

Bristol City Council
Minutes of the Development Control B Committee
Meeting
18th October 2023 at 2.00 pm



Members Present:

Councillors: Ani Stafford-Townsend (Chair), Amal Ali, Fabian Breckels, Sarah Classick, Lorraine Francis, Katja Hornchen and Guy Poultney;

Officers in Attendance:

Simone Wilding (Chief Planner and Head of Planning), Presenting Officer (Development Management), Pip Howson (Transport Development Manager) and Norman Cornthwaite (Democratic Services)

1 Welcome, Introduction and Safety Information

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

2 Apologies for Absence

Apologies were received from Cllrs L Alexander and Windows.

3. Declarations of Interest

Cllr Ani Stafford-Townsend stated that she was previously a Member for Cabot Ward, which included Avon Crescent; she confirmed that she had not pre-determined the application.

4. Minutes of the Previous Meeting held on 6th September 2023

Cllr Poultney stated he had concerns in relation to 22/05714/FB South Bristol Crematorium and Cemetery that some of the narrative included in the Minutes did not fully match what was said at the Meeting. He was requested to email details of the concerns so that the recording could be checked and the Minutes amended if necessary, which he agreed to do.

In the meantime it was agreed that the agreement of the Minutes of the previous Meeting be deferred until the next Meeting of the Committee.



5. Action Sheet

There was nothing to report.

6. Appeals

The Chief Planner and Head of Planning introduced the report. It was noted that there are a lot of Appeals relating to HMO applications and the Chief Planner and Head of Planning agreed that this issue required further investigation.

7. Enforcement

The Chief Planner and Head of Planning introduced the report.

8 Public Forum

Members of the Committee received Public Forum Statements in advance of the meeting. The Statements were published online prior to the meeting. Each statement was heard before the application it related to and taken fully into consideration by the Committee prior to reaching a decision.

9. 22/05943/X - (Bathurst Basin Bridge Commercial Road) Land Between the A370 Long Ashton Bypass in North Somerset and Cater Road Roundabout

The Presenting Officer introduced the report and gave a presentation.

The application is for the removal of conditions 4, 10 and 13 following grant of planning application 16/05853/X for the variation of condition number 18 - Phase 1. for planning permission - 13/05648/FB.

The following answers were provided to questions:

- The application was removed from the Agenda for the Meeting in May at the request of the applicant as a result of reviewing the objections received. The applicant has not told the Local Planning Authority what alternatives the applicant has been considering since May
- Government guidance states that a shared space such as the one approved as part of application 13/05648/FB would not be appropriate at this location
- An alternative scheme was offered to the residents as part of a previous s73 application (ref. 18/02968/X) but was not considered acceptable; the Government guidance then prevented any these schemes from being implemented
- A Masterplan for the area is being developed which could address all of the areas of concern of previous schemes and it will be consulted on before it is implemented; this will follow the set



procedure for consulting on Masterplans; all relevant parties will be consulted; all Masterplans require Council approval ensuring that all set procedures are followed

- It was noted that if Members consider that a scheme of mitigation relating to the MetroBus scheme is needed onsite it may be more appropriate to refuse the application
- Due to the curvature the sight lines of the road in accordance with the Government guidance issued in 2018 it is not considered suitable for a shared space
- None of the previous versions of the schemes on Avon Crescent offered to residents was deemed to be acceptable
- Attempts have been made to address the issues of concern and a scheme was presented in 2018 but it did not have the support of residents and was refused by Committee on Highway Safety Grounds
- Had the scheme been called traffic calming rather a shared space there would still have been limits on what could be achieved at the location
- In the original scheme, as approved, Avon Crescent was identified as a location where the Metro Bus Scheme could deliver enhancements. No specific reference is made in the application material to the highway works on Avon Crescent being mitigation
- Work will be done with the Tree Officer to ensure that the proposed contribution would be used to plant trees within the vicinity of the site
- It was noted that it is not possible to condition CIL monies as they are not linked directly to a planning application; S106s are directly linked to planning applications / specific developments
- It was understood that £50k of the Local element of CIL had been made available for Avon Crescent previously. This could be linked to the Memorandum of Understanding for traffic calming measures
- The highway works on Avon Crescent were included as part of the scheme in 2013 as were enhancements as part of the Metro Bus Scheme
- It is not clear if a number of trees outside A Bond were removed as part of the Metro Bus Scheme
- Mitigations that are required must be delivered to respond to impacts created by a development to make it acceptable in planning terms.

Debate:

- The residents should be provided with something that is acceptable to them
- The Condition relating to the trees should not be removed but amended instead; a number of trees have clearly been removed that weren't accounted for in the calculations for replacements.
- The Conditions should have been implemented before and this applicant should be treated the same as any other applicant; shared space schemes have been implemented elsewhere; traffic calming can and should be implemented at the location; this is a mitigation of the Metro Bus Scheme; the trees should be planted in the area of the scheme
- This is a mitigation – not enhancement – which was promised to the residents but the applicant has failed to deliver it
- Lack of infrastructure in the area; the area is less attractive than it was previously
- Residents have not received what they were promised



- The Committee should refuse the application

The Chief Planner and Head of Planning reminded Members that should they be minded to refuse the application, they would need to provide Officers with a steer on the reasons for refusal. Officers could then bring the suggested reasons back to a future Meeting of the Committee for agreement, or for the Committee to reconsider.

In response to a question the Chief Planner and Head of Planning confirmed it is Council Policy to follow the agreed procedure relating to the “cooling off” period and it should therefore be followed.

Cllr Stafford Townsend moved the Officer Recommendation. The motion was not seconded so it was LOST.

Cllr Stafford Townsend moved deferral of the application. The motion was not seconded so it was LOST.

The Presenting Officer suggested if the Committee did not want the Conditions removed and is therefore minded to refuse the application, it can confirm that it has assessed that the Conditions still need to be applied as the reasons for attaching them to the original planning decisions still stand. If the Conditions were removed the character of the area would be unsatisfactory, there would be concern about lack of infrastructure provision and construction impact, as well as inadequate mitigation for loss of trees.

The Members stated that requesting the removal/variation of agreed Conditions simply because they had not been met by the applicant was not an acceptable or valid reason to grant the application. Furthermore the Committee noted that the Conditions had been included in the previously granted applications in mitigation and not as enhancement.

The Chair stated that should the Committee refuse the application having assessed that the Conditions still need to be applied as the reasons for attaching them to the original planning agreements still stand, then the application would not require to return to the Committee for further consideration as the reasons for refusal would already be on record.

Cllr Hornchen moved that the application be refused as the Committee has assessed that the Conditions still need to be applied and the reasons for attaching them to the original planning agreements still stand.

Cllr Poultney seconded this Motion.

On being put to the Vote it was:

Resolved (Voting 7 for, 0 against) - that the application be refused as the Committee has assessed that the Conditions still need to be applied and that the original reasons for the Conditions still stand.

The Meeting ended at 3.40 pm.



The next Meeting of the Committee is on 29th November 2023 at 6.00 pm.

Chair _____

