Development Control Committee A 25 February 2015

TEM NO. 5

WARD: Southville CONTACT OFF CER: Hannah Ryan

S TE ADDRESS: 247 - 249 North Street Bedminster Bristol BS3 1JN

APPL CAT ON NO: 1.14/05542/F Full Planning

2.14/05543/A Advertisement

E PR DATE: 19 January 2015

1. External alterations to shopfront, external seating area and demolition of existing rear garage.

2.Down-lit fascia signage and non-illuminated hanging sign.

RECOMMENDAT ON: Grant subject to Condition(s)

AGENT: Boyer Planning Limited

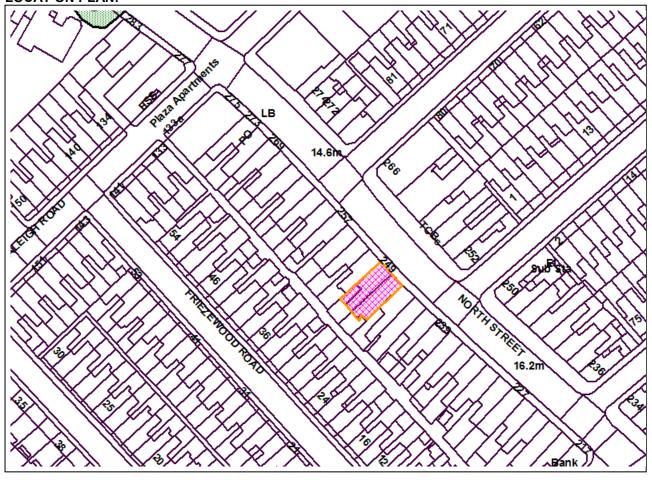
1B Oak Tree Court Mulberry Drive

Cardiff Gate Business Park

Cardiff CF23 8RS APPL CANT: Coffee#1 Limited C/o Agent

The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.

LOCAT ON PLAN:



13/02/15 15:11 Committee report

BACKGROUND

These retrospective applications are for full planning permission for external alterations to the existing shop front, for the demolition of an existing rear garage and advertisement consent for a down-lit fascia signage and non-illuminated hanging sign. There is no requirement for an application for a change of use from a A1 (Shops) to a Class A3 (Restaurants and Cafes) due to its compliance with Part 4 Class D The Town and Country Planning (General Permitted Development) Order 1995.

Class D states that Development consisting of a change of use of a building and any land within its curtilage—

- (a) to a flexible use falling within either Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1 (business) of the Schedule to the Use Classes Order.
- (b) from a use falling within Classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), Class A5 (hot food takeaways), B1 (business), D1 (non-residential institutions) and D2 (assembly and leisure) of that Schedule,

is permitted for a single continuous period of up to two years beginning on the date the building and any land within its curtilage begins to be used for one of the flexible uses.

Development is not permitted by Class D if the change of use relates to more than 150 square metres of floor space in the building;

It is apparent that this application satisfies the requirements of the General Permitted Development Guidelines since:

Submitted plans and written confirmation has been submitted which states that the internal floor space will comprise of 147 square meters, thus within the 150 square metre limit. A site visit has been undertaken to confirm this sizing and a plan of this will form part of the officer's presentation. This Development is permitted by Class D because the developer has notified the local planning authority of the date the site will begin to be used for one of the flexible uses, and what that use will be.

Therefore this change of use is permitted on a flexible use for a single continuous period of up to two years beginning on the date the building and any land within its curtilage.

SITE DESCRIPTION

The application site is a ground floor retail unit, situated within two, three storey, stone properties on North Street. The site is centrally located within the local centre of North Street and is surrounded by a number of other retail units, cafes and restaurants. The property is situated within the ward of Bedminster and is not located within a Conservation Area.

The site was previously occupied by a HiFi Specialist and Technical support shop (Class A1) and has been vacant for a short period of time. The shop front is modern in nature and consists of three large, undivided window panes with double entrance doors. A single residential doorway is situated within this shop front, leading to a ground floor hallway to residential accommodation to the first and second floor. A single, illuminated, blue fascia sign, with white writing, spans across the two properties and an illuminated, modern, square projecting sign is attached to the exterior of the building at the first floor level. A security, roller shutter is positioned above the shop front and five security bollards are located to the front elevation. To the rear of the property lies a garage with an asbestos roof, an

uncovered driveway and an enclosed courtyard.

Internally the site comprises of three, linked trade areas, three store areas and a W.C. Plans indicate that there is an approximate internal floor space of 139 metres square.

APPLICATION DETAILS

This case comprises of two separate applications. A retrospective application for Full Planning Permission is being sought for external alterations to the shop front and for the demolition of an existing rear garage (14/05542/F). A retrospective application for Advertisement consent is being sought for a down-lit fascia signage and non-illuminated hanging sign (14/05543/A).

This application comes to committee due to the high level of public interest and large number of comments submitted.

14/05542/F

Full Planning Permission is being sought for external alterations to the shop front and for the demolition of an existing rear garage.

Two sets of new hemlock, bi-folding, double glazed windows have been added to the front elevation of the property. These comprise of a number of panels, which have studio green colour surrounds. Two, single, double glazed entrance doors, set back into the premises with a fixed side panel have been installed within the front elevation. These are located on either side of the existing residential door and include ironmongery to suit.

A new stallriser (panel below the window, which raises the window up from ground level) has been installed to the front elevation, which has a height of 65 centimetres. New studio green mouldings have been added below the windows panes whilst the existing security bollards have been removed to the front elevation. In addition, the existing garage/shed to the rear elevation has been demolished. A wall of 1.8 metres has been built to the rear, across the previous entrance in order to create an enclosed courtyard.

The majority of the store will be used as a trade area and will include a number of tables and chairs to accommodate up to 65 covers. The store will also include a counter for the dispensing/preparation of drinks and food, a staff room/store cupboard, three W.C's and an office.

Plans indicate that bin storage is to be accommodated on site towards the rear of the property, adjacent to a proposed parking space. Plans indicate that the area for bins storage is 4.56 square metres.

An external seating area was originally proposed but has since been removed from the proposal. In the event that the Applicants wish to introduce this seating area, a separate planning permission would be required.

14/05543/A

In addition, a retrospective application for advertisement consent is being sought for a down-lit fascia signage and non-illuminated hanging sign.

The installed fascia sign runs across the shop front approximately 2.7 metres above the ground. Plans state that the sign has been constructed from WPB Plywood (WPB - has an exterior water and boil proof glue), with hemlock profiled beading to the outer edges and will be painted muted dark green. The sign features white powder coated, aluminium lettering and is externally illuminated by three fixed

stork lights. Details submitted within the application indicate that the sign has a height of 0.8 metres, a width of 10.2 metres and a depth/projection of 0.3 metres.

A black and brown, non-illuminated projecting sign is to be fixed to the end of the fascia sign, which will be constructed from timber Medite (MDF) and will be fixed via a steel sign bracket. This sign will display the Coffee# 1 logo and will feature white lettering. Plans state that the sign will be located 2.7 metres above the ground and will have a height of 0.7 metres, a width of 0.7 metres and a depth of 4 millimetres.

RELEVANT PLANNING HISTORY

No relevant planning history.

RESPONSE TO PUBLIC CONSULTATION

The application was advertised by individual letter notification to 110 neighbouring properties, the period of consultation ended on the 19/01/2015 and 70 responses were received. The following comments were made:

Too many cafes

- North Street is a vibrant centre with more than enough cafes to serve the community.
- We do not need another coffee shop on North Street, there are already about 10.
- The number of coffee shops in the area is not sustainable.

Chain store

- We do not want a large company to swamp the area.
- If this application goes head, it will effect small café businesses.
- Chain stores take money out of the local economy, which has a successful local currency.
- This bland chain café will lack personality and will threaten other small independent coffee shops.

External seating and pedestrian safety

- The pavement is unsuitable for external seating and would cause problems for anyone with site or mobility issues.
- The pavement is not wide enough for external seating.
- The pavement should be kept clear for wheelchairs and pushchairs.
- Having external seating on the narrow pavement will be dangerous.
- Plans do not clearly show the curtilage of the building nor do they demonstrate the width of the pavement.
- Plans fail to demonstrate a lamppost in front of the property which in conjunction with the external seating will further restrict pedestrian access.
- North Street has a heavy pedestrian flow, external seating is inappropriate.

Building work

- Why has building work started?
- It is disappointing to see that Coffee1# has started work without receiving planning.

Diversity of North Street

- North Street is shifting from retail to food and drink.
- We need more individual and specialized retail shops which caters for and brings more trade to this unique and special area.
- We do not need another coffee house, especially not a chain one. This goes against the grain
 of individual North Street.
- North Streets acts as a viable and vibrant working high street due to its range of different shops. There are many restaurants and coffee shops, we do not need any more.
- Small independent shops will suffer and will be forced to close.
- Less people will come to North Street which will reduce diversity.
- To keep the street viable, we need a variety of different shops. The area is saturated in coffee shops.
- Once a shop has been turned into a café, it is difficult and expensive to rip this out and turn it back into a retail unit.
- We need more, good, local shops.
- I want to shop locally but have to use the car because I can't buy what I need locally. Aren't we supposed to be a green capital, shouldn't we be encouraging people to shop locally and use cars less.
- This application will result in an unbalanced mix of businesses on North Street.
- The site should be split in two smaller units to allow for other retailers.
- We are being encouraged to shop locally, but how can we when retail space is being eroded.
- It is short sighted of the council to allow this.
- I do not have a car and am reliant on North Street for my shopping but many shops are turning into cafes reducing choice.

Officer Note: Since the receipt of these comments the external seating area has been removed from the proposal.

Other

- The shop was not advertised on the open market making it difficult for independent retailers to compete for the opportunity to take this store on.
- I am concerned that the back of the property can be used by customers since this will increase the level of noise in my house.
- Such alterations to the shop front make it difficult for retail space in the future.
- There have been no public notices about the intended property changes.

BRISTOL CITY COUNCIL TRANSPORT DEVELOPMENT MANAGEMENT

BCC Transport Development Management were consulted on this proposal. The following comments were made:

- The pavement at this point is 2.6 m wide. This is wider than the standard 2 m, but as this is a shopping street pedestrian activity is higher than average.
- Two nearby outlets have tables on the pavement in front. The layout at Tinto Lounge to the
 east is unobtrusive, while that at Savana to the west is more prominent and does cause a
 localised narrowing.
- I recommend that the extent of tables and chairs should be no more than 1 m, leaving a 1.6 m clear path for pedestrians. In addition, to maintain the full use of pavement outside opening times, the tables and chairs and any ancillary features such as barriers should be taken in at night.
- We do not wish to make an objection to the removal of this parking space
- Apart from this we do not have an objection.

BRISTOL CITY COUNCIL POLLUTION CONTROL

BBC Pollution Control were also consulted on this proposal. The following comments were made:

- The café would face onto North St which is relatively busy and therefore has a level of Background noise, especially at the times of proposed opening.
- Noise from café use will escape from the proposed bi-fold doors from voices and general
 customer noise however this is not expected to be excessive. The ceiling essentially forms a
 barrier i.e. noise would have to leave the café and diffract around it losing noise energy and an
 open flat window would also afford a further 10-15 dBA reduction and therefore traffic noise
 would be likely to be dominant and make café noise in this location.
- We do receive complaints about waste collection in the early or late hours in the lanes to the rear of premises on North St. I would therefore suggest that servicing to the rear be restricted to between 08:00 and 20:00hrs. Monday to Friday and 09:00-16:00hrs Sunday.

RELEVANT POLICIES

National Planning Policy Framework - March 2012

Bristol Core Strategy (Adopted June 2011)

BCS21 Quality Urban Design

Bristol Site Allocations and Development Management Policies (Adopted July 2014)

DM26 Local character and distinctiveness

DM27 Layout and form DM28 Public realm

DM30 Alterations to existing buildings

Supplementary Planning Guidance

PAN 8 Shopfront Guidelines (1997)

KEY ISSUES

(A) WOULD THE PROPOSAL FOR EXTERNAL ALTERATIONS BE OUT OF SCALE OR CONTEXT WITH THE LOCAL AREA?

Policy DM30 of the Site and Allocations and Development Management Policies states that extensions and alteration to existing buildings will be expected to respect the sitting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene; and retain and/or reinstate traditional or distinctive architectural features and fabric. In addition, policy DM29 states that new buildings should be designed to a high standard of quality, responding appropriately to their importance and reflecting their function and role in relation to the public realm.

It is assessed that the alterations to the existing shop front and changes to the existing signage work enhance the appearance of the building and do not cause any harm to the character of the existing building or local area. The previous shop front was modern in design and lacked any traditional features. Instead this proposal has broken up the large window fronts with a number of panels, which are more in keeping with the original building. In addition, the mouldings installed to the shop front add to the traditional character and help the shop front to look more in character with the existing, traditional building.

A garage has been lost to the rear elevation of the building; however this change does not cause any harm to the local area, since this building was of a poor design.

As such, these alterations comply with planning policy and are therefore assessed as acceptable.

(B) WOULD THE PROPOSAL FOR ILLUMINATED AND NON ILLUMINATED SIGNAGE BE OUT OF SCALE OR CONTEXT WITH THE LOCAL AREA?

It is evident that the new signage is more appropriate than the existing internally illuminated sign. PAN8 highlights that internally illuminated signs are unsuitable on traditional buildings, whereas this signage uses three, small, external stork lights which are more suitable and sympathetic to the existing, traditional building. There is a limited amount of lettering, centrally positioned on the sign, which is favourable since is provides a neat and uncluttered appearance.

The projecting sign will not result in any harm to the character of the existing building since there is only one, it is small and neat in design and it located appropriately on the fascia sign; therefore adhering to the recommendations set out in PAN8 . In light of this, this sign will not look out of place or overly dominant.

The changes brought about as a result of these applications do not result in any harm to the character of the existing building or local area and are therefore assessed as acceptable.

(C) WOULD THE PROPOSAL CAUSE ANY UNACCEPTABLE HARM TO THE RESIDENTIAL AMENITY OF ADJOINING OCCUPIERS AND THE LOCAL AREA?

Policy DM30 states that extensions and alterations to existing buildings will be expected to safeguard the amenity of the host premises and neighbouring occupiers; and leave sufficient usable external private space for the occupiers of the building.

BCC Transport Development Management did raise some their concerns over the previously proposed external seating area to the front elevation of the site. There was agreement with BCC Transport Development Management comments that the pavement is not large enough to accommodate a large seating area and thus may cause some adverse implications for those using it. Therefore this alteration has been removed from the application.

Having visited the site, it is apparent that the proposed signage is set at an appropriate level so that it does not obstruct or cause any harm to pedestrians walking by. In addition, it is clear that the method of illumination prevents any distraction or nuisance to any vehicles or residents living above any shops, since these are discrete in size and are of an appropriate number.

Bin storage is proposed to the rear of the property, located close to a suitable access road. This suitable location will ensure that waste can be easily collected. However, BCC have highlighted that complaints are received regarding early and late bin collection in this area. Therefore, in line with BCC Pollution Control recommendations, bin collection and servicing will be conditioned to between 08:00 and 20:00hrs Monday to Friday and 09:00-16:00hrs Sunday.

It is assessed that the bifolding windows installed to the front elevation will not result in any significant noise disturbance since it is highly unlikely that these windows will be frequently open. The opening of such windows will be restricted to when the café is open and when weather conditions are fine. Furthermore, this property is located within a local centre where there are various shops, restaurants and cafes; therefore this alteration will not cause any additional noise or disturbance to the existing.

It is therefore evident that these applications are compliant with planning policy and acceptable.

(D) CAN CONCERNS THAT THERE ARE THERE TOO MANY CAFES IN NORTH STREET BE SUPPORTED AS GROUNDS FOR REFUSING THIS APPLICATION?

Whilst it is acknowledged that there are a number of cafes and restaurants located within the North Street local centre, this is not a consideration for this application which seeks advertisement consent and full planning permission for external alterations. The use as a café is established under the Town and Country Planning (General Permitted Development) Order 1995 Part 4 Class D, the Applicants can change the premises in shop use (A1) to café use (A3) without planning permission for a single period of up to two years.

In light of this, there is no requirement for an application for a change of use and therefore a refusal on the grounds that there are too many cafes or restaurants on North Street could not be supported as this application does not relate to this factor. Therefore this will not act as a material planning consideration when making an assessment of the intended signage and external alterations.

(E) CAN ANY OF THE OTHER REPRESENTATIONS RECEIVED BE SUPPORTED AS GROUNDS FOR REFUSAL?

That a chain store occupies this site is not a material planning consideration.

Neighbourhood comments raise concern over the external seating which is proposed for the front elevation, on the pavement. In response to this, the seating area has been removed from the application.

It is confirmed that building work has started, however this work is at the applicants own risk as permission has not been granted.

Comments state that this site was not advertised on the open market; however this is not a material planning consideration of this application.

Comments that such alterations to the shop will make it difficult for the site to be used as a retail unit are not a material planning consideration.

CONCLUSION

These applications comply with planning policy and there are no grounds to refuse these applications for planning permission for external alterations to this retail unit and the application for advertisement consent for the associated signage.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will the development be required to pay?

Development of less than 100 square metres of new build that does not result in the creation of a new dwelling; development of buildings that people do not normally go into, and conversions of buildings in lawful use, are exempt from CIL. This application falls into one of these categories and therefore no CIL is payable.

(A) Application 14/05542/F

RECOMMENDED GRANT subject to condition(s)

Post occupation management

1. Use of Refuse and recycling facilities

Activities relating to the collection of refuse and recyclables and the tipping of empty bottles into external receptacles shall only take place between 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers

List of approved plans

2. List of approved plans and drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision.

P1 Existing ground floor plan, received 24 November 2014

P2 Proposed ground floor plan, received 11 February 2015

P3 Existing and proposed front elevation, received 24 November 2014

P4A Site location plan, received 24 November 2014

P5A Block plan, received 24 November 2014

Reason: For the avoidance of doubt.

(B) Application 14/05543/A

RECOMMENDED GRANT subject to condition(s)

Post occupation management

- 1. Standard advertisement conditions
 - 1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - No advertisement shall be sited or displayed so as to:-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 - 3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - 4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: These conditions are specified by the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

List of approved plans

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P4A Site location plan, received 24 November 2014
P5A Block plan, received 24 November 2014

Reason: For the avoidance of doubt.

Advices

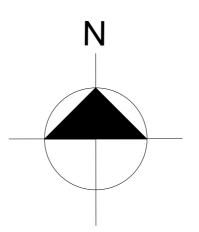
1. This application has been considered on the basis of a floor area of 147 square metres.

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Site Address 247-249 North Street **Bedminster**

Bristol

BS3 1JN



SITE LOCATION PLAN 1:1250 Scale @ A4

NOTE:

The Contractor is to check and verify all building and site dimensions, levels and sew levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The Contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundation or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the Contractor and suitable methods of foundation be provided.

This drawing is to be read in conjunction with all other standard S A Brain & Co specifications and documentation.

This drawing remains the Copyright of S A Brain & Co Ltd.

	Red line removed from external seating		
A	Red line extended around garage and	CG	14-11-14
	external seating.		
lev.		Ву	Date



The Old Sketty Coach House, 21 Gower Road, Sketty Swansea, SA2 9BX

TEL: 01792 290755 FAX: 01792 290527

S.A Brain & Co Ltd The Cardiff Brewery Crawshay Street Cardiff CF10 1SP TEL: 02920 402060 FAX: 02920 403344

Email:sab-enquiries@sabrain.com Website: www.sabrain.com

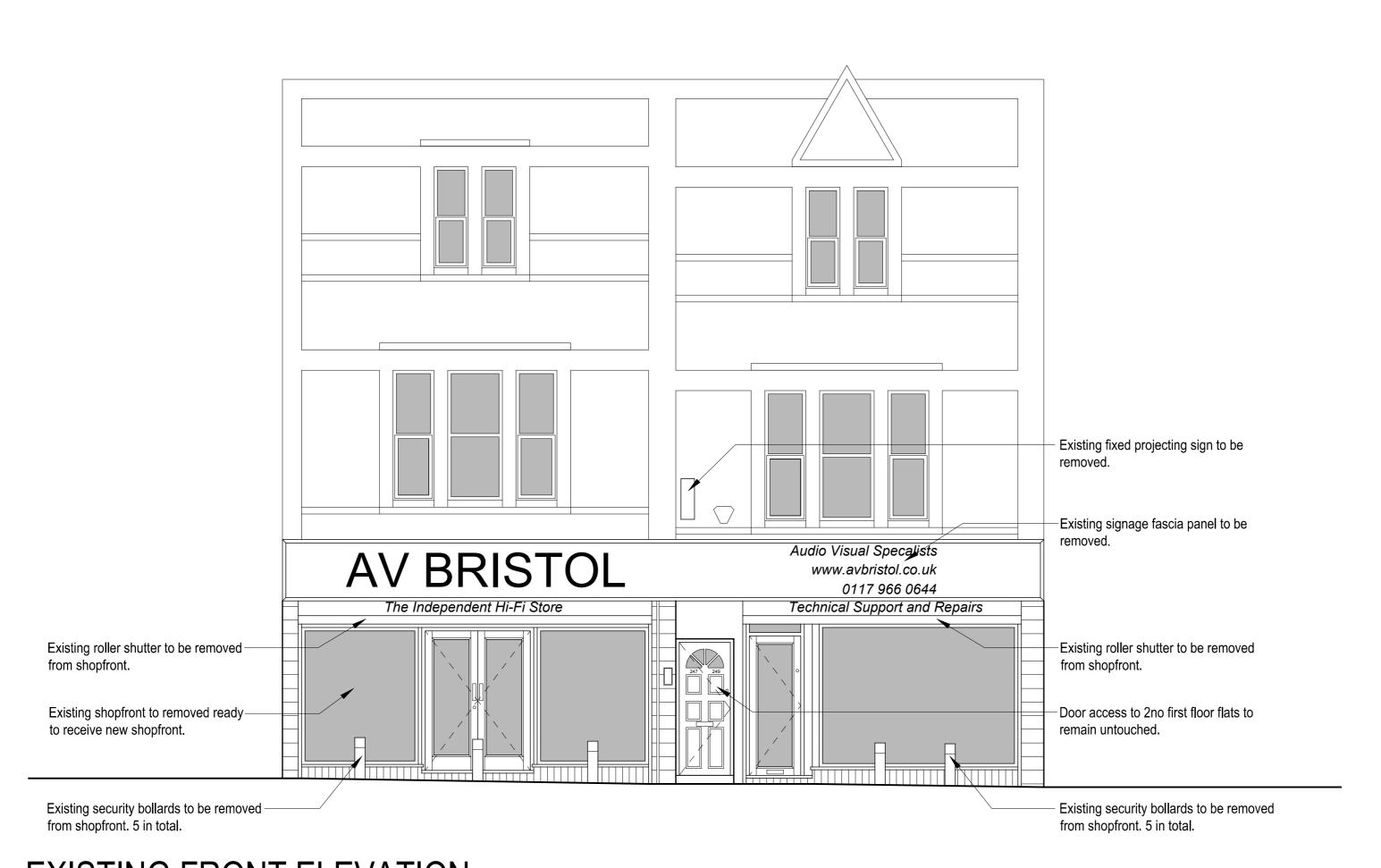
247-249 North Street Bristol. BS3 1JN

SITE LOCATION PLAN

Project Manager/ Checked	Drawn By:	Scale:	Date: 29-10-2014	
Checked:	C.Grayson	A4@1:1250		
Arch/Designer System No/ Project No.			Drwg No.	Rev.
THOM/PAR	A-G/944-14		P4	В







The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

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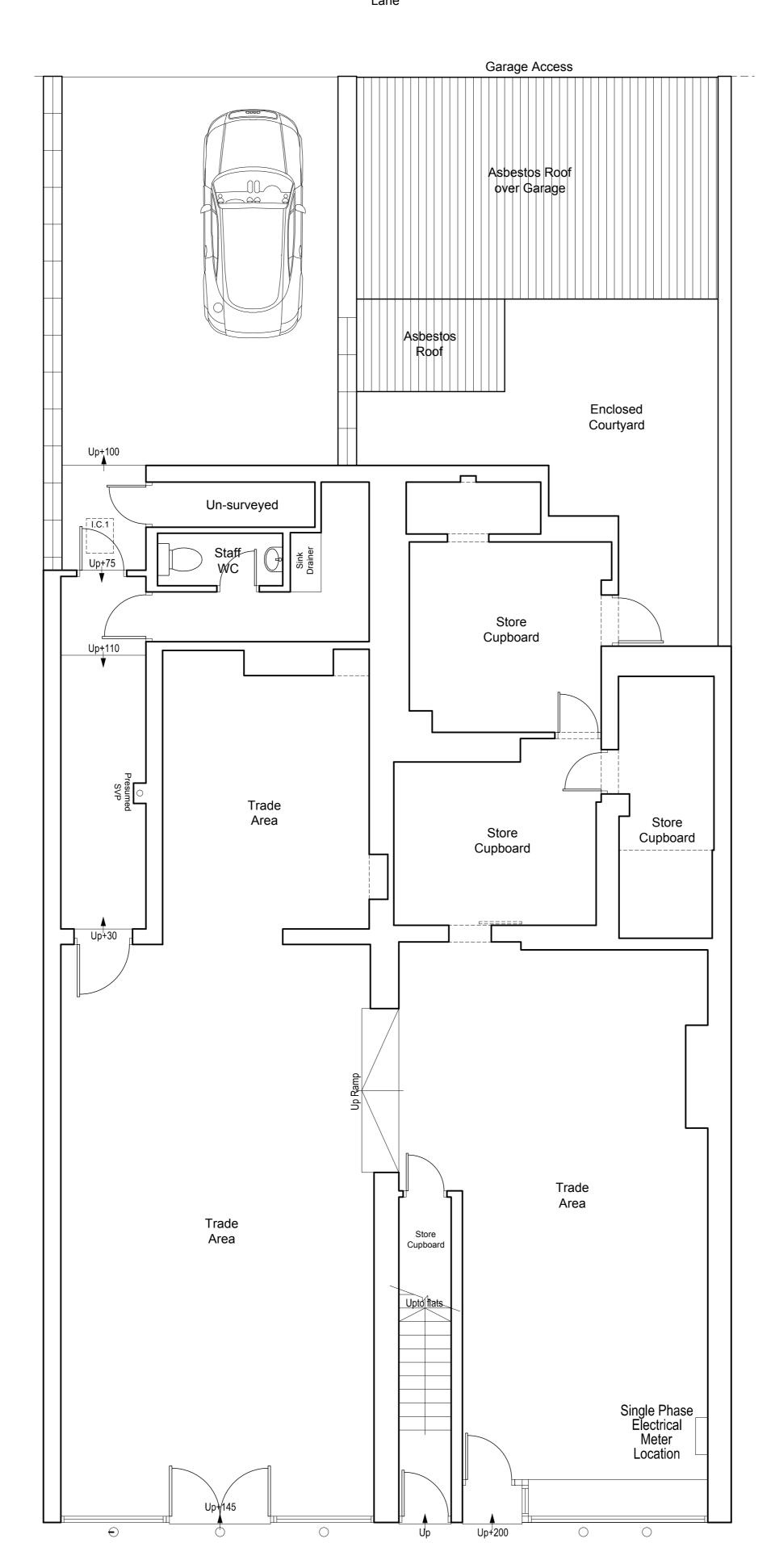
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EXISTING FRONT ELEVATION





Rear Gravel Lane



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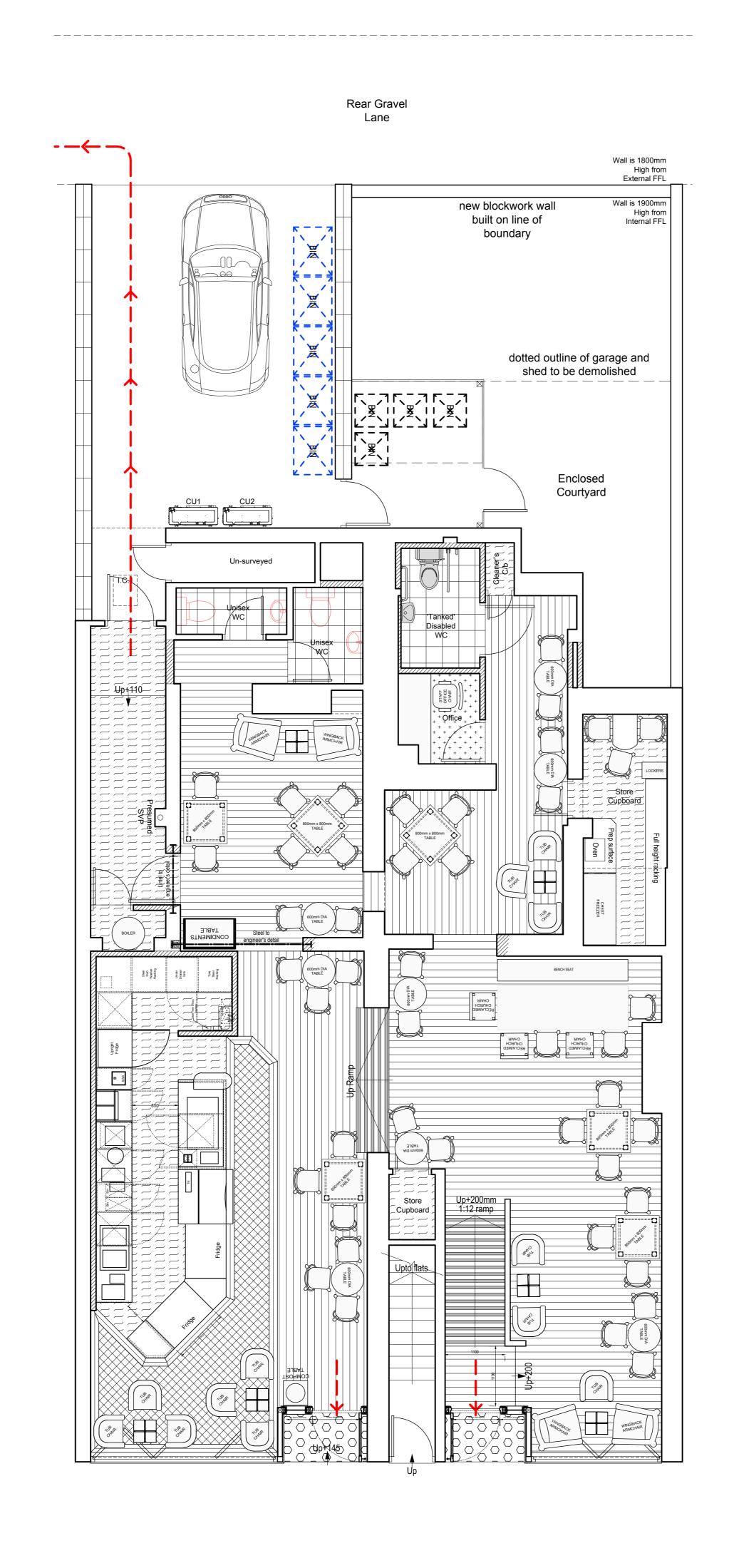


247-249 North Street Bedminster Bristol. BS3 1JN

Title

EXISTING GROUND FLOOR PLAN

Project Manager/ Checked:	Drawn By: J.Gunn	Scale: A1@1:50 A3@1:100	Date: 21.1	0.14
Arch/Designer THOM/PAR	System No/ Project No. A-G/944-14		Drwg No.	Rev.



NOTE:

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levels at connection points before work starts.

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Proposed Flooring Legend

New softwood timber flooring to be weathered and distressed and stained to approved sample.

Turned plank threshold to all junctions with differing finish.

New ceramic tiles to WC from
Swedecor, Newstone Range ref: Dark
Grey 300mm x 300mm, allow for grey
grout to joints. Allow for 100mm of cut
tile to form skirting upstand.

Matt Ref: 9101 'Anthracite' Coral Duo Range by Bonar Floors Ltd. Tel No: 01733 744 121

New Altro saftey flooring to servery to be laid in accordance with manufacturers instructions including hot welding of joints and dressed up coved skirting detail.

D2 by

junction with Victorian Tiles. Colour ref:-D25421 'Midnight' Altro Designer Range by Altro Flooring. Tel No: 01462 707 600 Flooring Allow for 151mm x 151mm Victorian tile 'walkway' and apron around servery

Provide a stainless steel edge strip along

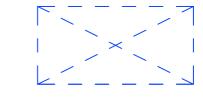
New aluminium framed mat well to take barrier matting into same to finish level/flush with adjacent new floor finishes.

Allow for new carpet tile within

office, colour ref: Dark Grey

NOTE: Refer to Generic Detail Ref: Gen12 for floor junction details

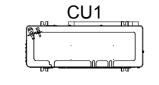
COLOUR KEY



Allocated Bin Storage Area, bin dimensions to be confirmed



Dedicated Means Of Escape Route



Location for external wall mounted condensers



247-249 North Street Bedminster Bristol. BS3 1JN

Title

PROPOSED GROUND FLOOR PLAN

	COVERS	TRADABLE SQUARE FOOTAGE
GROUND FLOOR	65	100 m²/1076 Ft²