

# Bristol City Council

## Minutes of the Development Control B Committee

23 February 2022 at 2pm



### **Members Present:-**

**Councillors:** Ani Stafford-Townsend (Chair), Chris Windows (Vice-Chair), Lesley Alexander, Fabian Breckels, Andrew Brown, Amirah Cole, Katja Hornchen, Paula O'Rourke and Guy Poultney

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

Peter Westbury –Team Manager, Development Management and Allison Taylor – Democratic Services

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

The Chair welcomed everyone to the meeting and issued the safety information.

## **2 Apologies for Absence**

There were none.

## **3 Declarations of Interest**

There were none.

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

**RESOLVED – that the minutes of 12 January 2022 be agreed as a correct record and signed by the Chair.**

## **5 Appeals**

These were noted without discussion.



## 6 Enforcement.

These were noted without discussion.

## 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 applications.

### 9 21/05971/F - 18 Talbot Road Bristol

The Case Officer presented the report and highlighted the following:-

1. This was an application which sought to amend a previous planning permission for the demolition of garages and the construction of a two story dwelling with parking, bike spaces and refuse storage;
2. It requested the variation of Condition 14, namely, to substitute approved plans with as built plans and to delete Conditions 2 and 3 which dealt with visibility and boundary wall respectively;
3. The grant of planning permission will regularise the breach of planning control and was a process advocated by the government in its guidance on discretionary process of taking action following planning enforcement investigation;
4. As a result of consultation 8 separate addresses had made comments, 3 were in support of the application and 4 objected to it;
5. It was noted that there was a drafting error between the recommendation made to highways and what was shown on the Notice of Decision in the original consent;
6. For private accesses guidance on visibility splays was less clear than for new junctions. However, Transport Development Management's view was that they did not think the proposal caused undue risk and that it should be accepted;
7. The issue of encroachment on to land as referenced in a Public Forum Statement was not a matter for the Planning Authority and was a civil matter;
8. In summary, the planning application was valid, had been properly submitted, subjected to planning regulations and consulted upon and was recommended for approval subject to conditions.

The following points arose from questions:-



1. There was no difference in the height of the wall next to the pavement but there was an increase in the height of the wall as it abounds the forecourt;
2. It was confirmed that Conditions 2 & 3 of the original permission were incompatible and this application regularised the situation;
3. The current application provided no detriment or betterment in terms of visibility;
4. This breach of planning was assessed and it was concluded that it did not warrant enforcement action but instead regularisation;
5. If the previous proposal had not been policy compliant it would not be possible to recommend this application for approval;
6. If the Committee refused the application officers would have to test the reasons for refusal and assess harm. A refusal did not dictate enforcement action;
7. The wall was 2.4m high and would have to be 0.6m in places to meet the standard condition on visibility.
8. Transport Development Management would recommend a 0.6m height for a new build as it allowed the driver to see above a wall. For this application there was a neutral affect as there had been no objections;
9. It was possible to attach an advice note to the permission recommending not reversing out onto the road but not to attach a planning condition.

The following points arose from debate:-

1. The white-washed wall, although not material, was a visual distraction;
2. It was unusual to receive a Public Forum Statement from a Police Inspector stating that the arrangement was not safe;
3. There were no grounds to refuse but there was concern about the message this would send out concerning over scaling, coming back for retrospective permission and obtaining approval;
4. There was a suggestion for a site visit which was supported though a member questioned what benefit this would have;
5. There was no further debate so the Chair moved the officer recommendation and it was not seconded so it fell;
6. Councillor Poultney moved that the application be deferred pending a site visit and this was seconded and on being put to the vote it was:-

**Resolved (Unanimously) – that the application be deferred pending a site visit.**

#### **10. 21/05824/H – 217, Canford Lane, Westbury-on Trym, Bristol.**

The Case Officer presented the report and highlighted the following:-

1. The application was before the Committee as the applicant was a Councillor of Bristol City Council;
2. The application was for a single story full width rear extension;
3. There were no responses to consultation;



4. The proposed development was of an appropriate design which officers consider would not cause harm to the character or appearance of the dwelling, street scene or wider area. Furthermore, the proposed development would not cause harm to the amenity of current or future neighbours.

There were no questions or discussion and the officer recommendation was moved and seconded and on being put to the vote it was:-

**Resolved (Unanimously) – that the application be granted subject to conditions.**

11. The next meeting of Development Control B Committee is on 6 April 2022 at 6pm in City Hall.

The meeting ended at 3.05pm.

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

