

# Bristol City Council

## Minutes of the Development Control A Committee



28 October 2020 at 2.00 pm

### **Members Present:-**

**Councillors:** Donald Alexander (Chair), Chris Windows (Vice-Chair), Clive Stevens, Mark Wright, Fabian Breckels, Paul Goggin, Mike Davies, Margaret Hickman and Steve Smith

### **Officers in Attendance:-**

Gary Collins, Natalie Queffurus, Matthew Bunt, Oliver Harrison

## **1. Welcome, Introductions and Safety Information**

The Chair welcomed all parties to the Meeting.

## **2. Apologies for Absence and Substitutions**

Apologies were received from Councillor Stephen Clarke

## **3. Declarations of Interest**

Councillor Clive Stevens has published a book on local democracy but this does not preclude his role on this committee. He is also a ward councillor for The Yard at Woodland Terrace application, but has not been involved in the application process. Fellow ward Councillor Carla Denyer has been looking at the application and referred it to Committee.

## **4. Minutes of the previous meeting**

RESOLVED: the minutes of the previous meeting of 30 September 2020 are agreed as a correct record.

## **5. Appeals**

The Head of Development Management introduced the report and summarised it for everyone.



## 6. Enforcement

The Head of Development Management introduced the report and summarised it for everyone.

## 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:

### 9. 20/01535/F - The Yard Woodland Terrace

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

The site is a back land location in Clifton Down. There are currently 7 garages on site for storage and maintenance of cars. It has no allocated land use but is in a conservation area. The site has no recent planning history, but in 1985 planning was granted for a 2 storey dwelling. The application seeks the demolition of the garages and building of a 1.5 storey building with rooms in the eaves. This is a 3 bedroom 6 person dwelling with one parking space. Construction is a mix of slate and light brick with aluminium windows and doors and a green roof.

- a) There have been some amendments to the application, including a reduction of roof height and pitch, change to a slate tile roof, the windows at first level are repositioned to the centre to avoid overlooking and the property has been moved back from the other property's boundary.
- b) There were 2 rounds of consultation. 20 responses in May all objecting, then 13 responses in July, with 12 objecting. There have been no objections from consultees.
- c) The principle of development is acceptable, as the site is previously developed land in a sustainable location and contributes to the housing mix as it is 3 bedroom dwelling in an area with below the Bristol average of 3 bedroom dwellings.
- d) The garages are currently being used to repair cars so this does not present a parking issue. There are no objections from officers on transport issues.
- e) The site is within a conservation area and concerns were raised about the scale, appearance and siting of the proposed building. The applicant has amended the plans and there are now no objections from the City Design Group.
- f) There were some concerns from the public regarding overlooking. There has been a review that shows there is no direct overlooking. The bathrooms include obscured glass and other windows are parallel with the road. The south windows do look towards 25 Westbury Park property but



there are outbuildings in this part of the large rear garden. The proposed building would be surrounded by 3 to 4 storey dwellings. There are objections from the nearby Coach House dwelling, but they are 14m from the proposed building with obscuring trees in between.

- g) The shadow study shows that the property presents a very minor increase to shadowing, which does not warrant refusal.
- h) There were concerns about adjacent trees, but the impact assessment has shown this development will not remove any trees. The applicant has the right to cut back branches to the property line if required. 7 trees are to be planted at the site with a 26% reduction in carbon.

#### Questions for clarification:

- i) The committee asked for shadow studies at different times of year, which were supplied.
- j) Some public forum submissions give an artist impression of the proposed dwelling, however they do not have accurate scaling. Members should refer to the drawings in the report pack.
- k) The 21m rule is a rule of thumb in planning for the distance between habitable rooms. It was considered in this case, but there is no overlooking between habitable rooms.
- l) Under common law, you may cut branches of overhanging trees to your boundaries. However, within a conservation area you still need to file a notice before cutting back. If the tree has a Protection Order it would need planning permission.
- m) The committee should have some regard to the 1985 planning approval, but this should not be given heavy weight due to the amount of time that has elapsed and the policy and geography changes.
- n) The foundations and relationships to trees was discussed, while planning conditions and building regulations can cover some of this, it is not the role of planning to make guarantees on structure for potential buyers. The property is not on unstable ground.

#### Discussion:

- o) Members appreciated that genuine amendments to the plan were made prior to the meeting, especially the height reduction, which was a critical objection.
- p) Members appreciated the need for more housing stock in the city more generally and housing diversity in this area in particular.

Cllr Chris Windows proposed, seconded by Cllr Paul Goggin, to vote on the officers' recommendation to grant the application.

RESOLVED: (9 For / 0 Against / 0 Abstain) that the application be granted as set out in the Officer recommendation.

### **10 19/04398/F - Land & Garages Adjacent To 5 New Kings Court**

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

- a) The application has received balanced consultation responses, with most objections being related to the safety of the access road and some about the quality of the design and impact on



neighbours. Contrary to these comments, comments of support have suggested the access is safe, and complimented the proposal's design and impact on neighbours

- b) This is a back land site accessed via an access lane, which is also shared by a playschool, church, church hall and 5 extant houses in New Kings Court. The principle of the development is acceptable given the sustainable nature of the site.
- c) The existing site has a varied character. It presents a staggered layout that minimises impact on neighbours. Any significant overshadowing falls into the north car park. There will be some minor shadow on existing property but this is considered minimal. The living space is above average and there is a garage for cycles and a car. The height is similar to extant properties at 4/5 New Kings Court. A simple pallet of materials is proposed, the proposal's distinct design is considered normal for this backland area.
- d) There will be considerable planting in the gardens. The property achieves a 66% saving on residual carbon dioxide, which exceeds policy.
- e) The access lane is approximately 50m long and 3m wide. The access is well managed with good visibility and signage. It is not an adopted lane and TDM has advised it will not be adopted in future. There were some initial objections from transport officers and revised plans and further details were submitted in order to resolve concerns, so transport officers have now withdrawn objections. Bristol Waste has confirmed they could service the property. A car can pass a pedestrian and it is wide enough to fit emergency and delivery vehicles. A new house would result in 5 more journeys per day on average. There is an absence of recorded incidents of accidents on this lane.
- f) Officers' advice is different to a refused application in 2006 for 3 houses where nos. 4 and 5 New Kings Court are located. This application would have resulted in 6 houses being served from the lane. The reason for the difference in advice is that guidance has changed, as has local planning policy and national planning policy/guidance.

#### Questions for clarification:

- g) Members asked about the amount of traffic on the lane at peak times, e.g. during drop off and pick up for the playschool and during church services. This information was not available, but the 5 additional movements from the proposed dwelling would have negligible impact.

#### Discussion:

- h) One member is personally familiar with the area and agreed with the officer assessment that one additional dwelling would have a negligible impact on lane traffic.
- i) Members were reassured by submissions showing support for this application.

Cllr Fabian Breckles proposed, seconded by Cllr Steve Smith, to vote on the officers' recommendation to grant the application.

RESOLVED: (9 For / 0 Against / 0 Abstain) that the application be granted as set out in the Officer recommendation.

## 11 Date of Next Meeting



The next meeting is Wednesday 25 November 2020 at 2.00pm

## 12 Amendment Sheet

Meeting ended at 4.30 pm

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

