

WARD: Hillfields **CONTACT OFFICER:** Jaymi Cue
SITE ADDRESS: 294 - 296 Lodge Causeway Bristol BS16 3RD

APPLICATION NO: 15/03707/F Full Planning
EXPIRY DATE: 26 November 2015

Division of existing retail unit (Use Class A1) into retail unit (Use Class A1) and a licensed restaurant (Use Classes A3)

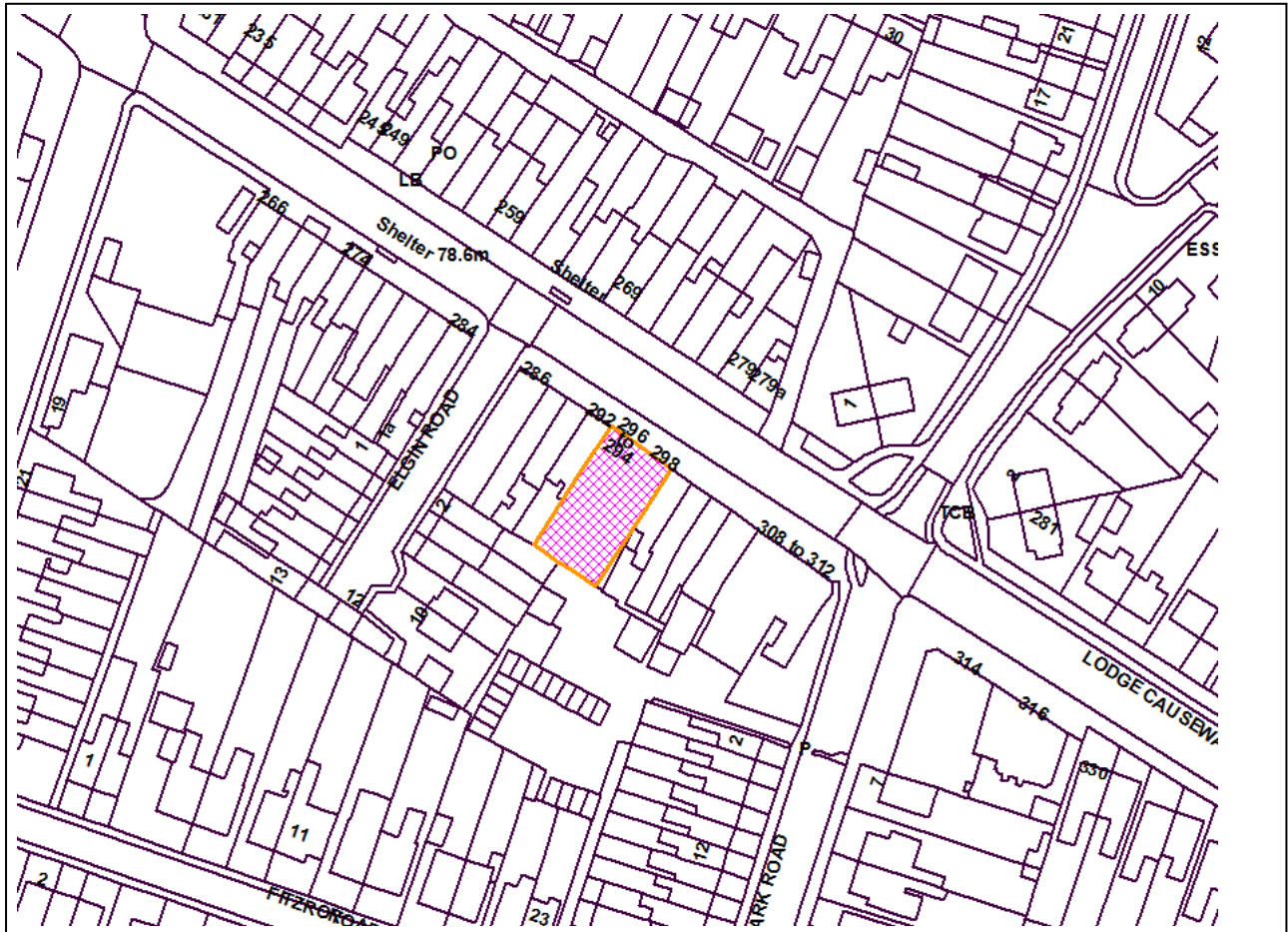
RECOMMENDATION: Grant subject to Condition(s)

AGENT: CADQWEST
Trym Lodge
1 Henbury Road
Westbury On Trym
Bristol
BS9 3HQ

APPLICANT: Mr Selvathus Murugesu
294 - 296 Lodge Causeway
Bristol
BS16 3RD

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

LOCATION PLAN:



Development Control Committee A – 13 January 2016
Application No. 15/03707/F : 294 - 296 Lodge Causeway Bristol BS16 3RD

SUMMARY

The application has been brought to Committee due to the high number of objection comments (17 comments).

SITE DESCRIPTION

The application site is 294-296 Lodge Causeway, a double width unit currently in retail (A1) use, within a rank of eleven units on Lodge Causeway between Elgin Road and Chester Park Road. The application site is within Lodge Causeway District Centre and an area of primary shopping frontage.

RELEVANT HISTORY

None

APPLICATION

The application seeks consent for a change of use from retail (A1) to restaurant (A3), a single storey rear extension, and provision of flue to the rear.

Initially the application referred to an A3/A4 use, however, as a licensed restaurant can be achieved under A3 use, it was considered suitable to remove the reference to A4 use to prevent confusion. This was discussed and agreed with the agent and the description of development amended.

RESPONSE TO PUBLICITY AND CONSULTATION

The application was advertised via individual notification letters sent to neighbouring properties.

18 comments were received in response to the publicity, 17 of which were objecting to the scheme and 1 in support.

A summary of the objection comments are as follows:

Parking / congestion is an issue in this location

We are overrun with food outlets already on Lodge Causeway, there are 8 already causing parking issues and noise / anti social behaviour

Problems with alcohol issues and this restaurant will sell alcohol

We don't want any more food establishments

Rats are also a problem here

Other comments summary - (6 of the objection comments appear to be based on the fact that the objectors believe the proposal is for a takeaway)

We do not need any further takeaways on this street

Takeaways bring too many kids to the area in the evenings

We need to keep balance in this area (in terms of takeaways)

Too many takeaways already

The agent has confirmed that the proposal is for a licensed restaurant and not a takeaway.

Supporting comments:

In favour of new restaurants in the area, something that this area needs.

Ward Members

No comments received.

Development Control Committee A – 13 January 2016
Application No. 15/03707/F : 294 - 296 Lodge Causeway Bristol BS16 3RD

OTHER COMMENTS

Pollution Control has commented as follows:-

No objection subject to the use of a number of conditions including controlling hours, details of extract (cap needs to be removed), sound insulation, odour management, deliveries, plant noise.

Transport Development Management has commented as follows:-

The development site is located within an existing urban area in proximity to existing retail/food store frontages; as a result, from a transport perspective Transport Development Management (TDM) consider that the change of use in this location acceptable.

The application site is located along Lodge Causeway which is a B classified adopted highway and subject to a 20mph speed limit (implemented 2015). Lodge Causeway is provided with pedestrian footway and street lighting on either side of the existing carriageway.

Approximately 54m from the application site are the Forest Road (NW and SE Bound) public bus stop facilities operating the no. 6 service which runs every 20mins to the City Centre Monday-Friday (day time).

The proposed change of use does not meet the threshold to provide cycle parking or vehicular parking for staff or visitors. With regards to the refuse store at the rear of the site, TDM raise no objections to retaining the existing arrangement.

Having assessed the application it is considered that the development is situated within a sustainable location within suitable walking distance to sufficient public transportation opportunities, policy compliant with regards to vehicle and cycle parking and would not have a detrimental effect on the existing highway network there is no objection to this proposal from the Transport Development Management perspective.

RELEVANT POLICIES

National Planning Policy Framework – March 2012

Bristol Core Strategy (Adopted June 2011)

BCS7	Centres and Retailing
BCS10	Transport and Access Improvements
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS21	Quality Urban Design
BCS23	Pollution

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

DM1	Presumption in favour of sustainable development
DM7	Town centre uses
DM8	Shopping areas and frontages
DM9	Local centres
DM10	Food and drink uses and the evening economy
DM23	Transport development management
DM30	Alterations to existing buildings
DM32	Recycling and refuse provision in new development
DM33	Pollution control, air quality and water quality
DM35	Noise mitigation

Development Control Committee A – 13 January 2016
Application No. 15/03707/F : 294 - 296 Lodge Causeway Bristol BS16 3RD

KEY ISSUES

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

The premises fall within a Primary Shopping Area within the Lodge Causeway District Centre under the provisions of The Site Allocations and Development Management Policies Map (2014).

Policy DM8 requires changes of use to make a positive contribution to the vitality, viability and diversity of the Primary Shopping Area and Centre; not be harmful to the shopping function of the centre, and not fragment the Primary Shopping Area.

Policy BCS7 of the Bristol Development Framework, Core Strategy (2011) requires retail uses to predominate in the designated primary shopping areas of the city and town centres.

The proposal would see the existing double retail unit being divided into two single units, with one being retained for retail use and the other introducing an A3 use (licensed restaurant). It is noted that whilst there some loss of retail floor space, there is the retention of an A1 retail unit.

There would be an introduction of food and drink use within the Primary Shopping Frontage. An examination of the premises that fall within the immediate rank situated between Elgin Road and Chester Park Road reveals that there are 11 units, two of which are double units. Of the 11 units, 8 of these are within A1 use, which would represent 73% share.

The application site if changed would result in an additional unit being created and the proportion of retail uses would represent 8 of 12 units in total (67%) and the A3 uses would rise to 2 out of 12 in this rank - 17%. There would not be any particular cluster of units in non-retail uses caused by the application. This suggests that the change of use could be supported without causing harm to the District Centre as a whole.

The applicant has stated that the proposal represents an independent restaurant proposing a daytime and evening use would occupy the premises.

The proposal is therefore considered to accord with the above policy requirements in terms of concentration and ensuring the presence of an active frontage. On this basis it is concluded that the proposed change of use would be acceptable in principle.

(B) WOULD THE PROPOSAL HARM THE AMENITY OF ADJOINING OCCUPIERS?

The application site is set within a busy commercial street environment on an arterial route into/out of the city. It appears that there is residential accommodation to the first floor. In respect of the first floor it is considered that sound insulation measures would be satisfactory and this can be secured by condition.

An external extraction pipe is shown on the proposed plans and further details are requested in regards to this, which could be secured via condition. The 'cap' shown on the extract is not acceptable in this location and the agent has been asked to remove this from the plans.

The proposed hours of operation are 12:00 to 00:00 Sunday to Fridays and 12:00 to 01:00 on Saturdays, which is later than a number of premises in the vicinity. Without any justification of the need for the late opening, Pollution Control have raised concern relating to the impact of these hours on neighbouring residents and have proposed opening hours until 11pm Monday - Saturday and 10pm on Sundays and Bank holidays.

Conditions managing odour, noise and restricting hours of deliveries and refuse collections to daytime hours would be attached to safeguard the residential amenity of surrounding occupiers from any

Development Control Committee A – 13 January 2016
Application No. 15/03707/F : 294 - 296 Lodge Causeway Bristol BS16 3RD

disturbance.

It is therefore concluded that given the imposition of relevant planning conditions, the proposal would not cause any unacceptable harm to the amenity of adjoining occupiers.

(C) WOULD THE PROPOSAL BE ACCEPTABLE IN RELATION TO HIGHWAYS ISSUES?

There have been a number of objections to the proposal on the grounds of congestion and parking.

Transport Development management have been consulted on the application and conclude that: 'Having assessed the application it is considered that the development is situated within a sustainable location within suitable walking distance to sufficient public transportation opportunities, policy compliant with regards to vehicle and cycle parking and would not have a detrimental effect on the existing highway network there is no objection to this proposal from the Transport Development Management perspective.'

The proposed change of use does not meet the threshold to provide cycle parking or vehicular parking for staff or visitors. The application site is 54m away from the Forest Road (NW and SE Bound) public bus stop facilities operating the no. 6 service which runs every 20mins to the City Centre Monday-Friday (day time).

With regards to the refuse store at the rear of the site, Transport Development Management raise no objections to retaining the existing arrangement.

It is concluded that there are no issues of concern in relation to movement, transport and highway safety, as a result of the proposal.

(D) SUSTAINABILITY

A sustainability statement has been submitted with the application confirming that an Air Source Heat Pump is to be utilized in order to reduce energy requirements to meet Policy BCS14 of the Core Strategy. This is acceptable.

CONCLUSION

The proposal would not result in the loss of a retail unit, but would reduce the size of the current unit and introduce a restaurant in this primary shopping area. It is considered that the introduction of this use would maintain the vitality and viability of the centre overall and would not fragment the retail uses unnecessarily. Whilst objection comments have been received relating to transportation issues, Transport Development management do not object to the proposal.

CONCLUSION

The proposal would not result in the loss of a retail unit, but would reduce the size of the current unit and introduce a restaurant in this primary shopping area. It is considered that the introduction of this use would maintain the vitality and viability of the centre overall and would not fragment the retail uses unnecessarily. Whilst objection comments have been received relating to transportation issues, Transport Development management do not object to the proposal.

COMMUNITY INFRASTRUCTURE LEVY

How much Community Infrastructure Levy (CIL) will this 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.

Development Control Committee A – 13 January 2016
Application No. 15/03707/F : 294 - 296 Lodge Causeway Bristol BS16 3RD

RECOMMENDED GRANTED 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 commencement condition(s)

2. Details of Extraction/Ventilation System

No development shall take place until details of ventilation system for the extraction and dispersal of cooking odours including details of the flue, method of odour control, noise levels and noise attenuation measures has been submitted to and approved in writing by the Council.

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Reason: To protect the amenity of nearby residential occupiers.

3. Odour Management Plan

No development shall take place until there has been submitted to and approved in writing, by the Council, an Odour Management Plan, setting out cleaning, maintenance and filter replacement policies. The plan should include a written recording system to record and demonstrate when all such work is carried out.

Reason: To protect the amenity of nearby residential occupiers.

4. Sound Insulation

No development shall take place until a scheme of noise insulation measures for between the proposed use and residential flat above has been submitted to and approved in writing by the Council.

The scheme of noise insulation measures shall be prepared by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014 " Guidance on sound insulation and noise reduction for buildings - Code of Practice".

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

Reason: To protect the amenity of nearby residential occupiers

Development Control Committee A – 13 January 2016
Application No. 15/03707/F : 294 - 296 Lodge Causeway Bristol BS16 3RD

5. Noise from plant & equipment

No development shall take place until an assessment to show that the rating level of any plant & equipment, as part of this development, will be at least 5 dB below the background level has been submitted to and approved in writing by the Council.

The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142: 2014-"Method for rating and assessing industrial and commercial sound".

Reason: To protect the amenity of nearby residential occupiers

Pre occupation condition(s)

6. Completion of sustainability measures - shown on the approved plans / within the approved sustainability statement

No building or use hereby permitted shall be occupied or the use commenced until the sustainability measures held within the approved sustainability statement, have been completed, and thereafter, be retained.

Reason: To ensure the development accords with the sustainability requirements of the Core Strategy.

Post occupation management

7. 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 protect the amenity of nearby residential occupiers.

8. Deliveries

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: To protect the amenity of nearby residential occupiers.

9. Opening Hours

No customer collections or deliveries shall take place or customers to remain on the premises outside of the hours of 1200 to 2300 Monday to Saturday and 1200 to 2200 Sundays and Bank Holidays.

Reason: In the interests of preserving the amenity of neighbouring occupiers.

Development Control Committee A – 13 January 2016
Application No. 15/03707/F : 294 - 296 Lodge Causeway Bristol BS16 3RD

10. Restriction of noise from plant and equipment

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

Reason: To safeguard the amenity of nearby premises and the area generally.

List of approved plans

11. 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.

- PL01 Existing Elevations & Floor Plans, received 22 July 2015
- PL02 Proposed Floor Plans & Elevations, received 22 July 2015
- PL03 Site Location & Block Plans, received 22 July 2015
- Ventilation Extract Information, received 22 July 2015
- Ventilation Extract Brochure, received 22 July 2015
- Odour Risk Assessment, received 22 July 2015
- Design & Access Statement, received 22 July 2015

Reason: For the avoidance of doubt.

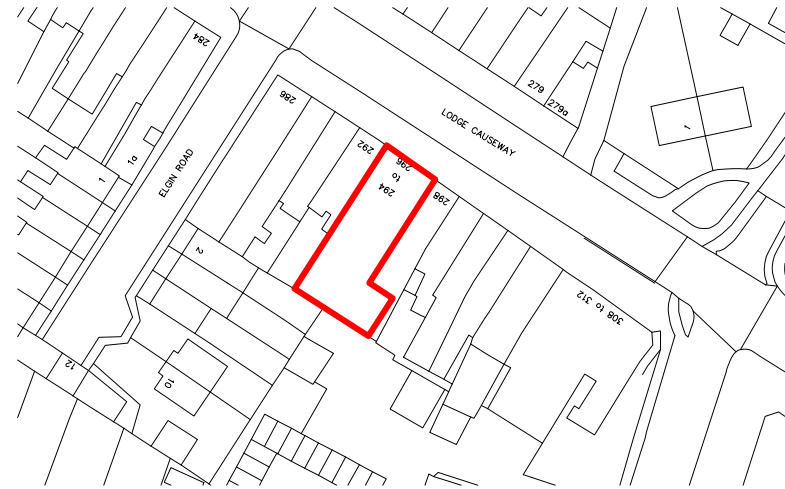
BACKGROUND PAPERS

Pollution Control
Transport Development Management
commdelgranted
V1.0211

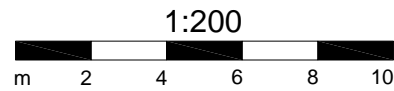
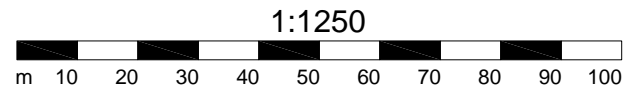
21 December 2015
23 November 2015

LOCATION PLAN

SCALE 1:1250



Ordnance Survey (c) Crown Copyright 2015. All rights reserved. Licence number 100022432



BLOCK PLAN

SCALE 1:200



THIS DRAWING IS COPYRIGHT AND IS NOT TO BE USED FOR CONSTRUCTION UNLESS MARKED FOR CONSTRUCTION.
THE CONTRACTOR IS RESPONSIBLE FOR ALL DIMENSIONS AND THE CORRECT SETTING OUT ON SITE.
ONLY FIGURED DIMENSIONS ARE TO BE USED IF IN DOUBT ASK.
ALL MATERIALS AND WORKMANSHIP TO COMPLY WITH THE CURRENT BRITISH STANDARDS AND CODES OF PRACTICE.
ANY STRUCTURAL WORK/CALCULATIONS ARE TO BE REFERRED TO A STRUCTURAL ENGINEER.

Issue	Date	Revision

CADQWEST
Trym Lodge
1 Henbury Road
Westbury-on-Trym
Bristol
BS20 2HQ
Telephone: 0117 927 3337
Mobile: 0797 987 7132
email: cadqwest@gmail.com

Project
294-296 LODGE CAUSEWAY
FISHPONDS
BRISTOL
BS16 3RD

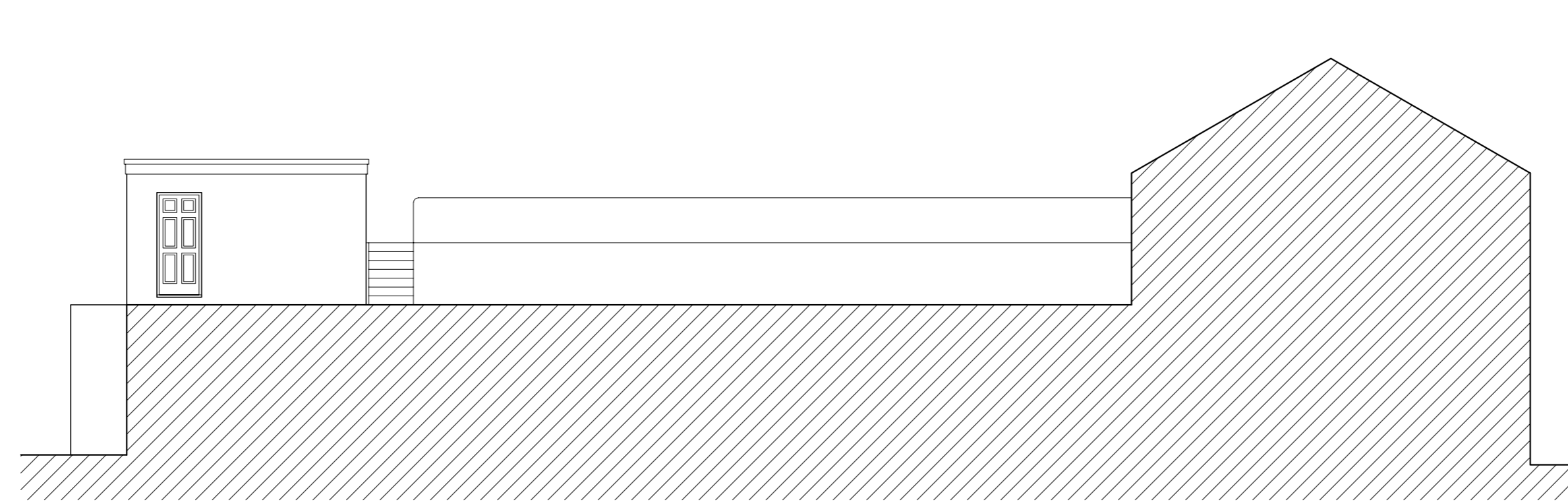
Drawing Title
DIVISION OF EXISTING RETAIL
UNIT (CLASS A1) INTO RETAIL
UNIT (CLASS A1) AND LICENSED
RESTAURANT (CLASSES A3 & A4)
LOCATION & BLOCK PLANS

Job No.	1902151
Drawn	PB
Scale	as shown@A3
Dwg No.	PL03

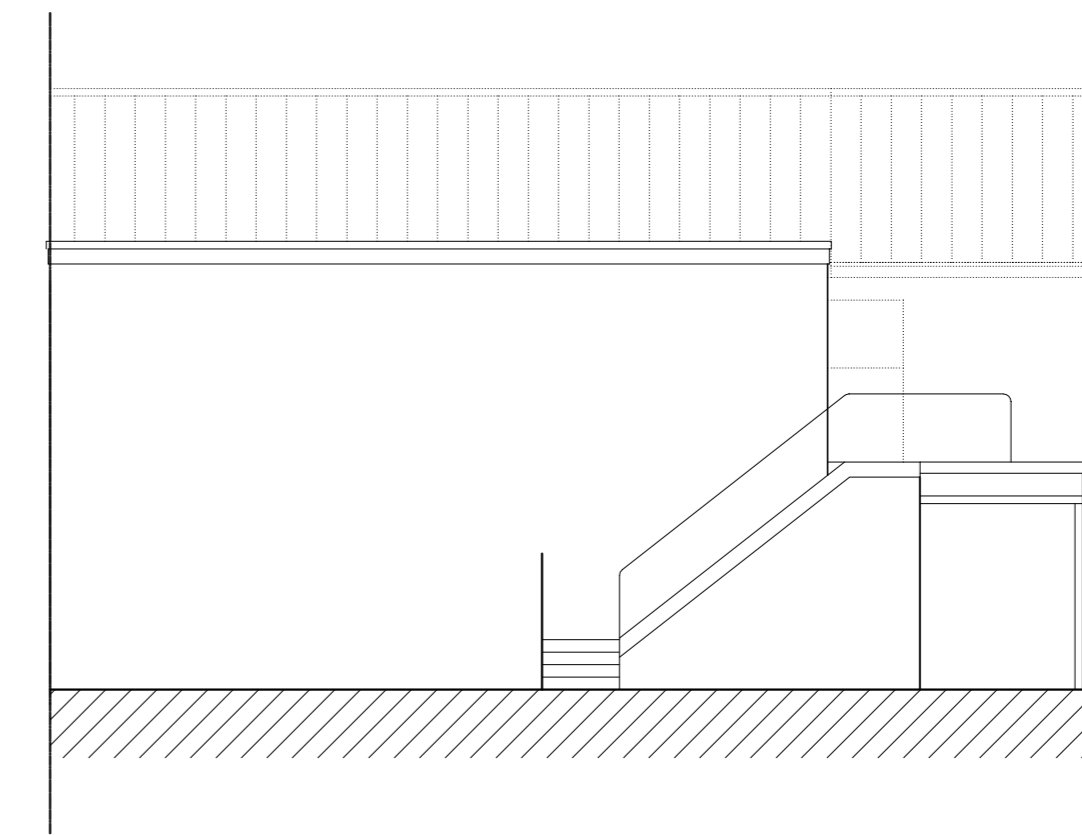
EXISTING ELEVATIONS



FRONT ELEVATION

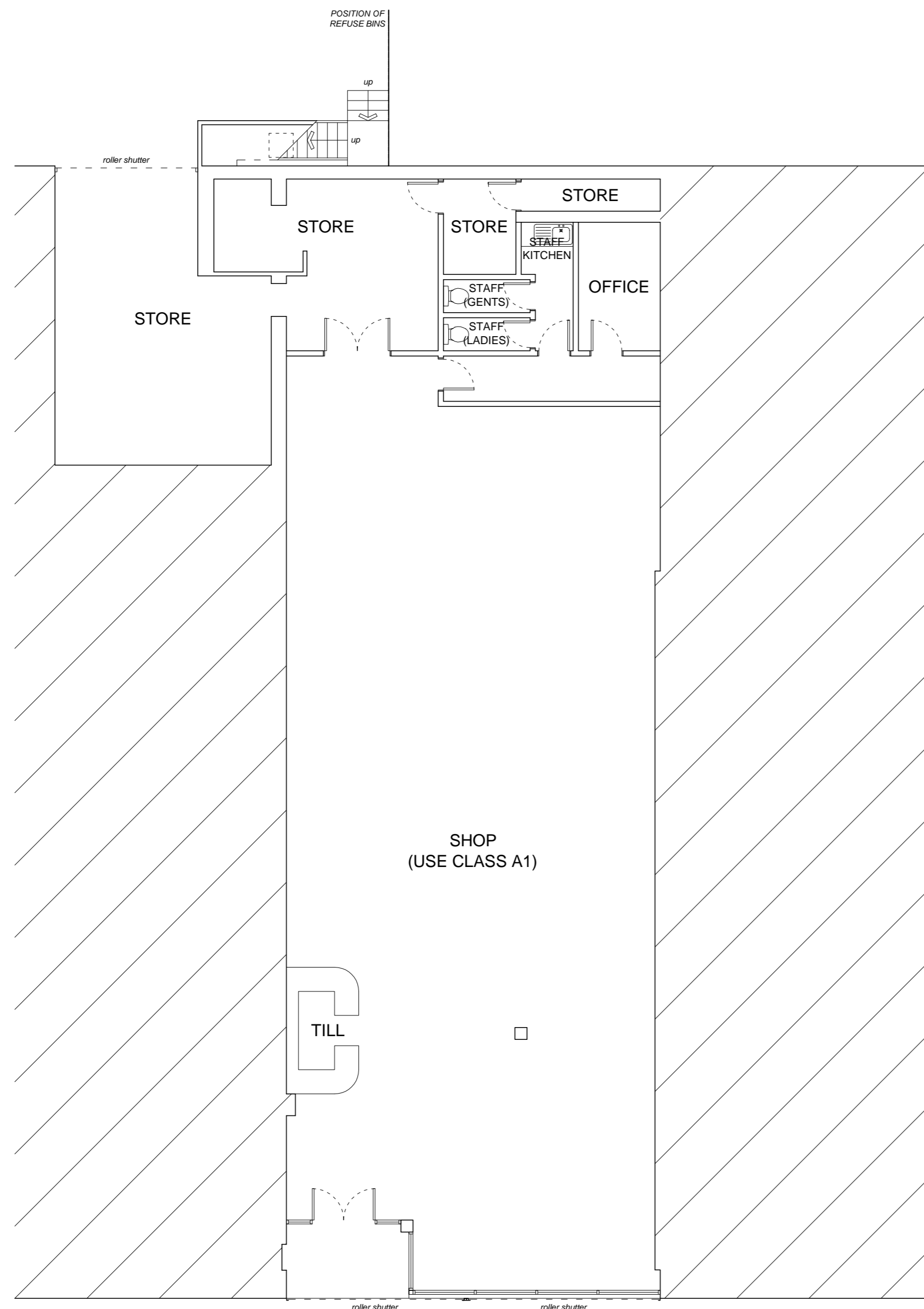


SECTIONAL SIDE ELEVATION

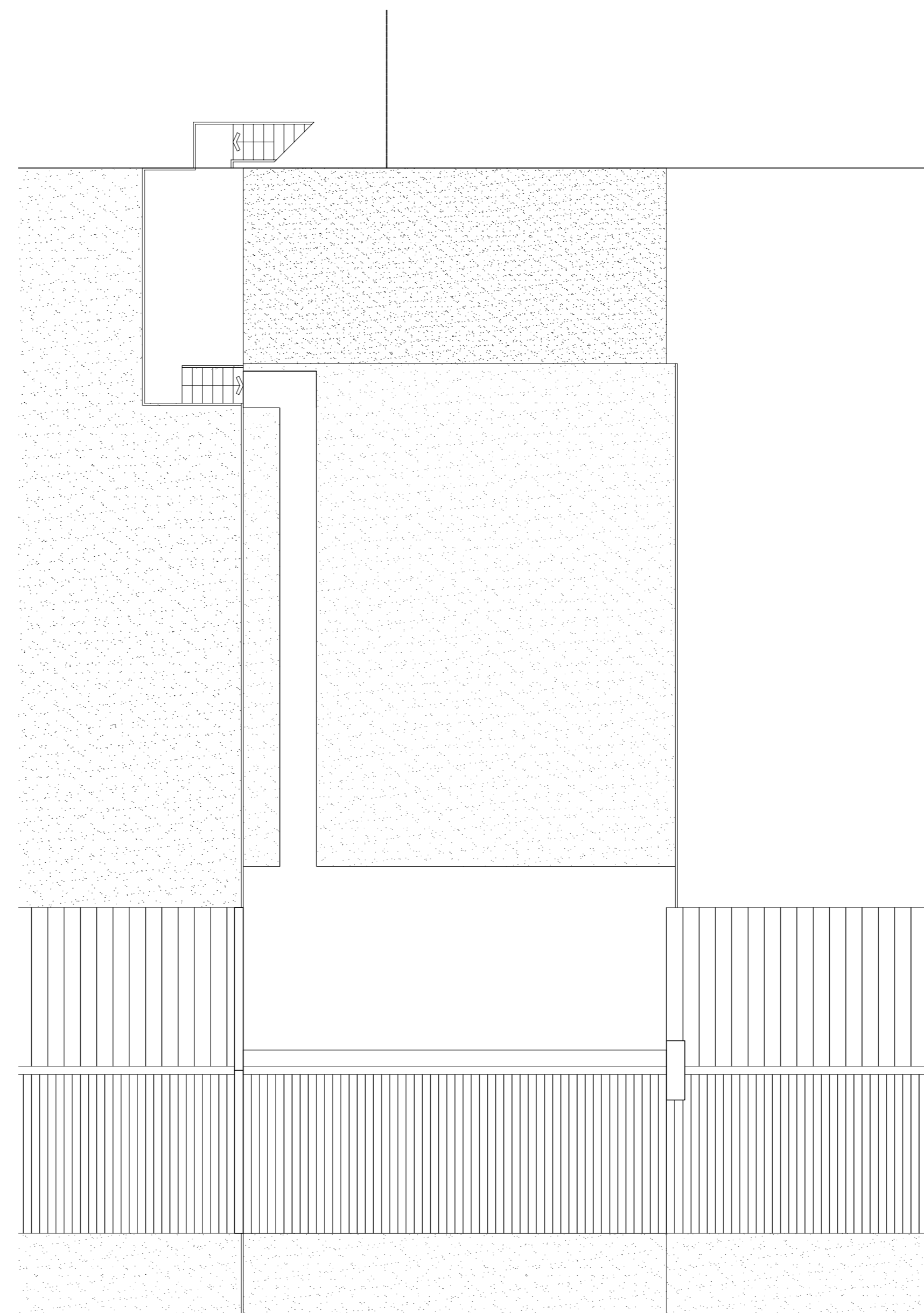


REAR ELEVATION

EXISTING PLAN



FLOOR PLAN



ROOF PLAN

THIS DRAWING IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE DESIGNER ACCEPTS RESPONSIBILITY FOR THE DESIGN. THE DESIGNER DOES NOT ACCEPT RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED OR THE DESIGN. THE DESIGNER DOES NOT ACCEPT RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED OR THE DESIGN.

No.	Date	Revision



294-296 LODGE CAUSEWAY
FISHPONDS
BRISTOL
BS16 3RD

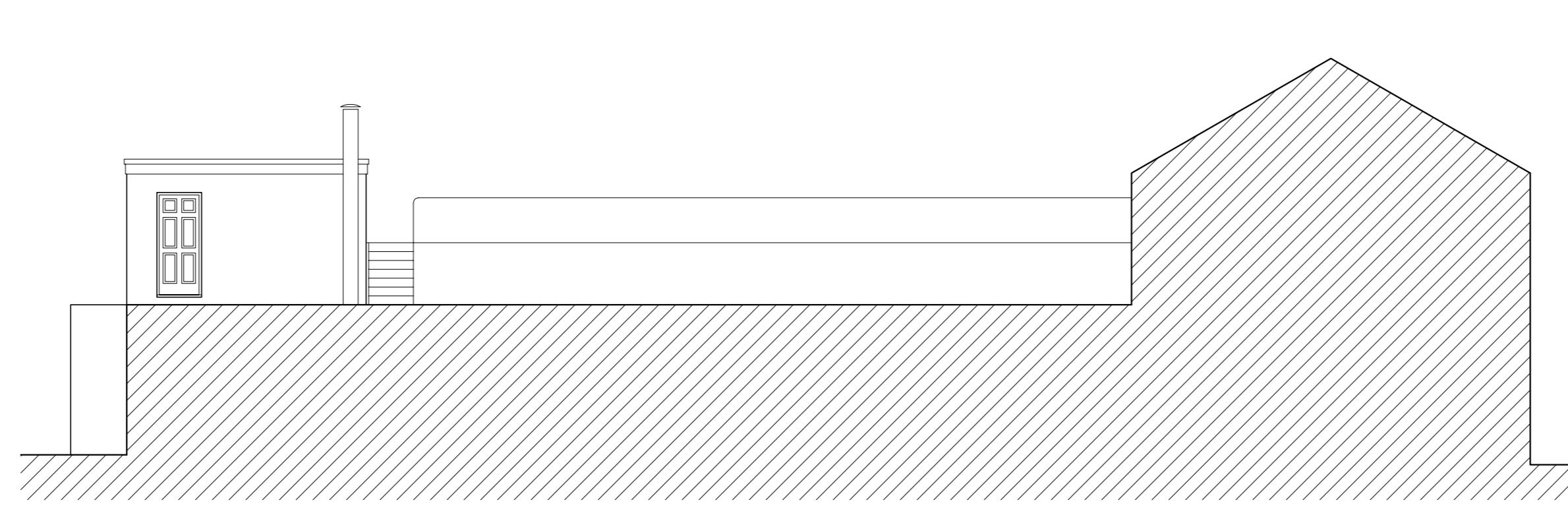
Division of Existing Retail Unit (Class A1) into Retail Unit (Class A1) and Licensed Restaurant (Classes A3 & A4) Existing Elevations and Plans

Job No.	1902151
Drawn	PB
Scale	1:100 @ A1
Drawn No.	PL01

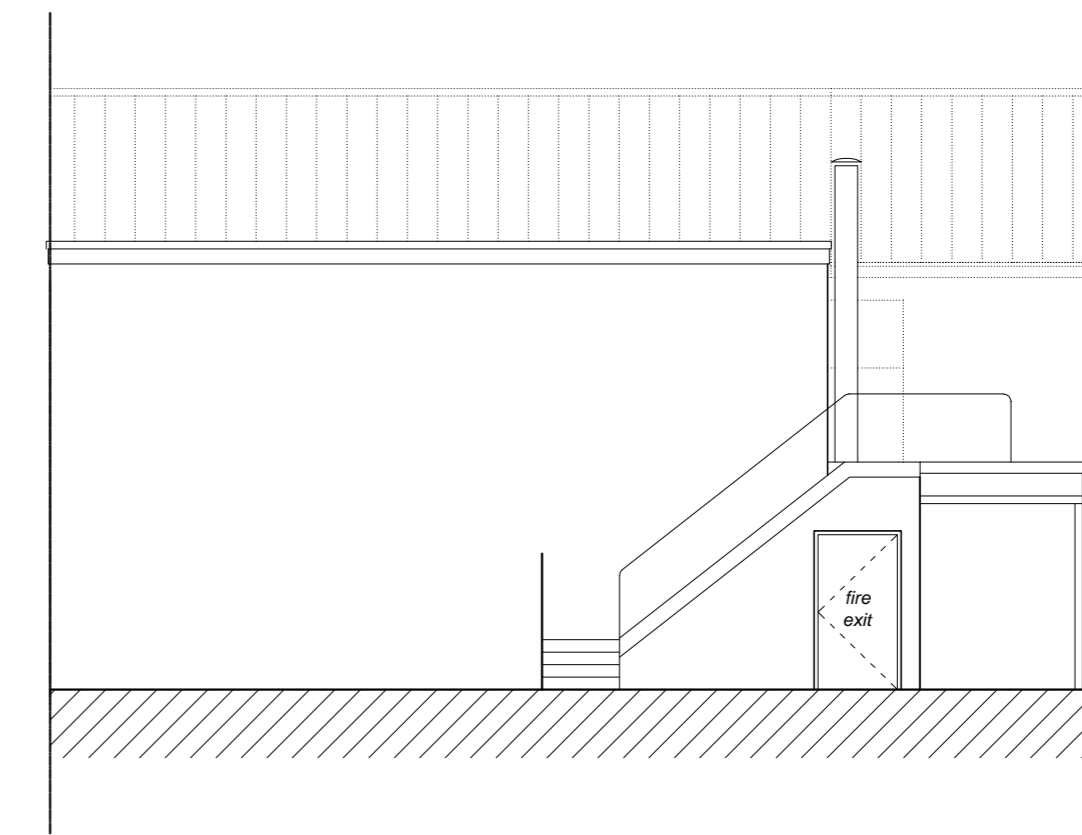
PROPOSED ELEVATIONS



FRONT ELEVATION

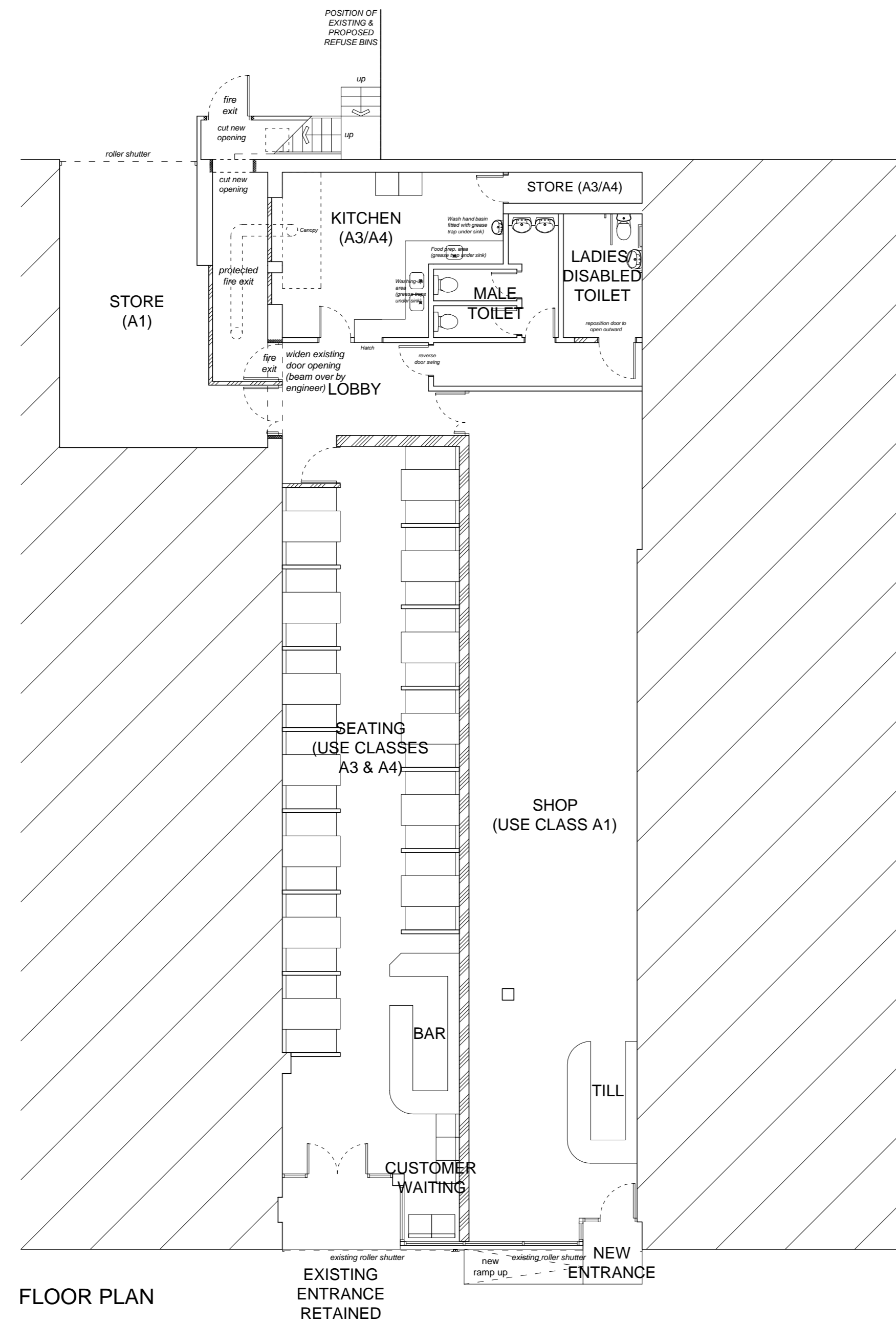


SECTIONAL SIDE ELEVATION

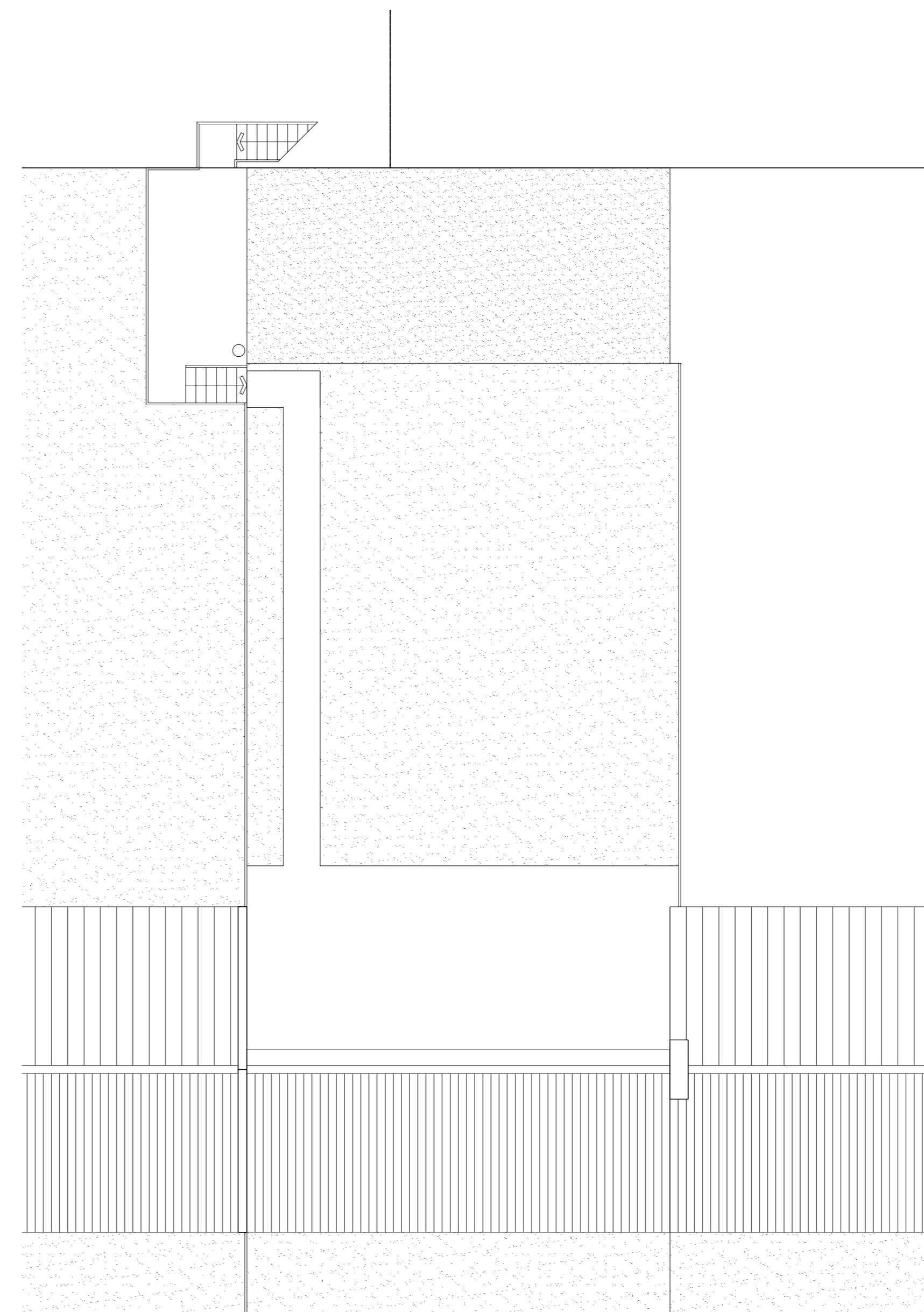


REAR ELEVATION

PROPOSED PLAN



FLOOR PLAN



ROOF PLAN

This document is copyright and is not to be published, reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the author.

Rev	Date	Revision

CADQWEST

 CONSULTANTS
 ARCHITECTS
 ENGINEERS
 PLANNERS
 SURVEYORS
 200, BRISTOL ROAD, BRISTOL, AVON, BS1 3YD, ENGLAND
 TEL: 01273 833333 FAX: 01273 833334
 WWW.CADQWEST.CO.UK

Project
 294-296 LODGE CAUSEWAY
 FISHPONDS
 BRISTOL
 BS16 3RD

Drawing Title
 DIVISION OF EXISTING RETAIL UNIT (CLASS A1) INTO RETAIL UNIT (CLASS A1) AND LICENSED RESTAURANT (CLASSES A3 & A4) PROPOSED ELEVATIONS & PLANS

Job No.	1902151
Drawn	PB
Scale	1:100 @ A1
Drawn No.	PL02