

BRISTOL CITY COUNCIL

**MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL (NORTH) COMMITTEE
HELD ON 24TH MARCH 2005 AT 2.00 P.M.**

- P Councillor Alexander (substitute for Councillor Kerry)
- P Councillor Patterson (in the Chair)
- P Councillor R. Brown
- A Councillor I. Cooper
- P Councillor Elworthy
- P Councillor Hugill
- A Councillor Kerry
- P Councillor Kitson
- P Councillor Murphy
- P Councillor C. Price
- A Councillor Saward
- P Colin Smith
- P Councillor Sykes (substitute for I Cooper)

DCN

61.3/05 ADJOURNMENT TO READ STATEMENTS

At the beginning of the Committee, the Chair advised that not all Committee members had received Public Forum statements in sufficient time to adequately read them all.

In view of this, the meeting was adjourned for approximately 30 minutes to enable all Committee members to read all statements.

DCN

62.3/05 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Saward, Councillor Kerry (Councillor Alexander substituting) and Councillor I Cooper (Councillor Sykes substituting)

DCN

63.3/05 DECLARATIONS OF INTEREST

Councillor C Price declared a personal interest in Planning Application Number 04/04728/F/N – Land at Arbutus Drive and 26-28 Westbury Lane, Coombe Dingle – Residential Development with 12 no. Houses and 6 no. Flats, including associated garages and car parking. He explained that his wife Councillor J Price had submitted a statement on this issue. However, he stated that he had not discussed this issue with her at all.

DCN

64.3/05 MINUTES - DEVELOPMENT CONTROL (NORTH) COMMITTEE - 23RD FEBRUARY 2005

RESOLVED - that the minutes of the meeting of the Development Control (North) Committee held on 23rd February 2005 be confirmed as a correct record and signed by the Chair subject to the following amendments:

(1) the eighth bullet point on Page 13 to be altered to read „A significant proportion of the site will be covered by an artificial surface roof. The pavilion roof would be covered by Sedan which was a succulent and would turn brown“

(2) the word „ confirm „ to be altered to read „ conform „ in the third bullet point reason on Page 15

(3) the details of the voting for the application at 25 Julian Road, Bristol on Page 21 be altered to read 10 FOR, 0 AGAINST, 1 ABSTENTION

Matter Arising – 2 The Parade, Shirehampton (Minute Number 60)

The Committee thanked officers for their prompt action in issuing the Stop Notice following the Committee's decision at its last meeting.

DCN

65.3/05 APPEALS

The committee considered a report of the Head of Planning Services (agenda item no. 4) noting appeals lodged, imminent public inquiries and appeals awaiting decision.

RESOLVED - that the report be noted.

DCN

66.3/05 PUBLIC PARTICIPATION - STATEMENTS AND PETITIONS

AGENDA ITEM	APPLICATION(S)	NAME	STATEMENT NO
6(1)	04/053189/F/N – 30 Meadow Street, Avonmouth	Councillor Pat Roberts	1
		Andrew Beard CSJ Planning Consultants Ltd – for the applicant	2
6 (2)	04/04728/F/N – 12 Houses and 6 Flats – Land at 1 Arbutus Drive and 26-28 Westbury Lane, Coombe Dingle, BRISTOL	Anita and Ron Sims, Harford Lodge, 24 Westbury Lane, Coombe Dingle	3
		P J Richards, L J Richards and K P Richards	4 (including addendum)
		R J Sims Harford Lodge 24 Westbury Lane Coombe Dingle	5
		Joanna Prescott	6
		K Aldridge Roslyn 13 Arbutus Drive Coombe Dingle	7

		M A & A AM Stinchombe 7 Westbury Lane Sea Mills	8
		Councillors John Bees and Judith Price	9
		J, S and C Alger 8 Westbury Lane Coombe Dingle	10
		Drs J B and E M F Penry Brincliffe 20 Westbury Lane Coombe Dingle	11
		M L C Goodman 19 Aldercombe Rd Coombe Dingle	12
		P Norman 7 Wyedale Avenue Coombe Dingle	13
		Profs R N & A M Dixon 22 Westbury Lane Coombe Dingle	14
		I & A Davies 10 Harford Close Coombe Dingle	15
		J M Bricker 66 Arbutus Drive Coombe Dingle	16
		M McEnearney 66 Arbutus Drive Coombe Dingle	17
		R & L Allen 51 Arbutus Drive Coombe Dingle	18
		L A & M T Roper 43 Grove Avenue Coombe Dingle	19
		L Smollan 16 Arbutus Drive Coombe Dingle	20

		M Blundell 12 Harford Close Coombe Dingle	21
		C Moss 19 Westbury Lane Sea Mills	22
		A S Powell 56 Arbutus Drive Coombe Dingle	23
		S Tancock 21 Aldercombe Road Coombe Dingle	24
		Mr and Mrs T Hannan 2 Bowden Close Coombe Dingle	25
		A J Williams 31 Arbutus Drive Coombe Dingle	26
		A Crockford 4 Arbutus Drive Coombe Dingle	27
		D Pepworth	28
		B Pepworth	29
		T Fitsall 18 Harford Close Coombe Dingle	30
		R O'Connell 33 Westbury Lane Coombe Dingle	31
		D & D Walch 11 Harford Close Coombe Dingle	32
		C , L & B Stevens 9 Arbutus Drive Coombe Dingle	33
		E V Waite 1a Arbutus Drive Coombe Dingle	34

6 (3)	04/03918/F/N Eastfield Service Station 177-193 Henleaze Road, Bristol	Councillor Dennis Brown	35
		Alderman Derek Fey	36
		P Stafford 38 Dorset Road Henleaze	37
		P Tanner Tanner & Tilley 4 Beresford Road Southbourne Bournemouth	38
6(4)	04/03908/F/N & 04/30906/LA/N 12 7 Westbury Road, Bristol	Councillor Dennis Brown	39
		T Gregory 3 Grange Court Road Henleaze	40
		H Long Chairman Westbury on Trym Society	41

The Committee also agreed to suspend Standing Orders to receive a late statement from **Peter Davey – Bristol Team Collection, 4 Downs Park East, Bristol** and an additional statement to be read out by **the Friends of Blaise**.

Following concern expressed by the Committee, the Democratic Support Officer agreed to ensure all future requests to make Public Forum statements clearly identified the addresses in each case.

DCN

67.3/05 NORTH AREA PLANNING AND DEVELOPMENT

The committee considered a report of the Head of Planning Services (agenda item no. 6) considering the following matters for the North

Area. Members agreed that Application Numbers 2 and 4 should be heard before Application Numbers 1 and 3 :-

**(2) Land at 1 Arbutus Drive and 26-28 Westbury Lane, Coombe Dingle, Bristol BS9 2PH
Residential development with 12 no. houses and 6 no. flats, including associated garages and car parking
Application No. 04/04728/F/N (Kingsweston Ward)**

The representative of the Director of Environment, Transport and Leisure stated that:

- the proposed development was at a lower density than the surrounding housing and would reflect to a great extent the character of the area
- following the refusal of the previous application at an earlier Committee, the number of houses had now been reduced. In addition, some of the houses have been re-oriented so that they front onto Westbury Lane
- The impact of the garages on 1A Arbutus Drive would not be so significant
- The Transport Planning Team were satisfied with the proposed change to the access point
- The Traffic Management Team were satisfied with the impact of the development. They believed the crossing would balance out the potential of any additional traffic
- Whilst the previous proposal would have resulted in the loss of more trees, the Tree Officer had now identified 5 very important trees to protect and was satisfied
- Advice received by officers was that the concerns about loss of wildlife habitat could be met by a condition
- The houses were at a low density and were in line with the Local Plan
- Although the previous application had been refused, this did not mean that no proposal for the site was successful. The current application was a fresh proposal

Committee Members made the following comments:

- The setting of the proposed development was glorious. Whilst it was not necessarily unacceptable to convert the existing properties to larger houses, it was disgraceful that the trees were being destroyed

- The proposal contravened Policy B1 which stated that a reason for refusal would be that „The proposal would cause unacceptable harm to the area“
- Once the gardens were destroyed, they could never be brought back. The trees and shrubs gave the area its character and the development could change the appearance of the site for ever
- Under Policy NE11, there was a requirement for the biodiversity of the area to be protected. In view of this, a full ecological assessment of the site was required
- All the original reasons for refusal still held true. There did not seem to be the fundamental change to the application that officers claimed
- Although a crossing was needed in the area, the proposed development would aggravate the existing traffic problems already there and could cause parking overspill
- Although the Council needed more houses, a balance had to be struck to avoid overdevelopment. This proposal would result in overintensification
- Government guidance concerning density was guidance only and should not prevent a refusal of an application if there were particular circumstances involved

Officers made the following comments:

- It would be difficult to justify reasons for refusal if the Committee was minded to refuse the application. The proposed density of housing was well within Government guidelines. Although this was a large increase on existing levels of housing, the existing levels were extremely low.
- After the refusal of the previous application, officers had spent a considerable time with the developers to assist them in ensuring that any new proposal would address all the refusal reasons originally given by the previous Committee. The officers view was that these reasons had now been addressed
- Although the Committee may wish to ensure a lower density of housing than already existed on the site, this was not one of the reasons for the original refusal of the application.
- The fact that residents may like the different character of an area was not in itself a reason for refusal. It would

be difficult to argue that the proposal was out of character with an area as many of the buildings were mixed.

- The Committee had limited powers to maintain gardens on a site other than those related to trees and all issues concerning these had already been addressed with the Tree Officer

It was moved by Councillor Murphy, seconded by Councillor C Price and, upon being put to the vote, it was

RESOLVED (9 FOR, 0 AGAINST, 1 ABSTENTION) - that permission be REFUSED on the ground of:

(1) Harm to the character of the area caused by overintensification of use and by virtue of site coverage and the loss of green space

(2) extra traffic issues generated by the scheme

(3) the lack of an ecological survey and assessment

(4) 127 Westbury Road, Bristol BS9 3AP

**(1) Development of 16 residential units (14 no. flats and 2 no. houses) and retention of listed buildings
Application No. 04/03908/F/N**

**(2) Demolition of modern, single storey office/showroom building and remedial work to Grade II Listed former tram depot
Application No. 04/03906/LA/N (Henleaze Ward)**

The representative of the Director of Planning, Transport and Environment stated that:

- a key amendment to the proposed conditions was the requirement for a planning agreement
- the vacant site was located in a predominantly residential area and was within the Downs Conservation Area
- There was an associated car parking court to the rear of the property
- Letters of objection had been received by Councillors Gollop, Fox and D Brown

- Whilst the density of the properties on the site was 105 dwellings per hectare which is in excess of PPG3, it was in accordance with underlying principles
- The proposal accorded with the general principles to make more efficient use of a designated site
- Although the number of spaces at the site was less than would normally be expected at this site, under current Government guidance the advice was that it was more important to encourage the use of other more sustainable forms of transport
- In terms of residential amenity, the distance between the near elevation of the building and the gardens was not unacceptable. There was not concern that this would result in a significant loss of privacy as a result of this development.

Committee Members made the following comments:

- There was concern that the proposal was over intensification of the area
- Although there was no objection to demolishing a modern building and having a building for residential use, the high density was of concern. The density was over double the amount suggested by the Government
- There was insufficient room for parking on the site, with people parking illegally either side of the development
- The area along Westbury Road was dangerous crossing for children and this proposal would aggravate it
- There was a very small amount of amenity space
- The building may not have an end use as a listed building, which should be the case for all developments. There was no obligation for a listed building to be refurbished
- Nearly all residents had 2 cars or more
- The balance between development and protecting the area was in a good ratio. A historic building was being retained
- Further information was required as to what would happen to the listed building
- The first house set out in the plans for the development would have an overbearing impact
- The density of this is similar to other flatted development elsewhere
- PPG3 is a suggested parameter only.

- On-street parking will be difficult to restrict
- Highways engineers have identified the area as a major cause for concern
- Although the proposed scheme may be marginally better did not mean that it should be accepted. It was still unacceptable. Furthermore, it was a listed building and retaining it was important

Councillor R Brown moved, seconded by Councillor Elworthy and it was

RESOLVED (VOTING – 7 FOR, 2 AGAINST AND 1 ABSTENTION) - Application Nos. 04/03908/F/N and 04/03906/LA/N

That the applications be refused on the grounds of over intensification of the site, that the property is a listed building, harmful affect on the residential amenity of the area and increased pressures on parking

- (1) 30 Meadow Street, Avonmouth, Bristol BS11 9AR
Conversion of premises to form 10 no. self-contained flats, erection of dormer windows to facilitate the creation of a third storey within the roof and associated external alterations and stores
Application No. 04/05319/F/N (Avonmouth Ward)**

The representative of the Director of Environment, Transport and Leisure stated that:

- The proposed change of use and land use was considered acceptable
- Local residents raised concerns about the size and type of units. However, there was a demonstrable need for this kind of development
- A Section 106 agreement was proposed to enhance open areas as a result of the added pressure on open public spaces which would be caused by this development
- Revised plans and a revised condition should address the concerns expressed by residents and Councillors about the overlooking of the development onto neighbouring buildings

- Although an objection had been raised by the Environment Agency concerning possible flood risk, a condition was proposed to provide mitigating measures
- There was concern about parking to the rear of the site
- There was insufficient recycling in the proposals. Advice should be sought from the cleansing section about supplying sufficient bins for the families

In response to members questions, officers advised that:

- The money from any Section 106 agreement would be spent on any works deemed appropriate as long as they were in the vicinity
- The issue of the release of windows in the event of fire would be resolved with the Building Regulations

Councillor C Price declared a personal interest in this matter as a member of the Environment Agency Flood Committee as the body which had raised an objection to the proposal. He stated that he would withdraw from the meeting during the decision-making and not participate in the vote.

Upon being put to the vote, it was

RESOLVED (9 FOR, 0 AGAINST) - that permission be granted subject to the conditions and advices listed in the report and the amendment sheet (copy in Minute Book).

- (3) Eastfield Service Station, 177-193 Henleaze Road, Bristol BS9 4NQ**
Demolition of existing buildings and redevelopment of site to form 22 sheltered apartments for the elderly together with associated facilities and car parking
Application No. 04/03918/F/N (Henleaze Ward)

The representative of the Director of Environment, Transport and Leisure made the following comments:

- The proposed development was visually carefully designed to ensure it fitted into the street scene and to take account of neighbouring amenities
- The building was stepped in design
- A shadow path analysis for March was considered acceptable to indicate the impact of the development,

though it was noted that the shadow would be worse in December

- Highways Officers had requested improvements to the bus stop – the stop was located immediately outside the development to ensure it was as close as possible for elderly residents
- There was no policy to protect petrol filling stations in the Local Plan

In response to members questions, officers advised that the chimneys were an urban design feature and would break up the landscape, providing visual relief.

Committee Members made the following comments:

- A petrol station could not be forced to stay open but it was important to avoid having an empty site
- This seemed to be the most sympathetic option for a site of this size
- There were options for shopping which was within walking distance
- This proposal freed up homes for young families to move into
- There was no complaint about any other homes built by these developers
- The Council's legal service section were drawing up a Traffic Regulation Order for junction protection along Dorset Road
- The proposed chimneys were an anachronism and simply added to the development's bulk and shadow
- **More thought need to be given to disabled parking at the development. Facilities needed to be provided for storing or recharging wheelchairs**
- **Doors for cyclists on the development needed to be redesigned to allow more bikes to use them**
- **Details of the improvements for pedestrians were required from the developer**
- Parking was a concern on the site. There was already difficulty in Studland Court
- Past experience with parking for sheltered housing schemes showed that car parks were almost empty. However, room for mobility scooters and a place to recharge them were important.

Councillor C Smith moved, seconded by Councillor Kitson and,

upon being put to the vote, it was

RESOLVED (10 FOR, 0 AGAINST) - that permission be granted subject to the conditions and advices listed in the report and in the amendment sheet (set out in the Minute Book) and including the suggested conditions highlighted above in the Councillor comments

(The meeting ended at 5.30pm)

CHAIR