

WARD: Cabot CONTACT OFF CER: Rob McGovern
SITE ADDRESS: Ground Floor Vintry House Wine Street Bristol BS1 2BD

APPL CAT ON NO: 14/05084/F Full Planning

E P R DATE: 22 December 2014

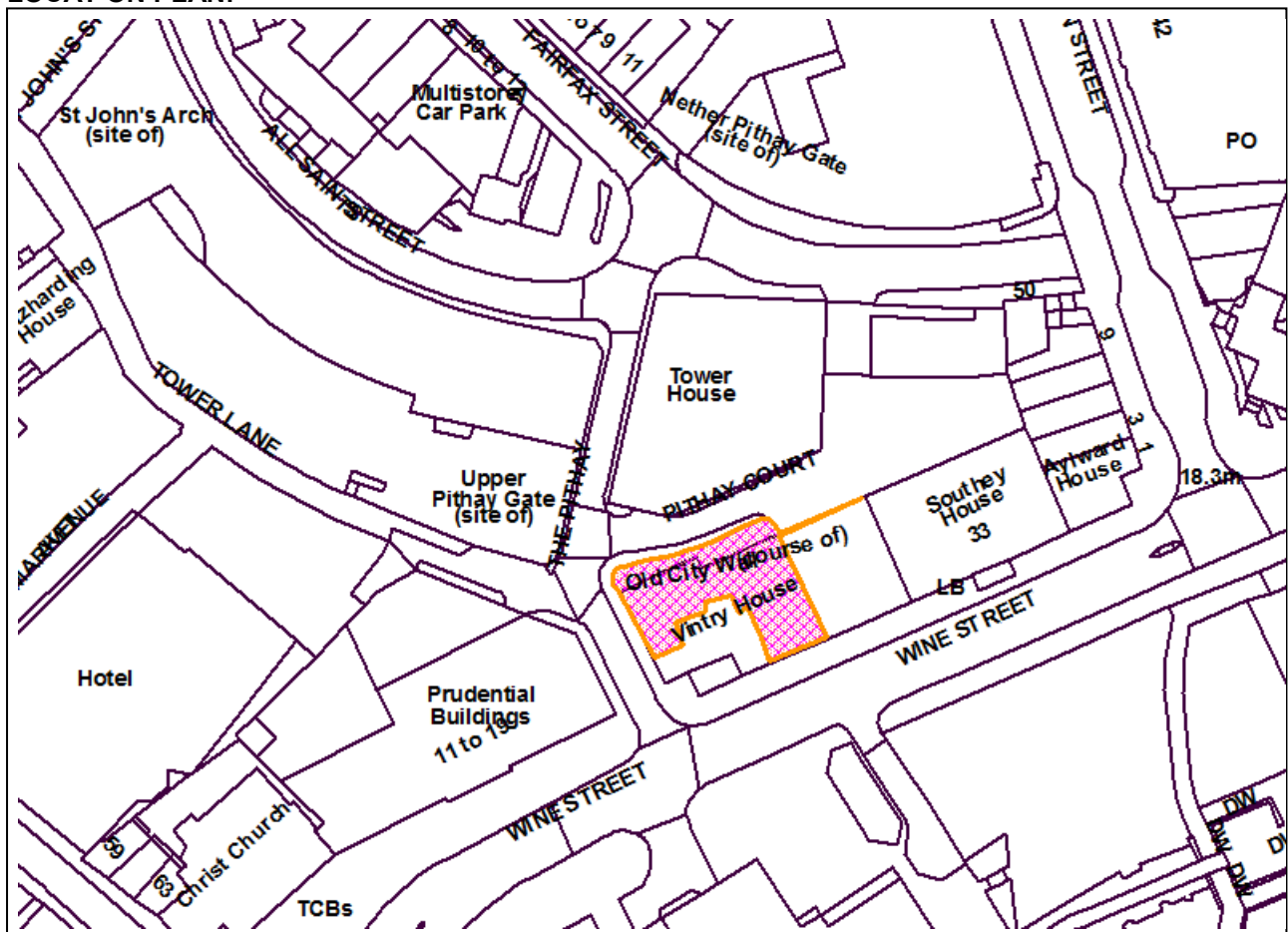
Change of use from betting office (Use Class A2) to mixed Class A1/A3 coffee shop (Sui generis) and alterations to the existing shopfront.

RECOMMENDATION: Grant subject to Condition(s)

AGENT: Pegasus Planning Group
First Floor South Wing
Equinox North
Great Park Road
Almondsbury
Bristol BS32 4QL
APPL CANT: The Ethical Franchise Guild Ltd T/a
Starbucks Coffee
C/o Agent

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

LOCATION ON PLAN:



Development Control Committee A – 25 February 2015
Application No. 14/05084/F: Ground Floor Vintry House Wine Street Bristol BS1 2BD

SUMMARY

The application brought before committee is for the change of use of an existing A2 unit within the ground floor of Vintry House, Wine Street to a sui generis mixed A1/A3 use, with associated external works. The application has not been referred by any Councillor, but due to the level of public interest it is considered appropriate to come before Committee.

The application unit is to function primarily as a retail unit for the sales of coffee and snacks, with no food preparation on site, however due to the amount of floorspace dedicated to customer seating the unit can be considered as a café. As such, the proposed use is a sui generis mixed use and planning permission is required. Furthermore, the unit is disqualified from Permitted Development requirements for flexible uses as the floorspace exceeds 150 square metres.

The application has been assessed according to relevant retail policy BCS7 of the Core Strategy and, being within the city centre, policies BCAP13; BCAP17; BCAP36; BCAP37 and BCAP44 of the emerging Bristol Central Area Plan. Policy S6 of the Bristol Local Plan relating to secondary shopping frontages remains saved and must still be applied within the Bristol Central Area Plan boundary. These run alongside design, heritage and transport policy.

Twenty-eight representations were received, twenty-five in opposition to the scheme and three in support. Two petitions were also received with a combined total of 371 signatures.

Officers are satisfied that the proposals would be acceptable in principle of the change of use, in terms of the design impact on the City and Queen Square Conservation Area and in respect of highways safety. It is the view of your officers that the application be approved, subject to conditions.

SITE DESCRIPTION

The application relates to a currently vacant A2 unit, which forms part of Vintry House on the northern side of Wine Street. The unit sits within a secondary shopping frontage and is part of the wider designated Broadmead retail city centre. This part of the frontage comprises a mix of uses ranging from A1, A2, A3 and B1 and the upper floors of Vintry House are in office use. The site is within the City and Queen Square Conservation Area.

APPLICATION

Consent is sought for the change of use of the unit from A2 to a sui generis mixed use of A1/A3. External alterations are proposed to the existing frontage, which include widening the existing doorway. The proposed internal floorplan shows a service counter area, customer toilets and offices to the rear of the unit and seating for approximately 60 customers.

A parallel application is also under assessment that proposes a variant modification to the shopfront and signage (ref: 14/06021/F and 14/06022/A), but bears no impact upon the application under assessment here.

RELEVANT PLANNING HISTORY

14/06021/F New entrance door and entrance lobby to be formed. Installation of custom made metal bi-folding gates for front of store. New fascia coloured Traffic grey. Installation of new windows to rear of shop. Re-paint all new and existing window frames traffic grey.

Development Control Committee A – 25 February 2015**Application No. 14/05084/F: Ground Floor Vintry House Wine Street Bristol BS1 2BD**

14/06022/A 1 x new internally illuminated wall mounted disk blade with Starbucks logo. 2 x internal suspended disk signs, internally illuminated with Starbucks logo. 1 x Internally illuminated white word mark on grey fascia.

89/00121/F Change of use from Class A1 (retail) to Class A2 (Financial and Professional Services).

89/03282/F New shopfront.

RESPONSE TO PUBLICITY

The application was advertised via a press and site notice between 12/11/14 and 03/12/14. 33 neighbouring units were also directly consulted. As a result 28 representations were received, 25 in opposition to the scheme and 3 in support. 2 petitions were also received, one being an e-petition, with 314 and 57 signatures respectively, a combined total of 371 signatures.

Objection comments are summarised as follows:

- Detrimental impact upon independent traders and St Nicholas' Market (See Key Issue A)
- Too many coffee shops already in the area (See Key Issue A)
- Disapproval of applicants business model (See Key Issue A)
- Will lead to degradation and homogenisation of the character of the city centre (See Key Issue A)

RELEVANT POLICIES**National Planning Policy Framework – March 2012****Bristol Local Plan, Adopted December 1997**

S6 Frontages: Secondary

Bristol Core Strategy (Adopted June 2011)

BCS2 Bristol City Centre
 BCS7 Centres and Retailing
 BCS10 Transport and Access Improvements
 BCS21 Quality Urban Design
 BCS22 Conservation and the Historic Environment
 BCS23 Pollution

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

DM23 Transport development management
 DM26 Local character and distinctiveness
 DM27 Layout and form
 DM28 Public realm
 DM30 Alterations to existing buildings
 DM31 Heritage assets
 DM32 Recycling and refuse provision in new development
 DM33 Pollution control, air quality and water quality
 DM10 Food and drink uses and the evening economy

Bristol Central Area Plan (emerging)

BCAP13 Strategy for retail development in Bristol City Centre
 BCAP17 Secondary shopping frontages in Bristol City Centre
 BCAP26 Old City - reducing traffic in the heart of Bristol City Centre

Development Control Committee A – 25 February 2015**Application No. 14/05084/F: Ground Floor Vintry House Wine Street Bristol BS1 2BD**

BCAP29	Car and cycle parking in Bristol City Centre
BCAP31	Active ground floor uses and active frontages in Bristol City Centre
BCAP36	Bristol shopping quarter
BCAP37	High Street, Wine Street and Castle Park
BCAP44	The approach to Old City

Supplementary Planning Guidance

City and Queen Square Conservation Area Character Appraisal

KEY ISSUES

(A) IS THE CHANGE OF USE ACCEPTABLE IN PRINCIPLE?

The application proposes a Sui Generis mixed use of A1/A3 for the introduction of a coffee shop. This would give the assign a dual use and the unit would be permitted to operate as a sole A1 retail or A3 restaurant unit. The assessment has been primarily carried out under the assumption that the unit can operate as A3.

The existing unit is currently in A2 use, and there is no objection in policy terms to the loss of the A2 floorspace, which is not subject to the same policy considerations as other retail or office uses. However, the site is set within a secondary shopping frontage as defined by the Bristol Central Area Plan (BCAP) and within the Bristol Shopping Quarter.

Policy BCS7 of the Bristol Core Strategy is concerned with development that affects retail centres. Development should be of an appropriate scale to the centre in which it sits and contribute to the vitality and diversity of the area and mix of uses and active ground floor uses are promoted as a means of achieving this.

Policy S6 of the Bristol Local Plan relating to development within secondary shopping frontages has been saved and still applies. Policy BCAP17 states that secondary shopping frontages should include retail or other related uses (A1 - A5), though the proposed use must:

- 1/ Complement the retail function
- 2/ Not dominate or fragment the frontage
- 3/ Generate footfall and be of public interest or service
- 4/ Contains a publicly accessible active frontage

Policy DM10 of the Site Allocations and Development Management Policies seeks to control the implementation of food and drink uses within centres and demands that development will not result in a harmful concentration of food and drink uses and will not harm the character of the area, residential amenity or public safety.

Being within the 'Broadmead' neighbourhood as designated by the BCAP, Policy BCAP36 states that the Bristol Shopping Quarter should see development that includes a greater proportion of leisure uses, such as cafes, and such uses should be strongly encouraged. Policy BCAP37 relates to the regeneration of the High Street, Wine Street and Castle Park and, while this focuses upon major development opportunities surrounding Castle Park, it does support the area to be developed for a mix of uses to improve the function and setting of Castle Park.

A survey of the immediate area (including extant permissions) covered the east end of Corn Street, the lower end of Small Street and Broad Street, the top of High Street; the southern end of Union Street and Wine Street itself and showed a predominance of A1 retail units. Of the 56 units in the area 39.3% are A1 uses; 17.9% A2 uses; 14.3% A3 uses; and 12.5% A4 uses. Other uses including various sui generis uses and D2 and C1 uses and make up 16%. The count of A3 uses also includes

Development Control Committee A – 25 February 2015
Application No. 14/05084/F: Ground Floor Vintry House Wine Street Bristol BS1 2BD

other similar coffee shops that have an element of seating, though these could also be classed as A1 use.

St Nicholas' Market and the Galleries shopping centre both comprise a mix of A1 and A3 units, as well as a number of A4 units along the periphery of St Nicholas' Market, though a detailed survey of units was not undertaken.

Assessing the proposal as A3 only (without a retail element), the introduction will alter these figures marginally to give 16.1% A3 uses at the cost of an A2 unit. Other figures remain the same. Assessing the proposals as A1/A3 will increase the retail provision in the area to 40% and bring in a retail unit in a primary shopping area.

These figures indicate that retail units remain the dominant use in the local vicinity and it is not considered that the number of A3 units have reached a point where the retail function of the centre is threatened or fragmented. It is also recognised through policy requirement to diversify the range of uses within the Broadmead area to encourage sustainable growth that such uses as proposed here can generate a significant amount of footfall and pedestrian traffic and can contribute positively to vitality of the centre.

As such, no harm is identified that will be detrimental to the Broadmead primary shopping area and it is therefore considered that the development accords with Policy BCAP17, BCAP36 and BCAP37.

The boundary to the 'Old City' neighbourhood is formed by The Pithay to the west of the site and while it is therefore pertinent to apply Policy BCAP44 to some extent, less weight should be given as the application site relates much more strongly to the Broadmead neighbourhood. Policy BCAP44 sets out the approach to the Old City and expects development to 'support the growth of independent retail at St Nicholas' Market and St. Mary Le Port'.

In relation to the potential impact the development would bring, this policy is designed to support the independent and niche provision the area offers where shopping is primarily focused within St Nicholas' Market, located approximately 150m from the application site. The Bristol Central Area Plan recognises the importance of St Nicholas' Market in this respect, but also identifies the area as a destination for specialist shopping in that it offers a unique shopping and leisure experience.

25 objections to the scheme were received during consultation including 2 petitions totaling 371 signatures. Objection raises concern upon the potential impact upon independent traders in the Old City and the number of other similar uses found in the vicinity. A large proportion of the concern also relates to the nature of the applicants' business and the impact of larger businesses on the character of the city centre.

It is not within the remit of planning control to make assessments based on the identity of the applicant and cannot direct whether end operators be corporate or independent; nor is it possible to regulate market competition. In this case, the assessment can only be made on whether the introduction of an A3 use would lead to a concentration of A3 uses that would be detrimental to the retail function and character of the Bristol Shopping Quarter and Old City.

Taking into account the assessment set out above, the distance the application site is from the Market and given the relatively modest scale of development, the proposed change of use at the application site represents, it is considered unlikely that the proposals will divert custom away from the provision at St Nicholas' Market. Furthermore, the proposals do not represent a tipping point where retail units are overshadowed by A3 uses and it is not reasonable in planning terms to argue that the essential specialist retail character of the area will be altered.

Development Control Committee A – 25 February 2015
Application No. 14/05084/F: Ground Floor Vintry House Wine Street Bristol BS1 2BD

Overall, the proposed development will not compromise or detract from the special retail role or character of this part of the Old City.

In conclusion, it is the view of your officers that the proposed land use is acceptable in principle. The loss of A2 floorspace is acceptable and there is not considered to be a proliferation of similar uses or other dedicated A3 uses in the vicinity, meaning the key shopping function of the city centre retail areas will be protected. In an area where policy encourages a mix of uses to benefit the Broadmead primary shopping area, the number of A3 units has not yet reached a saturation point where the viability of the shopping area is threatened. Furthermore, the change of use to a mixed A1/A3 use is considered to be compatible with the function of the centre; would provide an active ground floor frontage; and would generate increased footfall for the benefit of surrounding uses within the secondary shopping frontage and wider Castle Park area.

(B) DOES THE PROPOSAL SATISFACTORILY ADDRESS TRANSPORT, MOVEMENT AND ACCESSABILITY ISSUES?

Being in a highly sustainable area, close to the abundant public transport facilities of the city centre, the proposed use is not expected to significantly add to the traffic generated in the area and any new traffic can be absorbed by the existing road network. Ample cycle parking is available in close proximity to the site.

The units in Vintry House currently have refuse store facilities to the rear in Pithay Court proposed to the rear of the unit, where the unit is also serviced. The continuation of this is considered acceptable. However, it is recommended that this is ensured through a condition to be placed on any approval that requires the submission of a management strategy, including confirmation of refuse and recycling storage within the units and how this will be accessed, the number and type of vehicles arriving at the site each day to deliver and collect goods and what refuse and recycling items are to be collected from where and when.

(C) WOULD THE PROPOSED WORKS PRESERVE OR ENHANCE THE CHARACTER AND APPERANCE OF THE CONSERVATION AREA?

External alterations include minor works to non-historic shopfront to widen the existing entrance. These works are considered to be compatible with the building and wider frontage and would not be detrimental to the City and Queen Square Conservation Area.

(D) WOULD THE PROPOSAL HARM THE AMENITY OF THE LOCALITY AND SURROUNDING PROPERTIES?

The proposals do not include the cooking or large scale preparation of food on site and so no issues of nuisance odours or noise from extraction equipment are raised. If this were to change in the future, planning permission would be required for any new external ventilation equipment and can be controlled at this stage.

Given the city centre context, it is not considered that the proposals would significantly add to noise and disturbance of comings and goings in the area. The application proposes opening hours of 07:00 to 19:00 Monday to Saturday and 08:00 to 18:00 Sundays and Bank Holidays, which is acceptable, but require to be conditioned to ensure these hours are adhered to.

CONCLUSION

In conclusion, it is the view of your officers that the proposals are acceptable on all grounds and therefore approval of the application is recommended subject to the following conditions.

Development Control Committee A – 25 February 2015
Application No. 14/05084/F: Ground Floor Vintry House Wine Street Bristol BS1 2BD

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.

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Full Planning Permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre occupation condition(s)

2. Prior to the occupation of the use hereby permitted, a management strategy should be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following;

- How the use/tenant will manage their servicing requirements (including confirmation of refuse and recycling storage within the units and how this will be accessed, the number and type of vehicles arriving at the site each day to deliver and collect goods and what refuse and recycling items are to be collected from where and when

The use hereby approved shall be operated in accordance with the approved details and strategies in perpetuity. Any subsequent occupiers of the commercial unit(s) (in perpetuity) shall submit a new management strategy to the Local Planning Authority for approval prior to occupation

Reason: To ensure responsibility for the management of these facilities and to safeguard the appearance of the development, highway safety and the amenities of future and existing residents and businesses.

Post occupation management

3. Noise from plant & equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the pre-existing background level as determined by BS4142: 1997- "Method of rating industrial noise affecting mixed residential and industrial areas".

Reason: In order to safeguard the amenities of future and adjoining occupiers.

Development Control Committee A – 25 February 2015

Application No. 14/05084/F: Ground Floor Vintry House Wine Street Bristol BS1 2BD

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

Reason: In order to safeguard the amenities of future and adjoining occupiers.

5. Activities relating to deliveries shall only take place between 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to safeguard the amenities of future and adjoining occupiers

6. Hours open to customers Monday - Sunday

No customers of the use hereby approved shall remain on the premises outside the hours of 07:00 to 19:00 Monday to Saturday and 08:00 to 18:00 Sundays and Bank Holidays.

Reason: To safeguard the residential amenity of nearby occupiers

List of approved plans

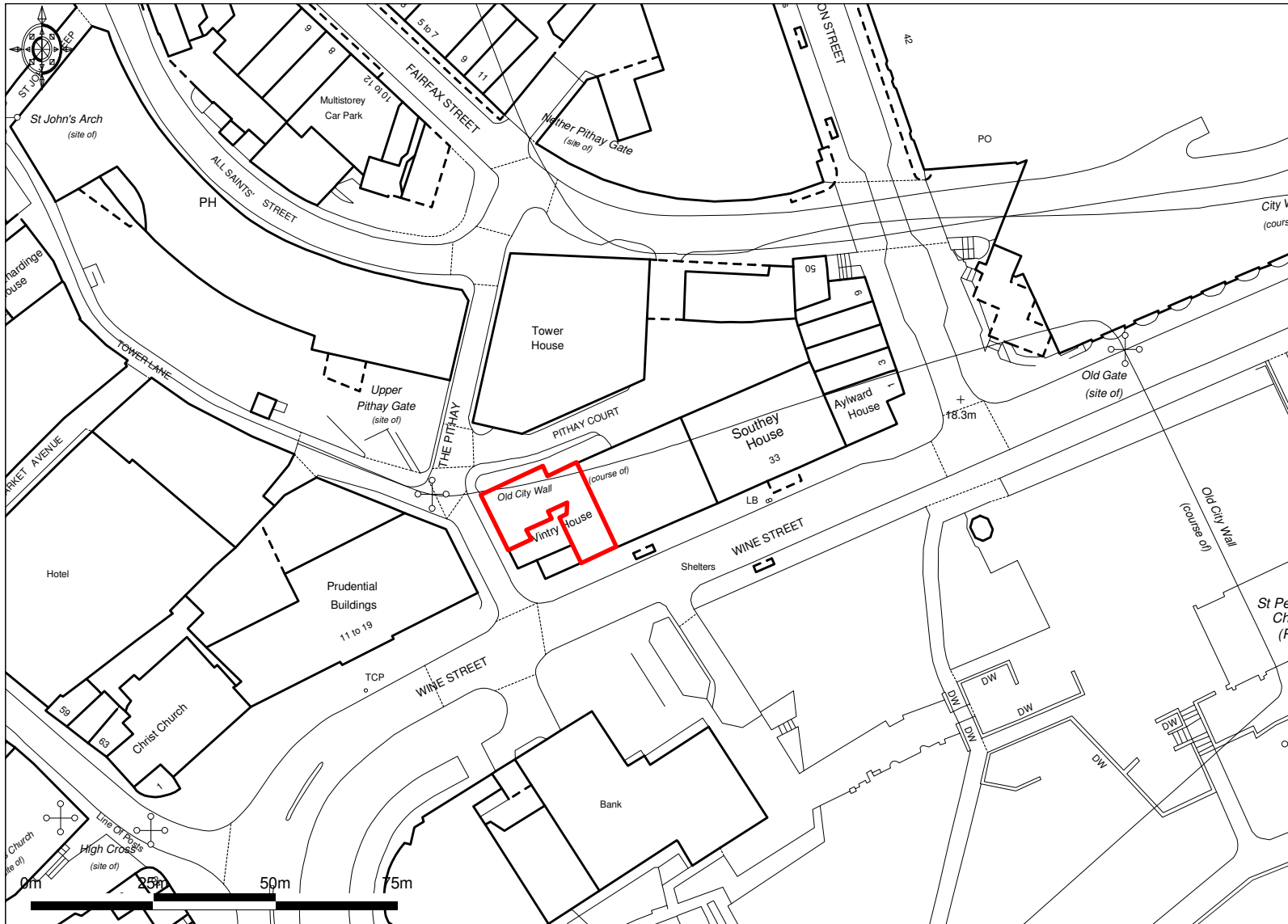
7. List of approved plans and drawings

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.

Proposed exterior elevations, received 27 November 2014
SU-1001 Existing floor plans, received 27 November 2014
SU-2001 Existing exterior elevations, received 27 November 2014
T-1001 Ground floor working plan - new, received 27 November 2014
SU-2001 Proposed exterior elevations, received 27 November 2014
Planning, Design and Access statement, received 27 November 2014

Reason: For the avoidance of doubt.

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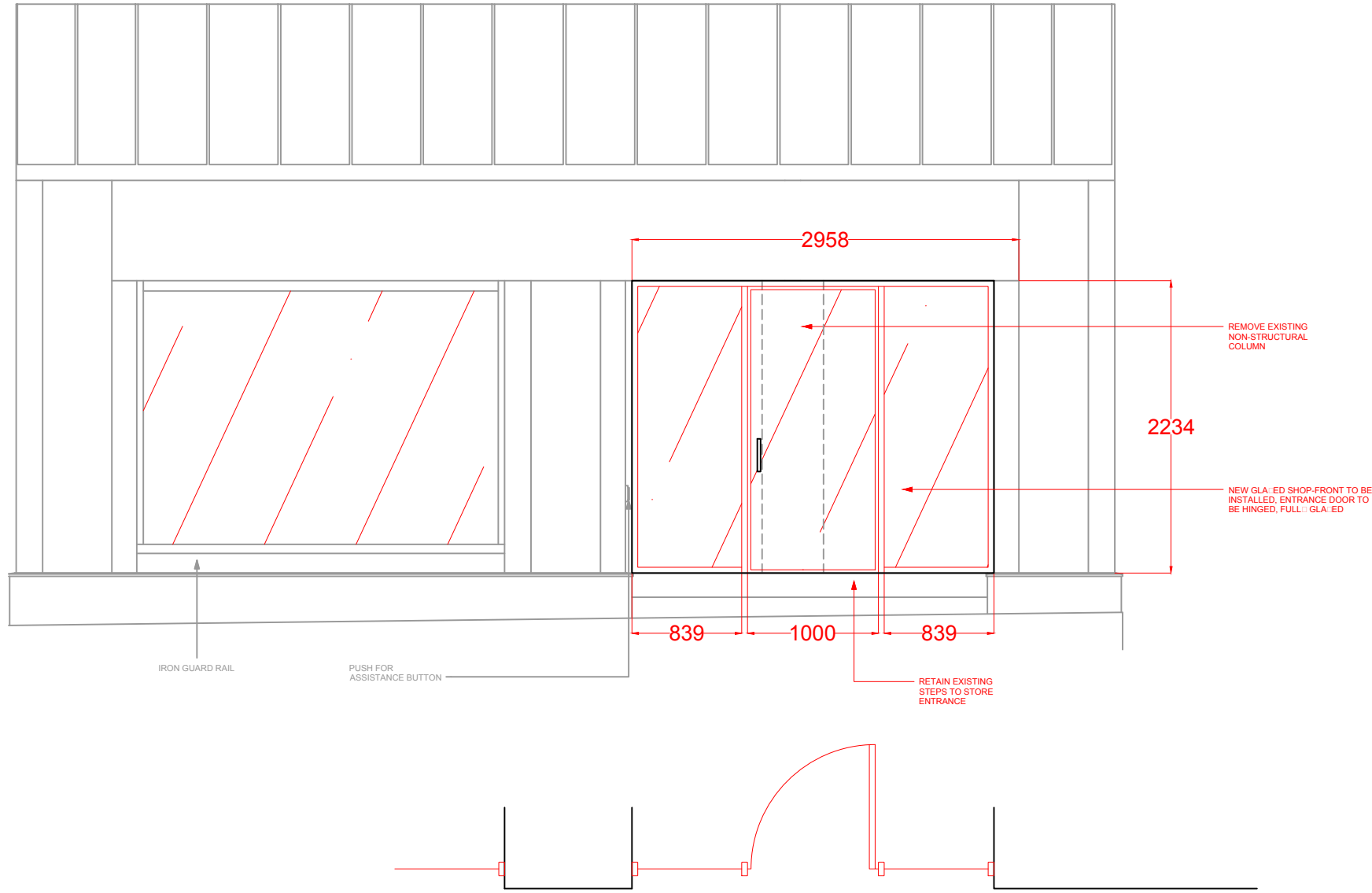


KEY
 SITE LOCATION

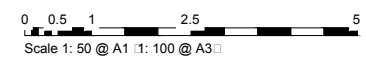
VINTRY HOUSE, WINE STREET, BRISTOL - SITE LOCATION PLAN



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1 PROPOSED EXTERIOR ELEVATION
 Scale: 1:20



DESIGN DEVELOPMENT ONLY - NOT INTENDED FOR CONSTRUCTION



STARBUCKS COFFEE
 COMPANY
 BUILDING 4, CHISWICK PARK
 566 CHISWICK HIGH ROAD
 LONDON - W4 5LE
 020 8834 5000

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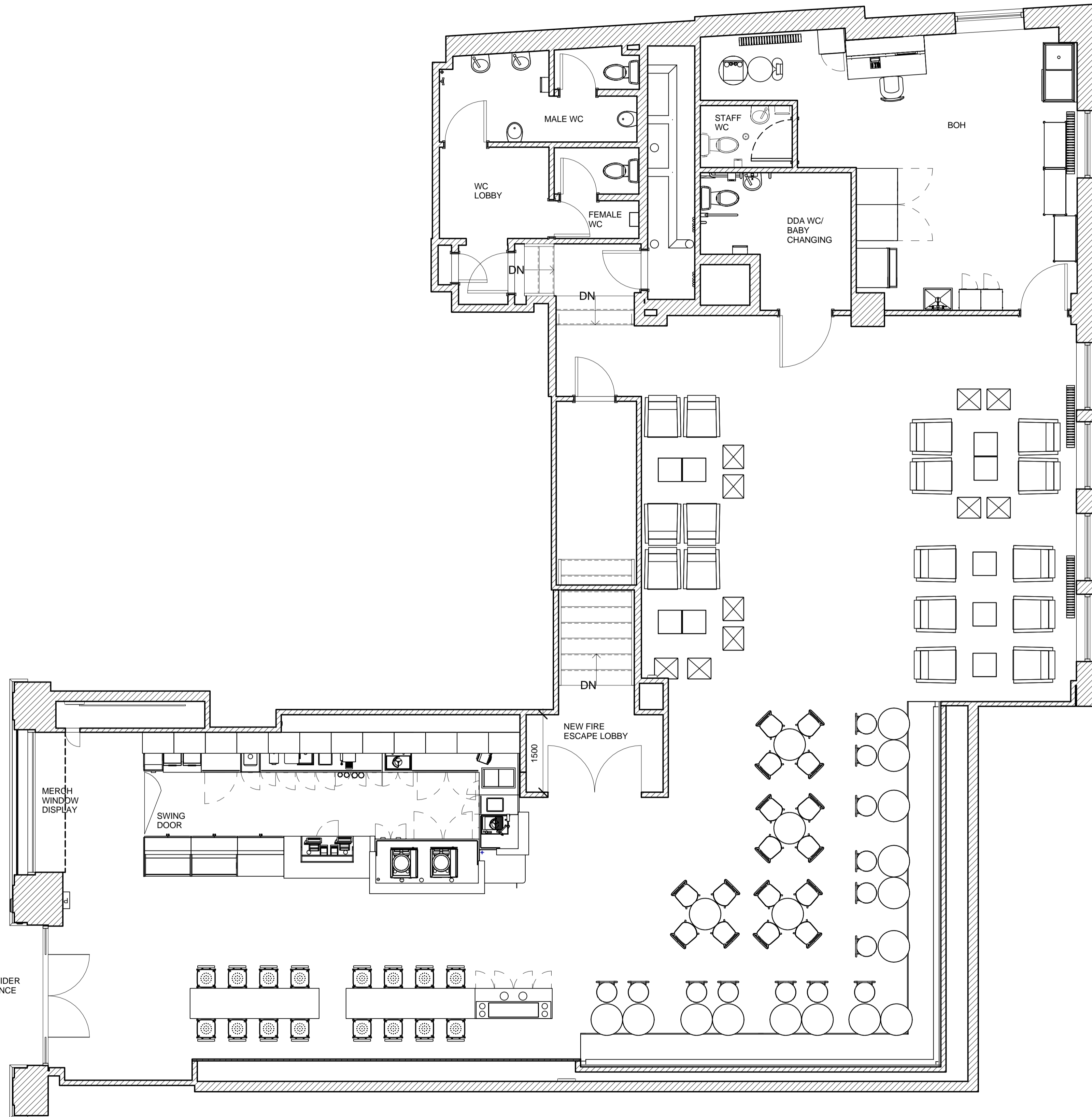
Revision Schedule			
Rev	Date	By	Description

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 BRISTOL WINE ST - VINTRY HOUSE
PROJECT ADDRESS:
 WINE ST
 VINTRY HOUSE
 BRISTOL
 BS1 2BD

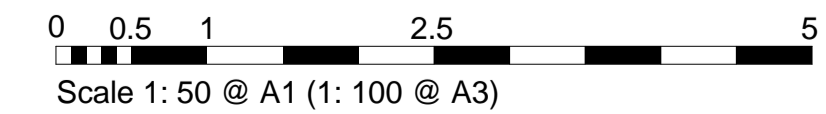
STORE: ☐
PROJECT: ☐
CONCEPT:
PALETTE:
ISSUE DATE:
DESIGN MANAGER:
LEED AP:
PRODUCTION DESIGNER:
CHECKED BY:

SHEET TITLE:
 PROPOSED EXTERIOR ELEVATIONS
SCALE: As indicated

SHEET NUMBER:
 SU-2001



1 Ground Floor - Working Plan - New
Scale: 1:50



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 BUILDING 4, CHISWICK PARK
 566 CHISWICK HIGH ROAD
 LONDON - W4 5YE
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Revision Schedule			
Rev	Date	By	Description

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PROJECT ADDRESS:
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 T-1001

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