

Bristol City Council

Minutes of the Development Control A Committee



31 March 2021 at 2.00 pm

Members Present:-

Councillors: Donald Alexander (Chair), Chris Windows (Vice-Chair), Fabian Breckels, Stephen Clarke, Paul Goggin, Margaret Hickman, Steve Smith, Mark Wright and Olly Mead (Substitute for Mike Davies)

Officers in Attendance:-

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

1. Welcome and Introductions

The Chair welcomed all parties to the Meeting.

2. Apologies for Absence and Substitutions

Apologies received from Councillor Davies with Councillor Mead as substitute.

3. Declarations of Interest.

There were none.

4. Minutes of the previous meeting held on 4 March 2021.

The minutes were agreed as a correct record.

RESOLVED – That the minutes of the meeting of 4 March 2021 be agreed as a correct record.



5. Appeals

The Head of Development Management introduced the report and highlighted the following:-

1. Items 11 and 12 – Land at Silverthorne Lane. This had been called in by the Secretary of State on the grounds of flooding primarily and other issues. The Inquiry date had now been set for 11 – 25 May. The Council would receive the Inspector’s report and the Secretary of State’s decision together near the end of year;
2. Item 13 – Police Dog and Horse Training Centre, Clanage Road. Officers had recommended refusal but the Committee had granted approval. The had been called in and the Inquiry would take place on 20 July;
3. The Silverthorne Lane Inquiry would be held online. Clanage Road would probably be online but this would be determined in early May.

6. Enforcement.

It was noted that one enforcement notice had been served since the last Committee. There were no questions.

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. 20/01150/F & 20/04633/LA- Soapworks, Broad Plain, Bristol.

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

The Planning Officer summarised the application as follows:-

1. The application was for the redevelopment of the Gardiner Haskins site, including demolition works and refurbishment of listed Soap Pan building to provide mixed use development comprising 243 residential dwellings, new flexible retail, leisure and commercial space, business space together with associated plant space, amenity space, parking and vehicular servicing arrangements, public realm, landscaping and associated works (Option A);
2. The application provided the option for an Apart hotel rather than flats fronting Russ Street, resulting in 168 residential dwellings and new flexible retail, leisure and commercial space (Option B);
3. There was a small change to the recommendation in the report. The planning application was recommended for approval and if approved the Listed Building Consent element would be referred to the Secretary of State because of the Historic England objection;
4. There was also an amendment to the Heads of Terms of the legal agreement not found on the Amendment Sheet regarding the carbon offset contribution which was higher than originally calculated and was now as follows:-

- Option A - £383, 185.35;
- Option B – £263,408.40.

5. There were two further neighbour representations, one in support and one objection, as set out in the Amendment Sheet;
6. The Amendment Sheet also set out clarification of Historic England's objection regarding the removal of the historic fabric of the building and the Environment Agency's objection being withdrawn subject to certain conditions;
7. In coming to a decision on the application, the Committee would need to balance the benefits of the development against the undoubted harm that would result from the proposal. It was noted that the proposal would provide much needed housing, including affordable housing, would preserve the primary heritage asset on the site, and would deliver significant improvements to the public realm and residential routes;
8. Officers assessed that there was a high degree of less than substantial harm, noting that not all of the site was of great value but much of it was.

The following points arose from questions:-

1. It was considered unusual to receive such a large application with such flexibility regarding the options of Apart hotel or residential development but there was nothing in planning law to prevent it;
2. An Apart hotel was a fairly new concept. It was a hotel for customers who wished to stay for a few weeks but not for long-term residency. The rooms were therefore larger with a kitchenette;



3. If the application was approved the developer would decide which option to pursue. Officers would condition the permission so that it was not possible to change or swap the option chosen;
4. The Committee was given reassurance that the housing would be affordable based on the BCC definition and would be delivered within a quick timescale and would be allocated from the housing waiting list. Whilst the full details were not yet resolved if the housing was deemed not affordable officers would bring the matter back to Committee;
5. A high degree of less than substantial harm meant that the application was at the top of that level and would not take much more to become substantial harm;
6. Officers had not considered a scheme to retain the shell of the building. The evidence gave comfort to officers that the development would be difficult and unviable in that respect;
7. It was confirmed that the façade on New Thomas Street would not be retained;
8. It was noted that there had been many strong objections to the development from Statutory Consultees but it was only Historic England (in association with heritage and amenity societies) that could refer the application to the Secretary of State;
9. The amount of affordable housing provided for the Apart hotel option was approximately 30 units and increased to approximately 45 units for the residential option;
10. There was no indication that the developer would still proceed if the Committee deferred the application. The developer's view was that the market for hotels was tenuous with Covid and had wanted greater flexibility post-Covid in relation to the economy;
11. The Head of Development Management added that the Committee might have reservations regarding the flexibility provided with approval or might favour one option more than the other. If this proved to be the case he advised that a decision to defer would be a helpful decision as it would help all parties focus on a way forward. It was noted that this could come back to the last DC A Committee at the last meeting of the municipal year on 28 April. If deferred the application would be considered as a fresh application.

The following points arose from discussion:-

1. Councillor Wright had assessed the pros and cons and believed that the loss of so much of the frontages was outweighed by the significant benefits. He felt that the developer had not listened to the heritage objections and a better proposal without the loss of frontages could be achieved;
2. Councillor Goggin understood the significant benefits but was concerned that there was less affordable housing with the Apart hotel option. If the number for affordable housing was higher it would tip the benefits to outweighing the harm. He was minded to defer and was not looking to refuse;
3. Councillor Smith stated it was a delicate balance as he liked the scheme but was concerned regarding the heritage aspects, the height and density and the lack of affordable family housing and he was therefore minded to refuse;
4. Councillor Clarke was concerned at the tower and Apart hotel elements but was willing to be convinced about the tower but not the hotel as this reduced the numbers of affordable housing;
5. Councillor Mead supported some elements of the development but was concerned about the level of harm and reduced number of affordable housing with the hotel option;



6. Councillor Breckels supported the scheme and either option noting that the area needed regeneration. He was not concerned at the tower as it was not jarring on the landscape but regretted the loss of heritage frontages. He suggested that lighting and CCTV should be conditioned;
7. Councillor Hickman supported the scheme as the benefits it brought to the area by regenerating it and providing jobs outweighed the loss of heritage. The applicant had confirmed that the lighting provided was exceptional and a small convenience store provided for local residents. She would not support the hotel option if that meant the affordable housing was reduced. On balance she would vote for approval;
8. Before moving a motion, The Head of Development Management confirmed that the Committee was voting on granting planning permission including the flexibility on the Apart hotel or residential units and to refer the listed building consent to the Secretary of State regarding the Historic England objections;
9. Councillor Mead moved the officer recommendation and it was seconded by Councillor Breckels on being put to the vote it was lost – 3 for, 6 against;
10. Councillor Clarke was advised that a motion which was for approval of the scheme minus the Apart hotel would be a deemed refusal which might not be acceptable to the developer. If the Committee was so minded the motion should be to defer;
11. Councillor Clarke moved and Councillor Goggin seconded that the application be deferred and that the Committee was minded to accept the residential option and to refuse the Apart hotel option. On being put to the vote it was:-

Resolved – (6 for, 2 against and 1 abstention)

- 1. That the application be deferred;**
- 2. That the Committee was minded to accept the residential option and to refuse the Apart hotel option.**

Councillors Clarke and Wright stated that they would be leaving the meeting before the next application was determined.

11. 21/00334/F & 21/00335/LA - 8 Harley Place Bristol.

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

The Planning Officer summarised the application as follows:-

1. The proposal seeks to convert the existing annex above the garage into a separate one bedroom self-contained dwelling with separate bin and bike storage area;
2. The application was before Committee for three reasons:-
 - It had previously been refused by Committee in September 2020;



- The previous application and the one before Committee had received a high level of public scrutiny and the Planning Authority had received a high number of objections;
- The application had been called in by the Ward member, Councillor O'Rourke;

3. The application was in a sustainable location and was car and cycle policy compliant;
4. It would be car free as there would be no parking permit;
5. The road was private and therefore not adopted highway;
6. Transport Development Management (TDM) had no concerns regarding the location of the waste receptacles;
7. TDM offered a waste management plan condition if members still had concerns regarding waste;
8. The application was recommended for approval subject to conditions in the report and as set out in the Amendment Sheet.

The following points arose from questions:-

1. The previous application had contained parking but this application was deemed car free. However, it was noted that the road was private and therefore the Planning Authority had no jurisdiction over parking as it was a civil matter;
2. The Planning Authority could not control tenancy lengths but Housing legislation would determine the minimum length of tenancies.

There was no discussion and Councillor Breckels moved the officer recommendation and this was seconded by Councillor Goggin. On being put to the vote it was:-

Resolved (6 for, 1 abstention) - That the application be granted subject to conditions in the report and a further condition as set out in the Amendment Sheet.

11. Date of next meeting.

The next meeting is 28 April at 2pm.



Meeting ended at 4.35pm.

CHAIR _____

