

Bristol City Council Minutes of the Development Control B Committee

25th September 2019 at 6pm.



Members Present:-

Councillors: Richard Eddy (Chair), Lesley Alexander, Don Alexander (Substitute for Tom Brook)
Harriet Bradley, Mike Davies, Carla Denyer, Fi Hance, Sultan Khan, Celia Phipps

Officers in Attendance:-

Gary Collins – Head of Development Management, Allison Taylor – Democratic Services.

1. Welcome, Introduction and Safety Information

The Chair welcomed all parties to the meeting and explained arrangements for emergency access in the event of a fire.

2 Apologies for Absence

These were received from Councillor Brook with Councillor Don Alexander as substitute and from Councillor Mead.



3. Declarations of Interest

The Chair, in relation to Item 8A - 19/01255/F - Avon Fire And Rescue Service Headquarters Temple Back Bristol, declared that he was a member of the Avon Fire Authority but this was a non-pecuniary interest and he would therefore participate in the debate and decision making.

Councillor Phipps, in relation to Item 8A 19/01255/F - Avon Fire And Rescue Service Headquarters Temple Back Bristol, declared that she was a member of the Avon Fire Authority and would not be participating in the debate and decision making and would stand down from this part of the meeting.

Councillor Don Alexander, in relation to 19/03144/F - 3 Arbutus Drive Bristol, declared that he had submitted a Public Forum Statement for this application and would therefore not be participating in the debate or decision making and would stand down from this part of the meeting.

4. Minutes of the previous meeting.

The Committee's attention was drawn to two amendments that had not been incorporated into the published minutes but were included in the minutes for signing by the Chair. The minutes were moved and seconded as an accurate record and it was:-

Resolved – that the Minutes be agreed as a correct record and signed by the Chair.

5. Appeals

In relation to a request for an update on item 30 – 2-29 Wilder Street – The Head of Development Management stated that this would be reported in more detail to DC A Committee, who had made the decision, at their next meeting. The Committee had refused the application on the grounds of over concentration of student accommodation and loss of employment land and the Inspector had not agreed with the Committee and allowed the appeal. The Inspector found that the grounds of loss of employment land was flimsy though accepted the grounds of over concentration. The Inspector therefore awarded partial costs which would reflect the costs incurred by the appellant in relation to the employment land issue and that figure would be shared when known.



6. Enforcement

The Committee noted that there had been no notices since the last meeting.

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 Applications:

Councillor Phipps stood down from the meeting.

a) 19/01255/F - Avon Fire and Rescue Service Headquarters Temple Back Bristol.

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

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

1. This was an application for the demolition of an existing building to facilitate a mixed use office and residential redevelopment including amenity space and cycle and car provision and was policy compliant in terms of land use;
2. The residential unit numbers had been reduced from 318 to 297;
3. Build to rent was a different form of housing, similar to a hotel development and therefore a different approach to space standards could be taken as the entirety of the building should be taken into account;
4. This Council did not yet have a policy regarding build to rent. The S106 Agreement would secure the build to rent in perpetuity so it would not be possible to change that arrangement. The Committee had to decide if this was acceptable as housing, due to non-compliance with the Nationally Described Space Standards. Reference was made to paragraph 4.7 of the report which set out that the development could be viewed as a cross between hotel accommodation and private rented accommodation. The Committee was advised that it would need to decide if the proposed development was acceptable in the light of the space standards issue and officers accepted that the recommendation was finely balanced;



5. It was noted that since the papers were published the Environment Agency had withdrawn their objection and this letter had been circulated to the Committee;
6. This was a residential area and would impact on some neighbouring properties in terms of the proposed scale of development;
7. The key elevation of the tower had been made more slender and other elements of the development facing the existing residential units had been reduced in height;
8. No objections were received for the office aspect of the application;
9. Historic England had expressed their concerns, primarily on the basis of the development's relationship with the nearby Temple Church;
10. Should the Committee be minded to approve the application officers would seek delegated authority to finalise the cycle way on Counterslip, and to confirm that the build to rent units would remain so for the next 20 years
11. The Committee's attention was drawn to paragraph 13.5. Officers' recommendation to approve was finely balanced. The development provided high quality affordable housing and office space but Build to Rent was a new form of housing and without robust specific policies.

The following points arose from questions and debate:-

1. All affordable housing units met national space standards;
2. There would be a significant overshadowing impact on 5 of the 22 Temple Bridge apartments which faced the tower. Officers believed that this was mitigated as this was a city centre site and the relationship was therefore acceptable;
3. Councillor Davies observed that in terms of density the policy was not to go above 350 dwellings per hectare and this application was for 542 dwellings and was informed that the Committee needed to decide whether it considered the units to be a traditional flatted accommodation or something different ie. Build to Rent which there was a market for;
4. It was noted that there had been some examples of applications that had recently been granted that did not meet national space standards. The Head of Development Management commented that there was a degree of non-compliance and the Committee would need to give the appropriate weight to this and decide if the harm was acceptable;
5. Should the application be approved officers would be requesting delegated authority to achieve 20% carbon reduction emissions by connection to the heat network. There might also be an additional need for solar PVs' in order to meet the policy requirement;
6. There was an ongoing process for tightening up the fire safety elements of the Building Regulations post Grenfell, and in practice higher standards were being applied although this matter was not a Planning function;
7. Street lighting would be considered as part of the highway works;
8. The Chair stated that the scheme would provide jobs and prosperity for Bristol and was a good design. The Build to Rent units would provide much needed homes for Bristol. Achieving the 20% affordable housing target was to be commended. He understood that a small number of existing flats would be impacted by overshadowing from the tower but he did not believe that this impact was so severe and was therefore acceptable. The development would have sustainable links and would be



connected to the heat network in order to contribute to the reduction in carbon emissions. In summary he believed the scheme exciting and positive and would support approval;

9. Councillor Davies welcomed the principle but would not support approval for the reasons of space standards, heritage, overshadowing which impacted on mental health, non-compliance with Supplementary Planning Guidance and he was not impressed with the design;

10. Councillor Hance shared previous concerns and observed that the Cabinet Member for Housing had opposed the application which was concerning. The affordable housing was positive but was not enough for her to support approval and she would vote against approval;

11. Councillor Bradley observed that there was more public space at Finzels Reach and there was not enough in this scheme. She did not support the height of the tower as it caused overshadowing but welcomed the affordable housing and the office building. The biggest negative for her was the Build To Rent as the space standards were too small for city centre living and she called for a strong policy on Build To Rent. She was supportive of the work done by the developers but regretted that she could not support approval of this application;

12. Councillor Khan acknowledged that the space standards were compromised but could see that the scheme would enhance the city;

13. Councillor Denyer accepted the space standards for the Build To Rent as they were more generous than HMOs. Her concerns were focussed on the significant impact from loss of daylight to the 5 units and the lesser impact on neighbours and noted that BRE numbers failed on absolute daylight and not as the applicants argued that it appeared negative as there was more sunlight before. She also agreed with the comments from English Heritage. She liked the scheme but would vote against approval for these reasons;

14. Councillor Lesley Alexander approved of the scheme and did not believe there would be a huge impact on the church but was concerned regarding the overshadowing. She had not yet decided which way to vote;

15. Councillor Don Alexander acknowledged that there were some negatives but the scheme offered a positive street scene, public transport links, cycle ways and sustainable housing through the heat network. If the city was to become carbon neutral by 2030 it would be necessary to consider different models of living such as smaller accommodation with communal areas. He would therefore support approval of the application;

16. The officer recommendation for approval was then moved and seconded and on being put to the vote it was:

Resolved – (5 for with Chair exercising his casting vote, 4 against) That the application be approved subject to conditions set out in the report and in the Amendment Sheet, a Legal Agreement and to delegated authority for officers to negotiate policy requirements in relation to carbon emission reductions.

Councillor Phipps returned to the meeting.



b) 19/02370/F - The Three Crowns Blackswarth Road Bristol.

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

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

1. The site was a disused pub that had been vacant and in a poor state of repair since its closure in 2017;
2. It was listed locally and also as an asset of community value;
3. The application was for the change of use to 9 residential flats;
4. The first round of consultation attracted 51 objections citing loss of the pub and the impact on residential parking as reasons;
5. The second round of consultation attracted 11 objections with concerns expressed from amenity groups. No objections were received from internal or external consultees;
6. Councillor Craig, the ward member, had originally objected but had now confirmed that her position on the matter was now neutral;
7. It was noted that there were 6 pubs within a 15 minute walk from the site and this loss and change of use under Policy DM6 was accepted by officers;
8. Flats in a residential area was also accepted by officers;
9. The design had been refined so that officers considered the current application conserved the heritage asset;
10. Officers considered that the sensitive design features overcame the overlooking issues;
11. Transport Development Management were satisfied that the lack of on-site parking in a sustainable location would not impact badly on the highway network and that there was sufficient capacity on the highway for parking;
12. Officers recommended approval subject to conditions.

The following points arose from questions and debate:-

1. The forecourt paving could be protected by including it in the highway works condition;
2. Councillor Bradley regretted the loss of the pub but approved of the design with the frontage being incorporated into the design and that it provided decent flats. She would therefore support the officer recommendation to approve;
3. Councillor Khan noted that there was not a great loss in terms of amenity and there was good transport links. He would therefore support the officer recommendation to approve;
4. Councillor Don Alexander noted that there were other pubs in the area and would vote in support of the officer recommendation;
5. Councillor Davies observed that it was sad to lose a pub but it was a sympathetic design and there were no planning reasons to refuse it;
6. It was moved and seconded that the application be approved subject to conditions with the amendment to the highway works condition to include the conservation of the forecourt paving.



Resolved – (Unanimous) That the application be approved subject to conditions as set out in the report and with the amendment to the highway works condition to include the conservation of the forecourt paving.

Councillor Don Alexander stood down from the meeting.

c) 19/03144/F - 3 Arbutus Drive Bristol.

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

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

1. The application was before Committee due to the nature of previous historic applications and two Councillor referral requests;
2. The application was for the erection of an attached two-storey dwelling and erection of a single storey rear extension at No 3 Arbutus Drive;
3. Two previous applications for flats had previously been refused on the grounds of over development, poor residential amenity and harm to the street scene. This application differed as it was for a family home and reduced parking spaces to three;
4. The site was not allocated for any particular land use;
5. Revised plans had been submitted detailing the retention of the existing mature tree, wall and hedge;
6. There had been four objections including objections from Councillors Don Alexander and Sergeant and a signed petition in the first round of consultation concerning over development, impact on the character of the area and highway safety. In the second round of consultation five objections were received. No objections were received from internal or external consultees;
7. Officers accepted that a residential development contributed to housing and was in keeping with the area;
8. Officers considered that the residential impact on amenity was acceptable;
9. Transport Development Management considered that the proposed parking was acceptable;
10. Officers recommended that the application be approved subject to conditions.

The following points arose from questions and debate:-

1. Councillor Denyer questioned whether the scheme met the required 20% carbon emission reductions as the solar panels faced north and was informed that the panels had previously faced west and a condition would be required to meet that standard;
2. The good character of a developer could not be considered. If there was a breach and complaint this would be followed up with enforcement. If the tree was removed a breach of condition notice could be



served and there was no right of appeal and a replacement tree and possibly additionally trees could be imposed;

3. Councillor Khan noted that the scheme was well located for public transport and would likely vote in support of the officer recommendation to approve;

4. Councillor Phipps noted the concerns that the development would be an eyesore but the images seen by the Committee differed from that view. She would therefore support the officer recommendation to approve;

5. The officer recommendation and an additional condition requiring the applicant to submit proof that the 20% carbon reduction on solar panels was met and if not that the applicant met that requirement was moved and seconded and on being put to the vote it was:-

Resolved – (Unanimous) That the application be approved subject to conditions as set out in the report and with an additional condition requiring the applicant to submit proof that the 20% carbon reduction on solar panels was met and if not that the applicant meets that requirement.

Councillor Don Alexander returned to the meeting.

d) 19/03052/F - 1 Beaconsfield Street Bristol

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

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

1. The application sought change of use from a residential dwelling to a six-bedroom single occupancy HMO and the replacement of a rear annex with outhouses to a ground floor rear extension;
2. The application was referred to Committee by Councillor Hickman on the grounds that there was a lack of affordable housing and that the Article 4 Direction should be upheld;
3. Consultation had attracted 16 objections highlighting parking and highway safety. There had been no objections from internal or external consultees;
4. Unusually for a terraced road there was only housing on one side of the street so there was more available parking spaces;
5. Officers recommended approval subject to conditions.

The following points arose from questions and debate:-

1. Councillor Denyer understood the concerns regarding HMOs in Lawrence Hill but considered that this property was not suitable for a family home and so she would support the recommendation to approve;
2. Councillor Davies understood concerns but a refusal would not stand up to appeal and therefore he would support approval;



3. Councillor Bradley noted that there would be an enormous spread of students into Lawrence Hill when the new campus opened. She believed that this was not the right place or the right house for an HMO and she would prefer to see a family housed there than six young professionals/students;
4. Councillor Hance understood concerns but there were no planning grounds to refuse the application;
5. It was moved and seconded that the application be approved subject to conditions and on being put to the vote it was:-

Resolved – (7 for, 2 against) That the application be approved subject to conditions as set out in the report.

e) 19/03472/F - Merchants House Wapping Road Bristol

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

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

1. A previous application relating to this site came before Committee in January and the application was refused on design grounds. Officers had worked with the applicant to modernise the building in a more restrained way;
2. Urban design supported the revised application;
3. There had been one objection;
4. Officers recommended approval subject to conditions.

The following points arose from questions and debate:-

1. Councillor Khan and Hance both supported approval;
2. Councillor Davies welcomed the applicant incorporating the Committee's feedback in the design. The design was good and he would support approval;
3. Councillor Bradley observed that the scheme was in keeping with the surroundings and she would support approval;
4. It was moved and seconded that the application be approved subject to conditions set out in the report and in the Amendment Sheet and it was:-

Resolved – (Unanimous) That the application be approved subject to conditions as set out in the report and in the Amendment Sheet.

The meeting ended at 8.35pm.



CHAIR _____

