

**Bristol City Council**  
**Minutes of the Development Control B Committee**

**27 May 2020 at 2.00 pm**



**Members Present:-**

**Councillors:** Tom Brook (Chair), Richard Eddy (Vice-Chair), Lesley Alexander, Nicola Bowden-Jones, Harriet Bradley, Mike Davies, Carla Denyer, Fi Hance, Jo Sergeant and Sultan Khan

**Officers in Attendance:-**

Gary Collins and Jeremy Livitt

**1. Welcome, Introduction and Safety Information**

The Chair welcomed all parties to the meeting and explained that this meeting was being held under recent emergency government legislation enabling remote meetings.

**2. Confirmation of Chair**

The Committee noted that Councillor Tom Brook had been elected as chair of the Development Control B Committee for 2020/21 Municipal Year at the meeting of Annual Council held on Thursday 21<sup>st</sup> May 2020.

**3. Confirmation of Vice-Chair**

The Committee noted that Councillor Richard Eddy had been elected as Vice-Chair of the Development Control B Committee for 2020/21 Municipal Year at the meeting of Annual Council held on Thursday 21<sup>st</sup> May 2020.

**4. Membership of the Development Control B Committee**

The membership of the Committee for 2020/21 Municipal Year was confirmed as follows:

Councillor Lesley Alexander (Conservative)  
Councillor Nicola Bowden-Jones (Labour)  
Councillor Harriet Bradley (Labour)  
Councillor Tom Brook (Labour – Chair and Spokesperson)  
Councillor Mike Davies (Labour)



Councillor Carla Denyer (Green - Spokesperson)  
Councillor Richard Eddy (Conservative – Vice-Chair and Spokesperson)  
Councillor Sultan Khan (Liberal Democrat – Spokesperson)  
Councillor Fi Hance (Green)  
Councillor Olly Mead (Labour)  
To Be Confirmed (Labour)

## **5. Terms of Reference of Development Control Committees**

The Terms of Reference for Development Control Committees were noted as re-adopted by Annual Council at its meeting on Thursday 21<sup>st</sup> May 2020.

## **6. Date of Future Meetings 2020/21 Municipal Year**

The Committee discussed the proposed dates for 2020/21 Municipal Year.

Some Committee members were concerned with the proposal that all meetings should start at 2pm since this would be difficult for some Councillors if they had work commitments.

Following a brief discussion, the Committee agreed that all dates should alternate between 2pm and 6pm throughout the municipal year as follows:

**(all on Wednesdays except where indicated)**

**6pm 24<sup>th</sup> June 2020**  
**2pm 22<sup>nd</sup> July 2020**  
**6pm 20<sup>th</sup> August 2020**  
**2pm 16<sup>th</sup> September 2020**  
**6pm 15<sup>th</sup> October 2020**  
**2pm 11<sup>th</sup> November 2020**  
**6pm 9<sup>th</sup> December 2020**  
**2pm 3<sup>rd</sup> February 2020**  
**6pm 18<sup>th</sup> March 2020**  
**2pm Thursday 22<sup>nd</sup> April 2020**



## **7. Apologies for Absence**

An apology for absence was received from Councillor Olly Mead.

## **8. Declarations of Interest**

There were no Declarations of Interest.

## **9. Minutes of the previous meeting held on 29th April 2020**

**Resolved – that the minutes be approved as a correct record.**

## **10 Appeals**

The Head of Development Management drew the Committee's attention to the following:

Items 43 and 44 – There was a reference to costs not being awarded. It was noted that, unlike court hearings, applications for costs do not necessarily follow the decision. In these cases costs had been applied for but had not been accepted by the Inspector as the Council's decisions had been made on a reasonable basis.

## **11 Enforcement**

The Committee noted that five notices had been served since last meeting. Officers advised that they would enter into dialogue with any business who received an enforcement notice to resolve a particular situation in the current lockdown situation.

## **12 Public forum**

The Committee received Public Forum Statements for this meeting.

They also received requests to speak from the following people who addressed the committee remotely:

Marc Willis  
Mary Carroll  
Laura McEwen  
Oliver Bennett  
Samantha Mant  
Mark Dowds



### 13 Planning and Development

The Committee considered the following applications set out below:

#### 14 19/05042/F - Former St Johns Lane Health Centre

Councillor Sultan Khan was not present for the duration of this item as required under the Council's Code of Practice for Planning Meetings and was therefore not permitted to participate in the debate or vote on this application.

The Case Officer introduced the report and made the following comments:

- Details of the application were provided
- There had been a total of 77 comments concerning the application. Most concerns related to scale and massing and the impact on parking in the building
- There had been 2 Public Forum Statements – one from the applicant and the other from an objector expressing concerns about the impact on traffic and the height on the building
- Design - the massing had been reduced to a level that was deemed acceptable by the City Design Group.
- Transport – this was considered sufficient. A parking survey had assessed that there were 16 and 17 spaces available within 150 metres of the site.
- Residential Amenity – The orientation of the building would not lead to overshadowing. Proposals were in excess of the 21 metre separation distance required and screens would be provided to stop overlooking.
- The scheme was recommended for approval subject to 30% affordable housing and contributions to the travel plan and car club

#### Responses By Officers to Committee Questions

- The requirement for gated access is a standard condition and was one part of some minor changes to an earlier plan
- The sustainability team were satisfied that the development would not result in unacceptable overheating of units. They were happy that this would be mitigated through mechanical ventilation and heat recovery. It was acknowledged however that it would be better for future applications to devise natural shading to prevent the need for such mitigation.
- The plan was incorrect and so there should not be any difficulties with accessing bin stores as might have been the case with the previous plan
- Nine units are to be secured as affordable in perpetuity. It will be 100% affordable but we can only require the amount required by Policy in perpetuity
- Walk up Flats – whilst members concerns about walk up flats were noted, walk up flats were considered to be a good way to create dual aspect units as sought by the Urban Living SPD.



- The original plans included a small amount of shared amenity space to the rear but this was considered more valuable to use for parking. Each of the units would have gardens, balconies or terraces and the site was a few minutes' walk to Victoria Park so it was believed that this caters well for play space for children.
- The privacy screens on the top deck would either be metal or translucent glass
- Safety – there is a railing along rear roof terrace. The development needed to comply with Building Regulations and this would receive separate consideration.

#### Comments from Councillors

- The site seemed impressive. This application should be supported
- The site was in an unused space and should be supported
- Whilst the application should broadly be supported, applicants should be encouraged in future to make applications low carbon by design rather than through mitigation
- Whilst the Zig zag frontage to angle windows was required to avoid overlooking, it did create quite awkwardly shaped rooms which might be difficult to furnish. Whilst this was not in itself enough to turn down the application, applicants should be encouraged to consider usability for the future users.

Councillor Harriet Bradley moved, seconded by Councillor Mike Davies and upon being put to the vote it was

**Resolved (9 for, 1 not voting as indicated above) that the application be approved.**

#### **15 19/03104/F - 7 Belvedere Road**

Councillor Lesley Alexander did not attend from the beginning of this item (including Public Forum Statements relating to it) and therefore in accordance with the Council's Code of Conduct on Planning Matters, she was not permitted to participate in the debate or vote on it.

It was noted that this item had been deferred from 29<sup>th</sup> May 2020 meeting pending a further report as Councillors were minded to refuse this application.

Among the areas of concern raised by Members at the meeting on 29<sup>th</sup> May 2020 were: traffic and parking; an over concentration of Care Homes in the area affecting the mixed and balanced community; and the rationale for considering the site as being near to shops and services due to the nature and limited mobility of the likely residents.

The case officer introduced the report and made the following comments:

- A further review of the applicant's parking survey (2019) had been conducted and a further site visit made. On the basis that the survey identified parking spaces that were unavailable (dropped kerbs), and that a vast number of representations including photos had been made demonstrating the parking challenges of the area, officers had revised their recommendation and considered that the scheme should be refused.



- Officers assessed the impact that the change of use would have on the mix and balance of the local community, however they recommended to Members that there would not be an overconcentration of such uses.
- It was also noted that enabling access to shops and services by staff was important as well as visitors and this increased parking could also have an impact on the site.

### Officers' Response to Questions By Councillors

- Policy did not explicitly define at what point an overconcentration of one particular type of use (such as a care home) in a particular street or area became unacceptable. Councillors should undertake a careful assessment against the criteria of Policy DM2, which defines some of the issues which could be considered to demonstrate such a concentration.
- The assessment in the report considered the uses of each of the buildings on the streets. Whilst there may be higher level of occupation for care homes, compared to residential homes, there was no data available for the occupancy of every single property. At the census level every person in Redland and the Manor Park LSOA could be accounted for but these figures were dated to 2011 and so out of date and covered a much larger area than just Belvedere Road.
- The level of disturbance was assessed by BCC's environmental health officer and was made on the basis of registered complaints. As no complaints were registered it was difficult to define whether there was an impact in terms of noise and disturbance.
- Whilst representations to councillors could be considered by the Committee, officers were not able to give them the same weight as if they were recorded complaints
- At appeal, objectors would be able to raise with the Inspector all issues that they deemed to merit refusal, even if these were not specifically referred to in the Committee's reasons for refusing an application. The officers had indicated in the report those issues where they believed a reason for refusal could be made whilst minimising the risk of an award of costs against the Council.
- Complaints to both the police and pollution control would be assessed. However, it should be borne in mind that a resident might not complain so readily about a business, particularly if it were a care home, where noise might be a frequent occurrence arising from its normal activities

### Councillor Debate

- The application should be refused both on parking and on the impact on residential amenity
- The smaller than expected numbers of formal complaints may be because residents were reluctant to complain about something so sensitive as a dementia care home.
- The balance between residential care home occupants and other residents was already considered to be about 50/50 and therefore not balanced
- The application should be refused both on parking grounds and the existing overconcentration of residential care homes in the area
- The proposed increase in staff was not that significant. There were narrow roads in many other parts of the area. The application should be approved
- The current policy recommended that care homes should be built on the outskirts of built up areas to prevent parking issues and disturbance. This area was also near the Downs Resident Parking scheme which resulted in greater than normal parking and disturbance for a residential area
- In addition to concerns about parking, there was an imbalance in the number of care homes in the



area, leading to harm to residential amenity. The application should also be refused on the grounds of Policy DM2

Councillor Harriet Bradley moved, seconded by Councillor Mike Davies and upon being put to the vote, it was

**RESOLVED (8 for, 1 against, 1 not voting as indicated above) – that the application is refused on the following basis:**

**The proposed development would result in an unacceptable increase in demand for parking, leading to inappropriate on-street parking activities, safety concerns and the obstruction of access to private driveways. This would be contrary to Policy BCS10 (Transport and Access Improvements), Policy DM2 (Residential Sub-divisions, Shared and Specialist Housing) and Policy DM23 (Transport Development Management).**

**The proposed development would result in an overconcentration of residential institutions on Belvedere Road, which would lead to harm to the mix, balance and inclusivity of the community, contrary to Policy BCS18 (Housing Type) and reduce the choice of homes in the area by changing the housing mix contrary to Policy DM2 (Residential Sub-divisions, Shared and Specialist Housing).**

**The proposed development would result in a harmful concentration of shared housing / care homes on Belvedere Road, worsening the existing harmful conditions listed within point (i) of Policy DM2 (Residential Sub-divisions, Shared and Specialist Housing), including excessive noise and disturbance and inadequate storage of recycling/refuse.**

## **16 Date of Next Meeting**

It was noted that the next meeting was scheduled for 6pm on Wednesday 24<sup>th</sup> June 2020 and would be held as a remote meeting.

Meeting ended at 4.20pm

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

