

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



**20 July 2022 at 6pm**

**Members Present:-**

**Councillors:** Richard Eddy (Chair), Breckels (substitute for Paul Goggin) Fi Hance, John Geater, Tony Dyer (substitute for Tom Hathway) Tessa Fitzjohn, (substitute for Ed Plowden) Katja Hornchen (substitute for Phillipa Hulme) Farah Hussain and Andrew Varney.

**Officers in Attendance:-** Gary Collins – Head of Development Management, Allison Taylor – Democratic Services

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

All parties were welcomed to the meeting.

**Apologies for Absence and Substitutions.**

Apologies were received from Councillor Goggin with Councillor Breckels substituting, Councillor Hathway with Councillor Dyer substituting, Councillor Plowden with Councillor Fitzjohn substituting and Councillor Hulme with Councillor Hornchen substituting.

**2. Declarations of Interest.**

There were none.

**3. Action Sheet.**

With regards to Item 1 - The Head of Development Management reported that he had discussed a couple of cases in Councillor Plowden's ward and would keep him updated. With regards to Item 2 – Councillor Eddy reported that the Growth and Regeneration Scrutiny Commission would hold a session in September on Enforcement and when a date was fixed members of the DC Committees would be invited to give their experience of planning enforcement.

**4. Minutes of the previous meeting held on 8 June 2022.**

To add 'for the Labour Group' after 'Councillor Steve Pearce will act as general substitute'



**Resolved – That, subject to the amendment above, the minutes of 8 June 2022 be agreed as a correct record and signed by the Councillor Eddy.**

## **5. Appeals**

The Head of Development Management updated the Committee on the following items:-

Item 9 – 493 – 499, Bath Road, Brislington – this had been refused at DC A Committee. A date for a hearing had now been set for 31 August. It was noted that it was possible to make submissions subject to the discretion of the Inspector. He agreed to speak to the Planning Inspectorate case officer on behalf of the Councillor Varney.

Item 48 – Land to rear of 382, 384 And 386 Southmead Road – this appeal was dismissed although costs were ordered against the LPA. It was an unusual scenario as the applicant had appealed for non-determination as a result of a backlog of planning applications. Although the costs were minimal it was a lesson learned regarding timely communications with applicants.

## **6. Enforcement.**

There were none listed. Councillor Eddy reiterated the Committee's concerns which would be considered at the Growth and Regeneration Commission in September.

## **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.

The Head of Development Management briefly addressed the Committee concerning some references in Public Forum statements regarding political influence in local authority planning matters. He reassured the Committee that this was not happening. Political leaders from time-to-time sought updates on planning matters but they had no involvement in decision making which was either delegated to officers or came before DC Committees.

## **8. Planning and Development**

The Committee considered the following applications below.

### **a. Planning Application - 19/02664/F - Chanson Foods Avon Street Bristol BS2 OPS.**

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

The Officer presentation highlighted the following points:-

1. The application was for the demolition of the site and for the construction of purpose built student accommodation together with servicing arrangements, public realm works



- and landscaping;
2. The accommodation would comprise of a range of different student bedrooms totalling 471 bedspaces within cluster flats and across three tower blocks set in a u-shape arranged around a central courtyard, with building heights ranging from 8 - 12 storeys;
  3. The height of the development had been reduced so as not to impact on heritage assets;
  4. The Environment Agency (EA) have indicated that the flood protection plan option addressed the wider points of their representation;
  5. The developer was confident that subject to further refinement it might be able to address the shortfall in CO2 savings and the Committee was asked to delegate those negotiations to officers;
  6. The application was recommended for approval subject to a Planning Agreement.

The following points arose from questions and debate:-

1. It was possible to condition the plant on the top of the building;
2. The EA's holding objection was on technical grounds concerning the level of climate change allowance incorporated into the level of defence. There had been two appealed decisions on nearby sites and both relied on flooding issues. The Inspector and the Secretary of State gave recommendations regarding levels and the applicant amended the scheme as a result the EA said they were satisfied in principle but there was no time to send a formal response;
3. As the EA were content, the application, if granted, could be progressed in the normal way;
4. It was confirmed that the Temple Meads roofline would not be compromised subject to plants not being higher than the parapet and this could be conditioned;
5. There would be at least 9 new jobs as a result of the development;
6. There would be connection to the heat network from day one of the development being operative;
7. The Planning Authority had a preference for passive flood protection and the EA therefore requested a 10.9m concrete upstand which would rise up to 2.5m above road level. It was proposed to have a combination of active and passive solutions, which would allow an increased level of glazing. A permanent solution would impact on the street scene. Tidal flooding, which was dominant in this location, was much more predictable. It was not a guarantee but there was a level of certainty and on that basis it was felt that the balance was right in terms of the street scene and the protection of the building. It was noted that the 1<sup>st</sup> floor was well above the flood level;
8. The roof would only be used on an ultra-rare basis. Most of the time occupants would be able to stay inside until the flood event subsided and the waters went away. They would not be trapped inside but there would be a managed arrangement if they needed to get out. It was safe to assume there would be balustrades given there was public and maintenance access;
9. It was confirmed that there would be a public art condition and the design team would consider it;
10. The Head of Development Management, acknowledging that Urban Design's representation stating that it did not meet their criteria, reported that this was one contribution amongst various and it was necessary for planning officers to weigh them all up when assessing the application;
- 11.
12. Section 106 monies would contribute to the wider area and secure improvements to highways;



13. In response to a question about CIL for the footbridge the Head of Development Management responded that the footbridge was an essential element link and means of flood evacuation and there was therefore a need for developers to collaborate. As the development area was University focussed funding would come from either CIL or a combination of University and individual developer. It was in the collective interest to deliver the footbridge as it was linked with the current application and was a significant volume of new development but it was not possible to allocate CIL from this development but importantly there was a condition on the development that it could not be occupied until there was safe flood evacuation in place. That was the level of certainty the Planning Inspector accepted on a nearby development further south and those arrangements were also acceptable on this site. Whilst this was not a precise answer there was a clear collective interest and requirement to deliver the footbridge and this provided enough certainty to grant permission. It was confirmed that safety of the footbridge for users would be conditioned;
14. It was confirmed that the BREEM status was excellent;
15. Brown bricks had been used for the development because of the historic character relating to the brickworks in the area;
16. The safety and security response from the Police was not untypical. Secure by design referred to very specific matters that the applicant needed to satisfy the Police on and was not a matter for this Committee. This had not been conditioned in the past because of the level of detail and it would be a stretch whether a condition was a reasonable one as it was beyond planning conditions;
17. The Head of Development Management advised that the lighting condition included the requirement of further details;
18. Councillor Eddy acknowledged that BCC had approved substantial changes to the new University campus and these should be welcomed and supported. He stated that it was a well-designed and enhances the public realm with landscaping. The risk to life from flooding was an ongoing issue with Silverthorne Lane but the EA being satisfied with flood protections measures for this development provided certainty that measures were satisfactory. There was no evidence that there was damage to nearby heritage assets. This was a positive scheme with excellent BREEM and the use of the district heating network. A deed of easement could address the Motion nightclub concerns. He would be supporting the application;
19. Councillor Breckels stated that this was the obvious place for student accommodation and it would fit into the area well. He liked the modern design and was pleased that lighting and security would be addressed in due course. He asked and it was confirmed that the deed of easement had been conditioned and was on the Amendment Sheet;
20. Councillor Varney liked the design and was content with the flood protection plan, that the development would bring employment and that the Temple Meads roofline would not be compromised and therefore supported approval;
21. There being no further comments Councillor Eddy moved and Councillor Breckels seconded the officer recommendation and on being put to the vote it was:-

**Resolved – (Unanimous) that the application be granted subject to a Planning Agreement, the additional conditions set out in the Amendment Sheet and an additional condition preventing the addition of plant to the roof which exceeds the height of the parapet line.**

#### **b. Planning Application Number 22/01496/FB - Land at Marshall Walk.**

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



the publication of the original report.

The Officer presentation highlighted the following points:-

1. The application had been referred to Committee by Councillor Jackson the ward Councillor;
2. The application was for the redevelopment of a site to provide 12 residential dwellings with cycle parking refuse and recycling storage, and hard and soft landscaping;
3. The applicant was BCC and the accommodation would be for temporary accommodation for single people who were on the housing waiting list;
4. It was a car free development and had 2 disabled car parking spaces in line with BCC standards;
5. The application had attracted one public objection concerning added pressure on local services and the development affecting access to nearby shops;
6. The application met all policy requirements regarding CO2 reductions and biodiversity and was supported in principle by the Local Plan;
7. The application was recommended for approval subject to a Planning Agreement.

The following points arose from questions and debate:-

1. Councillor Eddy explained that the application was before the Committee as members were able to refer an application for public airing if they believed there could be a conflict. The applicant was BCC so the ward member, Councillor Jackson, had felt it prudent to refer it though he had no concerns regarding the application;
2. There was no time limit to occupancy but it was believed it would initially be temporary accommodation. There would therefore be no more removal vehicles than usual and there was a forecourt opposite if parking was needed;
3. The Amendment Sheet confirmed that a tree would replace the 4 trees removed;
4. Occupants would come from the single persons housing waiting list and the national space standard for accommodating a single bed applied;
5. Councillor Eddy observing that there was a housing crisis and this scheme sought to address this by providing accommodation for single people on the housing waiting list so he fully supported it. This was echoed by Councillor Breckels. There were no further comments so Councillor Eddy moved the officer recommendation and Councillor Hance seconded it. On being put to the vote it was:-

**RESOLVED – (Unanimous) That the application be granted subject to a Planning Agreement and additional conditions set out in the Amendment Sheet.**

Councillor Eddy took the opportunity to pay tribute to Zoe Wilcox – Director Development of Place, who was retiring from the Council next week. He thanked her for her commitment and expertise and wished her well for a happy retirement. This was echoed by the Committee.

### **Date of Next Meeting**

24 August 2022 at 2pm.



The meeting ended at 7.20pm

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









