.
- The developer intended to discourage car ownership.
 - They would allocate the parking spaces that will be on site to specific properties.
 - The development is on a main road with a bus route; near the city centre and the local train station.

Discussion:

- s. Cllr Eddy agreed that the site should be brought back into use; a site identified as suitable for a tall building; had no concerns about the design; was reassured that the Fire Service had adequately taken up the issue of fire safety in tall buildings; would vote for approval.
- t. Cllr Mead asked Officers to ensure that the developers work with the bus company to develop better connectivity; evidenced the lack of buses along the route; stressed that a development with limited parking required good transport links to discourage resident from owning a car; would vote for approval.
- u. Cllr Wright had concerns that the development failed to meet the Urban Living SPD in that it was an average development and would benefit from not exceeding 10 storeys; would vote against.
- v. Cllr Davies noted that the development went towards satisfying the housing shortage; provided affordable housing; although would look to the developer providing better children's play option; would vote for approval.
- w. Cllr Stevens concern about the apparent departure from the SPD principles and not convinced that the inspectorate was correct with their finding that the site is right for a tall building; was concern about the lack of communal buildings and play area; the health of residence in a tall building environment; would vote against.



- x. Cllr Goggin saw no planning reasons to object but was dismayed at the apparent departure from the SPD.
- y. Councillor Eddy moved to accept Officers recommended to grant and Councillor Mead seconded.
- z. When put to the vote:

Resolved (8 for; 2 against; 0 abstention) that the application be approved subject to the recommendations detailed in the amendment sheet and agreed conditions. That Officers have delegated authority to agree the final tree replacement contribution.

14 18.02913.F - 40-48 Midland Rd

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

- a. The application is for the demolition of existing buildings and construction of new building forming 50 units; 2 flexible commercial units on a site that would set the context for future development in the area.
- b. The site plans and overview of the setting was shared with Committee.
- c. The Old Market Quarter Neighbourhood Planning Forum had objected to the development and Officers sought Committee's views on the proposal.
- d. Officers presented the design of the development explaining that due to certain contextual features personal to the site and its surroundings, it is acceptable for elements of the proposal to not meet the Design Guidance included within Appendix to the Old Market Neighbourhood Quarter Development Plan.
- e. Members attention was drawn to aspects of the report notably that; the ground floor flats were near to street level; the intention was for the development because of its location to be car free; the area had existing restricted parking areas; the intention is to provide two disabled car parking spaces; two car club spaces; and to secure a financial contribution to support the improvement to existing bus stops.
- f. Officers explained why the mix of accommodation offered was acceptable as it would meet an existing need for 1 and 2 bed affordable units.
- g. The recommended planning obligations were set out to Members.
- h. Officers requested that Committee grant the application as it was of a good standard providing 100% affordable 1/2 bed units and would be the start of the overall improvement to the public realm.
- i. Officers explained that the proposal would meet the majority of the policies included within the Old Market Neighbourhood Quarter Development Plan, apart from policies T2 and C5, and this was acceptable due to the reasons set out within the presentation and report.

Questions of Clarification

- j. Members queried the percentage of affordable to social housing; 30 units affordable rent and the remaining 20 would be shared ownership.
- k. Members were aware of the demand for 3-4 bed properties in the Lawrence Hill Ward and therefore wanted to know why the development did not include bigger units.
- l. Officers advised that on the decision was based on the advice of the Bristol's Housing Delivery, that there was a high demand for 1-2 beds units.



- m. The design indicated that the exterior façade would compose of red brick that when compared with the design of the Dings estate, made the development appear dark. Members asked whether other materials could be incorporated to lighten the appearance of the build.
- n. Officers referred to the power point presentation to illustrate that the design did incorporate different colour bricks to give character.
- o. Officers confirmed that the Neighbourhood Plan operated independently as the area although close to central Bristol, was deemed to be a separate entity.

Member Debate

- p. Cllr Wright applauded the developers for taking on board comments and making adjustment to the design.
- q. Cllr Mead supported the provision of a development with 100% affordable units that made good use of land and had windows that allowed access to good lighting into each unit.
- r. Cllr Carey was concerned about the lack of public transport and his research showed that bus no.506 operated in the area but not on Bank Holidays or Sunday; bus route needed to be improved; the cycle route was close to the junction of the development and looked to the developers to protect the safety of all road users.
- s. Cllr Breckels suggested that the development should allow for the commercial space to included food supermarkets to keep residents local and reduce unnecessary travel.
- t. Members agreed that the scheme provided affordable housing and met the requirements set out in the urban living SPD.
- u. Councillor Davies moved to approve Officer recommendation to grant with conditions & amendments, Councillor Stevens seconded.
- v. When put to the vote

Resolved (For 10 with 0 against and 0 abstentions) that the application be approved subject to the recommendations detailed in the amendment sheet and agreed conditions.

15 18.06601.F - 10 Woodland Road & 1-8 Priory Road

With the agreement of the Chair this item was removed from the agenda as the application had been formally withdrawn by the applicant.

16 Date of Next Meeting

The date of the next meeting is the 24th July 2019 @ 6pm

Meeting ended at 4.22 pm



CHAIR _____

