



# Bristol City Council

## Minutes of Development Control Committee A

Wednesday 6<sup>th</sup> April 2016 at 6.00pm

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### Members:-

*(A) Denotes absent (P) Denotes present*

<b>Labour</b>	<b>Liberal Democrat</b>	<b>Conservative</b>	<b>Green</b>
Councillor Hickman (P)	Councillor Hopkins (A)	Councillor Abraham (P) (Chair)	Councillor Clarke (P)
Councillor Holland (P)	Councillor Kent (P)	Councillor Budd (P)	Councillor McMullen (P)
Councillor Khan (P)	Councillor Wright (P)	Councillor Lucas (P)	
Councillor Mead (P)			
Councillor Pearce (A)			
Councillor Phipps (P)			
Councillor Shah (A)			

### 1. Apologies for absence

Apologies were received from Councillor Pearce (Councillor Mead substituting), Councillor Hopkins (Councillor Kent substituting) and Councillor Shah (Councillor Hickman substituting).

### 2. Declarations of interest

Councillor Tim Kent declared an interest in Application Numbers 15/06069/F and 15/06070/P since he had previously written a letter to other Local Authorities a few years supporting the principle of an Arena.

### 3. Minutes

**Resolved - that the Minutes of the Development Control Committee A meeting on the 2<sup>nd</sup> March 2016 be approved as a correct record and signed by the Chair.**

### 4. Appeals

The Committee considered a report of the Service Director, Planning (Agenda Item no. 4) noting appeals lodged, imminent public inquiries and appeals awaiting decision.

The Service Director reported that:

- (1) Item Number 4 – 541 to 551 Fishponds Road, Fishponds, Bristol BS16 3AF – The Inquiry was now confirmed for 8<sup>th</sup> November 2016
- (2) Item Number 32 – Land Located Between Numbers 5 and 11, Bramble Drive, Sneyd Park, Bristol BS9 1RE – This appeal had been allowed but costs had not been awarded against the Council. The Inspector felt that there had been reasonable grounds to pursue costs
- (3) Item Number 33 - Hungerford Gardens – This appeal had been allowed and costs awarded against the Council. The Council had refused the application in accordance with Policy DM21 relating to private gardens on the grounds that this was not a sustainable location. The Inspector did not agree that the technical guidance that the Council had relied upon was appropriate to use and costs were, therefore, awarded. Officers were disappointed with this decision and felt it was harsh.

**Resolved - that the report be noted.**

## **5. Enforcement**

The Committee considered a report of the Service Director, Planning (agenda item no. 5) noting any enforcement notices.

**Resolved - that the report be noted.**

## **6. 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 its decisions (A copy of the public forum statements are held on public record in the Minute Book.).

## **7. Planning and Development**

The Committee considered the following reports of the Service Director, Planning (agenda item no. 7) considering the following matter(s), together with a Transport Update report, in addition to an update sheet:

**(1) 15/06069/F – Former Diesel Depot Land, Bath Road, Brislington BS4 3DT – Construction of 12,000 Capacity Indoor Arena (Use Class D2). On the South Part of the Site, Creation of Public Plaza In front Of Arena And Landscaping Of the Site; permanent disabled parking (45 spaces) and cycle parking facilities (252) spaces), temporary surface level parking for operational staff and VIPs (200 spaces) for a period of 5 years; pedestrian and vehicular access via**

**bridge from Cattle Market Road (under construction) and provision of new pedestrian access and steps from Bath Road. Existing vehicular access and steps from Bath Road. Existing vehicular access from Bath Road to be retained as a restricted access – Major Application/ Environmental Statement**

**(2) 15/06070/P – Former Diesel Depot Land, Bath Road, Brislington BS4 3DT, Outline Application (All Matters Reserved) For Up To 19,000 sqm of mixed use development on Arena Island comprising retail (Use Classes A1, A2, A3, A4); offices (Use Class B1); leisure (Use Class D2); residential dwellings, including affordable housing (Use Class C30; hotel (Use Class C1) and student accommodation (Sui generis). Provision of associated hard and soft landscaping, including linkages to the plaza and HCA Bridge, Major Application/Environmental Statement.**

The Chair reminded the Committee that this application was being reconsidered following a deferral from the meeting on 2<sup>nd</sup> March 2016 since members had felt that there were key issues which had needed to be addressed.

The Service Manager (Development Management) made the following points:

- (1) The applicant had submitted a Transport Update Report which clarified the work undertaken since November 2015, outlined the measures that would be taken to address key transport issues and explained other transport measures that had been taken such as the Portway Park and Ride;
- (2) The report proposed revised conditions and required that a further update report is provided to the Committee on the Transport Plan, it confirmed that the Energy Centre located at 100 Temple Street will deliver District Heating to the Arena via installation in the Enterprise Zone and also included within proposed Condition 3 plots of land plots of land could not be considered in isolation from the Master Plan for the Outline Application.

The Transport Development Manager gave a presentation and made the following points:

- (1) Key requirements for the proposal which had been requested at the previous Committee were an increased level of rail and bus-based park and ride services to coincide with arena events, restrictive controls to prevent negative impacts caused by visitor parking, safe facilities for pick-up and drop-off movements and safe and convenient access for pedestrians and cyclists to encourage rather than deter walking and cycling;
- (2) Additional detail had been provided concerning pedestrian access and safety, cycle access and cycle parking, park and ride provision, service buses and ferries, taxis and coaches, public drop-off and pick-up points, parking on-site, parking restraint measures, travel planning and programme and funding;
- (3) The following additional information was provided:

- Details of pedestrian access and safety arrangements – including conditions for key elements of this;
  - Details of cycle access and cycle parking;
  - Details of on-site parking ;
  - Details of park and ride provision, including increased provision to coincide with Arena events;
  - Details of Public Transport provision for the site;
  - Details of taxis, coaches, pick-up and drop-off points;
  - Details of disabled access and parking measures;
  - Details of parking restraint measures, including the 20-minute walking isochrone area;
  - Arena Travel and Event Management arrangements
  - Shares for Different modes of travel – including worst-case scenarios
- (4) The appointment of a Travel Plan Co-ordinator is likely to take place in the summer of 2016 – this post would deliver a robust Event Management Plan, including the incentivisation of public transport.

During discussion of the item, Councillors made the following comments:

- (1) Officers should be congratulated on their hard work since the last meeting in providing the additional information;
- (2) The revised proposal was hugely encouraging - it was clear that officers had listened to the concerns expressed by members and responded to them. It was also important that key conditions would be dealt with via reporting back to Committee to ensure appropriate implementation. Proper consultation would be a key element of the scheme;
- (3) The proposal needed to take into account the impact of the sale of Temple Meads, traffic mitigation for the RSPCA Bristol Clinic and Bristol Dogs and Cats Home on Albert Road and ensuring that public consultation was as thorough as possible. Officers confirmed that 2 conditions had been put forward to address the issues raised under Public Forum Statement 6 in relation to the Dogs and Cats Home (Condition 10 and 29 (latter amended)). They also advised that community consultation would be genuine and thorough;
- (4) The model of Leeds Arena should be followed which would allow booking of parking spaces in advance at the Park and Ride location and allow members of the public to see if particular spaces were free. The same principle could also apply in respect of bus tickets. Officers referred to the palate of measures set out in their transport presentation document.
- (5) In response to a question concerning how the parking strategy and cost would operate, officers indicated that Transport Plan would be a key plank of this development – a variety of measures might apply,

including for example double yellow lines in some areas, some other areas operating with parking for residents only and the extension of existing RPZ times for other areas. In relation to the principle that the developer should pay for such costs, officers referred to Advice Note 3 which made clear that the Arena Project would cover the costs, including infrastructure costs;

- (6) It might be impractical to stop members of the public crossing at the Bath Road Three Lamps Junction for an event. Whilst it would not be appropriate for stewards to be in place to ensure the crossing of major highways was avoided, the arrangements as part of the Event Management Strategy would include considerable arrangements for stewarding and signage would be in place along Cattle Market Road and the Three Lamps Junction;
- (7) Consideration should be given to holding a competition for the design of the footbridge at Victor Street. Officers confirmed a separate application had already been submitted for this application. It was a priority to ensure the bridge was operating prior to the opening of the Arena;
- (8) It was disappointing to see that there had been some Public Forum statements questioning the location of the Arena since the central area had always been the favoured location. The application was at an appropriate level for this stage of the development;
- (9) The percentage of estimated cycle usage still needed to be improved and the bus usage also remained very poor. In the case of other core cities which had an Arena (ie Nottingham) many people travelled by bus to the Arena, Nevertheless, it was extremely encouraging to see that Park and Ride would be introduced for Sunday evenings which would be a significant improvement;
- (10) There were genuine concerns about the need to meet the needs of the affected neighbourhoods. It was important to learn from the mistakes during the implementation of the Ashton Gate RPZ. Discussion with Neighbourhood Partnerships would be an important part of this process, as well as the recently approved Old Market Neighbourhood Plan to dovetail with this. Officers confirmed that mitigation would need to take place through conditions and which were a responsibility of the applicant to secure;
- (11) The issue of local labour for the development was important. The Transport Plan needed to ensure that local communities benefitted from it. Officers confirmed that this was a major opportunity to secure local labour and training through Condition 16 – the applicants were very close to signing an arrangement with developers which would provide an exemplary approach to training;
- (12) It was important that Bristol City Council's own Planning Applications should be seen as exemplary;

- (13) It was important that the interests of the people of Bristol should be looked after in this application;
- (14) Details of contingency plans for any anticipated extra provision needed to be clarified. Officers confirmed that details were set out in the report, including monitoring of issues such as this through the Event Management process which would enable issues to be identified and money set aside where required. Members' attention was drawn to Condition 26;
- (15) The lack of a proposal for a bus stop near Bath Road remained a cause for concern – there remained a substantial walk of 10 minutes for the public. This could result in people deciding not to get off at the existing bus stop and remaining on there until the Temple Meads bus stop, thereby aggravating existing congestion in the area. Officers confirmed that options had been looked at for this site but that a Safety Audit for this (and the suggested Three Lamps Junction right turn) had not considered the problems severe enough to merit these suggestions. In addition, the forthcoming Temple Quarter Enterprise Zone Spatial Framework would make a significant impact – officers could carry out modelling at this stage. The Committee was advised that 10 routes that needed improving (including the Bath Road and the Three Lamps Junction) had been identified as part of the Spatial Framework – officers would advise that these suggested improvements needed to be linked to the Bristol Enterprise Zone rather than the Arena, since the Master Plan for the outline application was linked to Arena Island only;
- (16) There was also the issue of a right turn at the Three Lamps Junction which had been requested by a number of residents – whilst there was some difference of opinion about the impact of this, a condition was required to carry out some modelling of various options to assess its feasibility;
- (17) The area marked yellow on the Figure 6 On-Street Parking Control map needed to be clarified on the website ie that it was a 20-minute walking isochrome area rather than a Parking Zone Area, since this was causing some confusion;
- (18) Consideration should be given to ring fencing the impact of the Council's required cuts. In response to this, officers confirmed that certain funding had been set aside by Cabinet for this project and that all funding would come from this amount. The needs of particular communities needed to be met, such as in Barton Hill where many residents spoke English as a second language and through the role of apprenticeships;
- (19) There were some outstanding issues which remained to be resolved. In particular, there remained a concern for residents that the RPZ scheme would operate as other schemes in the city are, by which

residents pay what amounts to a tax each year since the RPZ would not be required in the area if it were not for the increased traffic arising from the Arena. Some Councillors supported the introduction of a condition concerning this, whilst other Councillors felt that this would have implications for other planning applications. In addition, the consultation with local residents on this issue might enable an answer to emerge. Officers stated that there was no direct link between the additional cost of parking and the cost of parking permits and that they could not recommend a condition in this instance – management of parking was a separate issue which would be dealt with through the required parking arrangements for the Arena;

- (20) There remained concerns about the Bath Road and the need to widen the carriageway;
- (21) The arrangements for the district heating plan were encouraging, as well as the reference to the need for a ramp from Bath Road for cyclists as part of the Outline Application. Officers confirmed that condition 3 of the Outline Application set out the requirement for continuous cycle provision;
- (22) This area of the city had been a blot on the landscape for a long time. There now seemed to be sufficient measures in place to address the concerns that the Committee had put forward – the Arena would need to be managed as an asset to residents in the area. Public Transport would be a key element in this process.

Councillor Abraham moved and it was seconded by Councillor Lucas that the recommendations contained in the report for Application Number 15/06069/F be approved.

Councillor Kent moved an amendment to Condition 10 relating to Parking, seconded by Councillor Wright that “full consultation with residents and Councillors over parking restrictions and hours of operation and for charges to be limited to administration costs only (set up costs to be funded by the developer) and agreed through the local Neighbourhood Partnerships”. Upon being put to the vote, this amendment was **LOST (2 for, 9 against, 1 abstention)**.

Upon being put to the vote, the main motion was **CARRIED** and it was:

**Resolved (unanimously) – that Planning Application 15/06069/F be approved subject to the conditions set out in the report.**

Councillor Abraham moved, seconded by Councillor Lucas and, upon being put to the vote, it was:

**Resolved (unanimously) – that Planning Application Number 15/06070/P (Outline) be approved subject to the conditions set out in the report .**

**(3) 15/06605/F - Southmead Police Station, Southmead Road, Bristol BS10 5DW – Demolition Of The Existing Police Station Buildings and Redevelopment Of The Site To Provide A Care Home (Use Class C2), Associated Access, Car Parking and Landscaping And the Conversion Of An Existing Building Fronting Southmead Road To provide A Single Dwelling (Use Class C3)**

The Planning Case Officer gave a presentation on the application and made the following points:

- (1) Details of the application were provided
- (2) 14 written responses had been received – the main issue of concern was the proposed loss of the Wellingtonia tree. 7 trees in 3 groups had been identified for removal and these would be replaced by 23 trees

During discussion of the item, Councillors made the following comments:

- (1) Whilst there was an urgent need for a care home on the site, the loss of the Wellingtonia tree with a Tree Preservation Order was unacceptable. The development would be able to proceed without the removal of the tree – trees should only be removed if they are sick or ill;
- (2) It was disappointing to see the proposal for the removal of the tree – it did not seem as if the applicant had put sufficient effort into finding a solution to avoid this;
- (3) This was a magnificent tree – it would be extremely worrying to lose a big tree which had a Tree Preservation Order. It was disappointing that the developer had not tried to incorporate it into the development;
- (4) In response to a member's question concerning the potential impact of the tree roots on the building, officers confirmed that the roots were fairly shallow and were likely to stop where the roots met the walls. They also confirmed that there had been discussions with the applicant at an earlier stage about repositioning the development to reduce potential contact with the tree roots
- (5) In response to a member's question, officers confirmed that it was uncommon but not unknown to fell a tree with a Tree Preservation Order in a Conservation Area;
- (6) Whilst it was encouraging to see the development of the Care Home, the loss of a tree with a TRO was a cause for concern;
- (7) The developer should have treated the trees as an asset – they are a landmark on the site.

Councillor Abraham moved, seconded by Councillor Wright and, upon being put to the vote, it was:

**Resolved (10 for, 0 against, 1 abstention) – that Planning Application 15/06605/F be refused.**



**8. Date of Next Meeting**

It was noted that there were no further scheduled meetings for the remainder of the Municipal Year.

(The meeting ended at 9pm)

CHAIR