

WARD: Frome Vale **CONTACT OFFICER:** Jess Leigh
SITE ADDRESS: St Matthias Campus (UWE) Oldbury Court Road/College Road Fishponds Bristol BS16 2JP

APPLICATION NO: 1.14/02640/F Full Planning
2.14/02671/LA Listed Building Consent (Alter/Extend)

EXPIRY DATE: 29 August 2014

Alterations to listed buildings, demolition of later additions to the listed structures and non-listed buildings, including Elsa Nunn Block, Monk Bishop Block, Canon Kitson Block, Library, Woodward Block and Assembly Hall. Erection of a sports hall, 215 no. new-build residential units, conversion of 'The Conifers' to 2 no. residential units, with associated infrastructure, car parking, landscaping and open space.

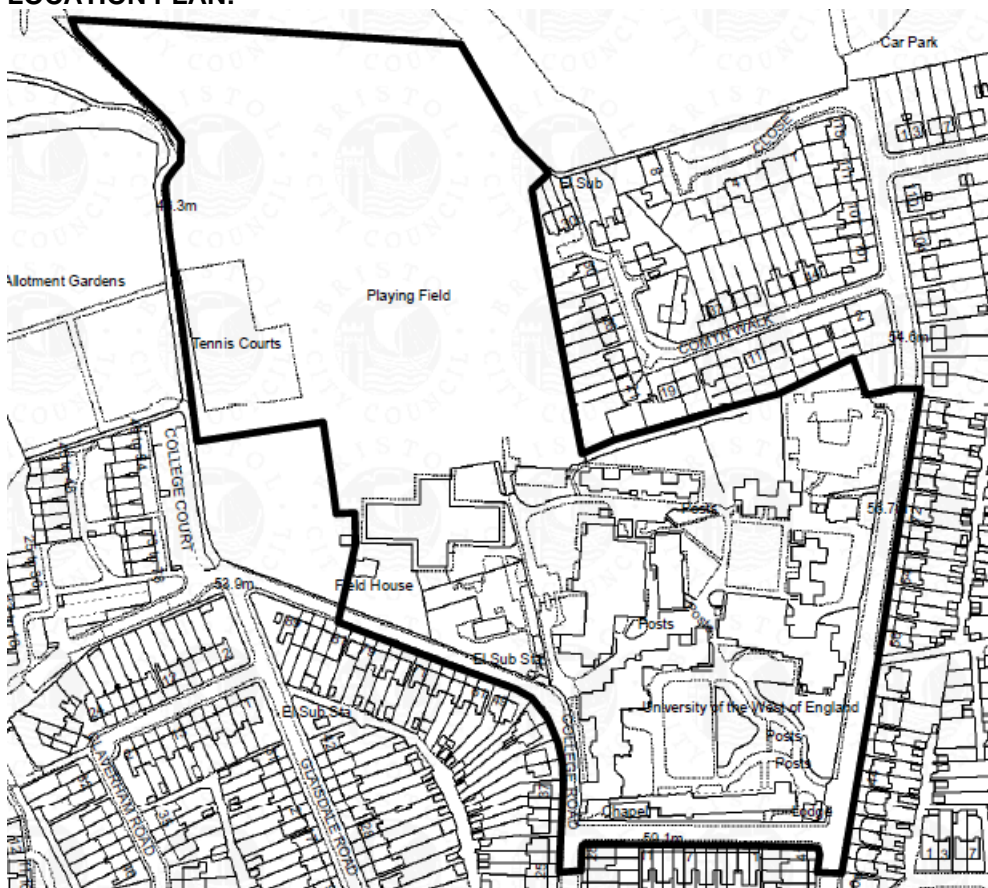
RECOMMENDATION: 1.GRANT subject to Planning Agreement
2.Grant subject to Condition(s)

AGENT: GVA Grimley Ltd
St Catherine's Court
Berkeley Place
Bristol
BS8 1BQ

APPLICANT: University Of The West Of England
C/o Agent

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

LOCATION PLAN:



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Committee report

Development Control Committee B – 12 November 2014**Application No. 14/02640/F and 14/02671/LA: St Matthias Campus (UWE) Oldbury Court Road/College Road Fishponds Bristol BS16 2JP****SITE DESCRIPTION**

The land which is the subject of this application is bounded by Oldbury Court Road and Comyn Walk to the east, Elfin Road and College Road to the south, College Court and allotments to the west with Oldbury Court Estate lying to the north. It has been in use by the University of the West of England, (formerly Bristol Polytechnic), for a number of years.

The application site can be broadly divided into three key components;

1. A complex of stone buildings set around a sunken lawn and area of ornamental landscaping, these are Grade II* and Grade II listed and were in educational use, (there is a modern addition on the southern arm).
2. A group of more modern buildings adjacent to, and to the north and west of, the listed buildings. These were previously either in educational use or ancillary to the educational use. They include a comparatively recent library and refectory plus three blocks of student accommodation, which date from the 1950's. Facing Oldbury Court Road is an older building, 'The Conifers'.
3. Playing fields to the north bounding on to Oldbury Court Park. The boundary is marked by a hedgerow.

The surrounding housing is in a mixture of age and styles to include Edwardian terraces on Elfin Road, 1930's housing on College Road and Oldbury Court Road and 1970's housing on Comyn Walk.

LAND USE POLICY STATUS

Most of the site aside from a northern part of the playing fields falls within the Stapleton and Frome Valley Conservation Area. The English Heritage Grade II listed registered landscape of Oldbury Court Estate, which primarily affects the park, extends south into the site and overlaps with a small part of the conservation area. There are a number of trees within the site which are the subject of a Tree Preservation Order, these are largely concentrated in the vicinity of the existing buildings. The area around the existing buildings is mostly designated as a locally important historic garden and landscape.

On the Sites Allocation and Development Management Policy Map the site is designated for development as housing with mixed use, up to approximately the line of the registered landscape boundary, the estimated number of houses is 300.

A Public Right of Way runs adjacent to the western boundary and within the northern boundary.

BACKGROUND

The older buildings were initially founded in 1852 as the Gloucester and Bristol Training Institution for School Mistresses. The land used as playing fields was sold to the college by the Corporation in the 1960's, when the boundary hedge was planting and a public right of way, which previously crossed this land, was diverted to run around the boundary.

Some of the accommodation blocks were constructed roughly at the same time, subsequently the gym was built followed by the refectory and most recently the library block.

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UWE have made the decision to consolidate their operations onto their site at Coldharbour Lane, in South Gloucestershire. As a consequence they wish to dispose of other land within their ownership to fund further work on this site.

This authority was first approached regarding residential development of the site as a whole in 2011, when the residential conversion of the listed buildings was also proposed. A formal pre-application enquiry was submitted and discussions that were forthcoming focused on the implications of the proposal development for heritage assets, (listed buildings and registered landscape), loss of playing fields, trees, highways, nature conservation and design.

The extent of the overlap of the proposed housing development with the registered landscape was a key issue and during discussions the boundary of the housing was pulled back from the boundary with Oldbury Court Park.

Earlier this year discussions were revived following interest by the Steiner School in using the listed buildings as a school.

PROPOSAL – 14/02640/F**i) School**

- a) To use the listed buildings as well as the more recent extension and refectory as a school.

This does not constitute a change of use in planning terms but some internal and external alterations are required. Car parking is proposed to the rear of the buildings accessed off College Road. Planning permission is required for the external works and there is a sister Listed Building Consent application (14/02671/LA) for the internal works and the demolition of the non-listed buildings.

- b) To erect a new sports hall to the north on the site of a demolished accommodation block.

The school will ultimately accommodate a total of 624 pupils.

ii) Residential

It is proposed to demolish the remainder of the buildings not to be used by the school, except for The Cedars, which is to be converted to flats, and erect 215 residential units, in a mix of houses and apartments. There are two vehicular access points proposed; Oldbury Court Road and College Road. The principle internal road is roughly triangular in shape and within the application site to the north is an area of open space, which includes a drainage retention pond. Houses are proposed to face onto this area. The line of the proposed housing extends into the registered landscape.

PROPOSAL – 14/02671/LA**i) School**

- a) To use the listed buildings as well as the more recent extension and refectory for educational purposes. This requires some internal and external alterations. Car parking is proposed to the rear of the buildings accessed off College Road.

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b) To demolish a number of non-listed, curtilage, college buildings to the north and west of the listed buildings. Erect a new sports hall to the north on the site of a demolished accommodation block.

There is a sister application for the erection of 215 dwellings, a new sports hall and landscaping works.

PRE-APPLICATION COMMUNITY CONSULTATION

The applicants held an open day within the college on the 19th March 2014, which was advertised through a wide spread leaflet drop. 323 people were recorded as attending the event, though it is anticipated that more attended. Key concerns raised were parking and traffic, both during construction and subsequently. There was a large amount of support for the school. A separate event was held with members and community representatives to further discuss traffic matters.

The Neighbourhood Planning Partnership have commented as follows;

“The pre application community involvement was extensive and well publicised and the applicants were responsive to local community concerns which emerged late in the consultation period.”

RESPONSE TO PUBLICITY AND CONSULTATION

702 letters of consultation were issued, (a similar distribution to the leaflet drop re the community event), with a closing date for comment of the 17th July 2014.

The application was advertised on site and in the press with a closing date for comment of the 9th July 2014.

The Ward councillor has commented that they are in favour of the development of the houses behind St Matts, there seems to be a reasonable amount of parking and the design is acceptable, and the Steiner School must be good for the community. However there are grave reservations about the access to local roads during construction and also access to the school as it increases in size as local roads are narrow and heavily parked already. Alternatives submitted by residents to the developers for the construction period should be considered.

The Bristol Tree Forum have commented that some major trees are to be felled and there is inadequate mitigation.

Seventy comments have been received, which can be précised as follows;

Support

The school is fully supported, it will be a major improvement to the community, it is commended for being green with limited parking, it will allow the listed buildings to be retained. The housing takes neighbours in mind. It takes account of the need for new homes in the area. It will enhance community cohesion. Parking will be improved as students will be replaced by residential. Affordable housing and facilities for the community are welcome. It will support the community. The housing is family friendly and accessible.

Loss of playing field

This is used by the wider community and is objected to- See Key Issue A

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Traffic, Impact on highways

The interim residential travel plan offers no solution to already congested roads which cannot support two way traffic. The changes on Manor Road and The Straits in connection with the GBBN have had an impact on roads in the area. Suggestions in the school travel plan are at best euphemistic. The traffic modelling does not take account of the actual situation. There is no evidence that this can work. Most houses on Oldbury Court Road do not have in curtilage parking, it will bear a disproportionate increase in traffic. The flow of traffic to the park is already an issue. Cars often have to reverse significant distances. The plan ignores the fact that solo car occupancy is the norm. Additional residential and school traffic will create a more hazardous and dangerous environment. There has already been an increase in parked cars, some of them parked inconsiderately. The school will not be for local children. The proposed sports centre also lacks parking. A lower density would reduce parking impact.

There will be a significant increase in traffic over the student population. There have been many years of heavy traffic and parking throughout weekdays from students, this will be replaced by two peaks a day.

There is no accommodation for people driving their children to school. It will have a wide catchment area. The park is already stretched for parking. The proposed mitigation is inadequate.

Improved cycle routes to the site should be provided.

See Key Issue F

Traffic during development

How is the heavy traffic to be managed during building works and demolition, it will impact on the surrounding area for a couple of years. It is likely to create a danger to pedestrians and other road users. The use of Manor Road is suggested.

See Key Issue F

Proposed highway layout within the scheme

There is concern that the design of the scheme will encourage parking straddling roads and pavements affecting pedestrian safety, the design needs to deter parking on pavements without the need for ongoing enforcement. The flats look cramped with little parking provision. Straight roads encourage fast driving, a one way system should be considered. There is concern that a PROW within the site is directly affected.

See Key Issue F

Loss of existing buildings

It is disappointing that some serviceable buildings will be lost.

See Key Issue E

Housing layout/design

Some of the land should be for self build to break up Barratt boxes. Affordable housing should include good heating, insulation and solar panels so heating is affordable.

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See Key Issue E

Bus service

This is limited at present. Transport links should be improved.

See Key Issue F

Use of existing buildings for education

There is concern that the buildings do not provide enough access to the outside area, spaces may need modifying acoustically, maintenance of older buildings will be ongoing, how can it be DDA compliant. There is no outdoor space- Officer response- as no change of use is involved there is no planning control over this matter, it will be to the school to address access and play requirements.

Impact on neighbours

The sports hall if too close to the boundary will affect light to neighbours. The additional cars will create unacceptable levels of noise, air and light pollution. The use of the car park as a play area will cause noise nuisance.

See Key Issue G

Healthcare and Education

The increase in demand should not be overlooked.

Impact on nature conservation

There are badgers and foxes on the site.

See Key Issue C

Impact on landscape

There will be an adverse impact on the character of the public lane leading to Snuff Mills with its natural hedgerows transitioning to woodland. The area of Oldbury Court park to the north would lose its character of open grassland edged with trees.

See Key Issue E

Consultation

Insufficient consultation was undertaken, it was poorly advertised and notice given short. No contact has been made by ward councillors. Many of the residents supporting the scheme are not local.

Economic Development has commented as follows:-

An Employment & Training Strategy will be required on this development along the usual lines, i.e. agreed prior to development with the aim of maximising opportunities for local people from the development. This would include commitments around local procurement, recruitment & training (apprenticeships and other) as well as commitments around monitoring.

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Avon Gardens Trust has commented as follows:-

The Avon Gardens Trust object to this application due to the harmful effects on the nationally-significant, Grade II Registered Oldbury Court Park and Garden and its setting.

The housing development within the registered park would harm its open landscape character, and therefore its significance as a heritage asset. The construction of 29 houses, the road and the open space would irretrievably change the open grassed parkland character and appearance of this land, with the houses etc. blocking the public's currently unobstructed views into and out of the registered park.

We ask that the application is refused because the proposed housing development would harm the open space character and parkland appearance of the Grade II registered Oldbury Court Park and its setting area, and be contrary to policies in the National Planning Policy Framework, the 1997 Bristol Local Plan Saved Policy NE9 and the Bristol Development Framework Core Strategy Policy BCS22.

Air Quality has commented as follows:-

The air quality assessment considers potential air quality impacts from both the construction and operational phases of the development. The methodology is robust and consideration has been made of committed developments which have the potential to impact upon air quality in the area. The potential for dust issues to result during the construction phase of the development has been identified. The air quality assessment outlines suitable mitigation measures that will minimise these impacts and these should be included within a CEMP for the development. The possible requirement for dust monitoring has been suggested within the air quality report. This possible requirement is something that pollution control should comment on as the temporary generation of dust is a potential nuisance issue.

Detailed dispersion modelling of NO₂ and PM₁₀ has been carried out and the impact from the proposed development is considered to be negligible for both pollutants at all receptor locations modelled. Air pollutant concentrations have also been modelled at the proposed development site and have been shown to meet air quality objectives. Therefore, there are no concerns with regards to air quality for the proposed development

Sustainable Cities Team has commented as follows:-

BSC13- the consideration of climate change measures to include ways to reduce energy demand for the whole site but the applicant is encouraged to go further with regard to energy efficiency for the new build and the energy efficiency improvements for the retained school building.

Solar PV on the roof of the retained buildings to deliver further energy savings for the school. The travel plans are welcome. Electric vehicle charging points should be included.

The planting to provide shade and reduce the urban heat island effect on site and the inclusion of sustainable drainage are welcome.

BCS14- If the school had required a change of use, it would have had to meet BREEAM very good. The recommendations in the energy report should be included. Better U values should be achieved in the sports hall. A more detailed energy strategy for the housing should be conditioned. It is disappointing that the sports hall is oriented in a way to minimise solar output. To assess whether the solar PV will meet 20% renewables, further information is required.

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BCS15-as a super major development, the applicant has not met policy requirement for BREEAM for communities. It is disappointing that only Code 3 is to be sought. This should be conditioned. Can the applicant outline how the local food growing requirement is to be met. How will requirements for Green Infrastructure to be achieved.

BCS16- The development should show case examples of SUDS

English Heritage has commented as follows:-

The reduction to the proposed works to the building, such as the retention of the rear stair is welcomed and the use of the building for educational purpose is also welcomed. There does not appear to any further details of the boundary treatment between existing buildings and new housing.

The form and materials of the works to the rear entrance will be an incongruous and potentially harmful addition to the listed buildings. There remains concern about the blank elevational treatment of the proposed sports hall and clarification on any hard and soft landscaping is needed. The housing development both in layout and built form does not appear to be an appropriate response to the conservation area or setting of the registered park and garden.

The proposed development also encroaches onto the registered park and garden and as such is harmful to its open landscape character and setting. No evidence has been submitted to show any public benefits cannot be delivered by a different proposals for the site. It is disappointing that other information such as full sections have not been provided.

The proposals would cause harm to the setting of the Grade II_ St Matthias College and to the setting of the Grade II Registered Oldbury Court Park and Garden, by encroaching into the park, it will cause harm to the park itself as well as the Stapleton and Frome Valley Conservation Area. EH recommends refusal on the basis of that harm and the grounds that the necessity for the clear conflict with the conservation objectives of statute and policy has not been established.

Flood Risk Manager has commented as follows:-

The nature of the detention pond will mean that it will have a much more variable water level opposed to a regular pond that will be dependent on weather conditions and amount of rainfall. Appendix E of the FRA shows the Microdrainage calculations using Windes software to assess the size of the pond, connecting sewer network, manhole chambers and attenuation tank for various storm simulations. Based on average rainfall for the area of the country, including rainfall events of varying magnitudes and durations for summer and winter storms. These are then compared against the capacity of the system and any associated flood risk established, taking into consideration the time it also takes to drain down as well. This has shown that the drainage system has ample capacity in the plans but the water level of the pond will vary greatly due to the type of SuDs feature being used.

The proposed drainage plans are acceptable.

Strategic Housing - Affordable Housing Development Manager has commented as follows:-

The site lies in the east of the city and the Council would seek to secure 30% affordable housing, from the residential component as outlined in BCS17.

Within the affordable housing statement produced by Barratts it is proposed to deliver 65 affordable housing dwellings, with a tenure split of 77% social rent and 23% intermediate, which is policy compliant.

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It is however noted that the 7 X 4 bed units at 102.56m² fall short of minimum space requirements of 110 m². Units of this size should be sufficient for at least 7 or 8 persons to occupy, this recent demand has been identified through the choice based lettings scheme.

All Affordable Housing Units should achieve the requirements of the Housing Corporation (now Homes and Community Agency) 'Design and Quality Standards & The West of England Enabling Partnership's Lifetime Homes Standards and CODE 3.

It is noted that service charges are not known at this time, charges should be consulted with the Housing Delivery team at the earliest opportunity to ensure that the residential accommodation cost remains affordable for future residents.

A fee of £530 per unit will apply from 1st October. These fees are designed to help with the provision of affordable housing in the city, assisting with the financial, legal, social, economic and environmental objectives required to secure and maximise affordable housing delivery and additional services.

Contaminated Land Environmental Protection has commented as follows:-

The proposed development is quite considerable in size and a relatively low number of soil samples for the number of houses proposed have been submitted. The findings identify elevated arsenic, lead and polycyclic aromatic hydrocarbons around the site boundary. No screening for asbestos in the soils was undertaken at the time the report was prepared.

The report recommended the following- this would be supported;
A preferred remedial strategy for the site will have to be developed in consultation with the design team and the regulatory authorities. With the information currently available the following approach is suggested; 1. A clean engineered 600mm cap for all softscaped areas - the depth may be reduced depending on findings. 2. Further investigation and assessment to allow more detailed zoning of the site. 3. Pre-demolition asbestos survey for all buildings on site. 4. Gas resistant membrane to mitigate risk from ingress of CO₂ into the properties.

The zoning of the site is fully encouraged as a significant part is earmarked for open space. The report is 3 years old and screening levels have changed.

Standard conditions nos.B12, B13 and C1 are recommended.

Nature Conservation Officer has commented as follows:-

The bat survey carried out in summer 2012 recorded small numbers of bat droppings in five spaces indicating the use of these roof spaces as bat roosts. Bat emergence surveys and three evening activity surveys recorded four species. It is recommended that all site clearance and construction works shall be carried out in accordance with the recommendations in the submitted ecological survey date 29.4.14 and outline bat mitigation survey 30.5.14.

Bats are a highly protected European Species. Work must not commence until a Natural England EPS licence has been obtained, an ecological mitigation scheme must be conditioned for bats. The three derogation tests must be applied under the Conservation of Habitats and Species Regulations 2010. As bat surveys date from 2012, further surveys are recommended.

Development shall not commence until details of the scheme for the retention of the bat's roosts and existing accesses or the provision of alternative roosts or accesses have been approved. The development shall be carried out in accordance with the approved scheme.

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It is essential that an ecological mitigation scheme is provided. This will require the provision and/or retention as roof voids as ecological mitigation and a licence from NE.

Badgers- a corridor for badgers along the north-eastern boundary of the site is required. The width of the corridor shown should be increased, it needs to be protected by robust fencing, preferably metal. Measures to protect the badger sett from construction impacts will be needed by condition. A check should be made on site for any setts that might have been created since the last survey prior to the commencement of development.

A Construction Environmental Management Plan will be required. This will include measures to prevent adverse impact on the adjacent SNCI.

If development commences later than 12 months from the date of the ecological survey the site shall be re-surveyed.

Details of lighting are needed.

Natural England has commented as follows:-

Green Infrastructure- The proposed development is within an area that Natural England consider could benefit from enhanced green infrastructure provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into the development.

Local Sites- if close to local sites sufficient information should be provided to ensure the implication of the development is fully understood.

Biodiversity Enhancements- there is an opportunity to incorporate features into the design which are beneficial to wildlife.

Landscape Enhancements-this application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment.

Crime Reduction Unit has commented as follows:-

There are no concerns or objections. The layout of the buildings are well designed to create good surveillance additionally open spaces within the development will be overlooked by buildings with windows and doors facing onto the street.

It is suggested that the developer gives consideration to applying for Secured by Design certification, to include the school.

The Neighbourhood Policing Team agrees with the suggested robust security as there have been sporadic cases of ASB and recorded crime in and around the area.

7.7.14

Weldmesh Fencing is recommended for the wildlife corridor and the school car park. This is secure as it is harder to scale, allows good surveillance and is more attractive. If not in place, windows in the end gables of plots 128/132/133 and 136 are recommended.

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Sport England has commented as follows:-

Sport England object to the proposal on the grounds of the loss of the playing fields. This is contrary to Sport Englands Playing Field Policy.

It is noted that the application proposes a new Academy with new 4 court sports hall. The recommended sports hall dimensions for community use has changed to 690 sqm an 7.5m ceiling height, it is recommended that the plans be amended to take this into account.

The site also includes a playing field used by UWE and the wider community, this site needs to be retained unless replacement playing fields are secured. Para 74 of the NPPF is referred to. The applicant mentions a parallel application being made to South Gloucestershire but this has not materialised and therefore cannot be considered at this time.

In light of the above, Sport England object to the proposal because no evidence has been provided to demonstrate that it fulfils the circumstances described in any of the exceptions in Sport England's playing fields policy. At the same time, no evidence has been provided to demonstrate that the proposal accords with para 74 of the NPPF. We would welcome details of the replacement site at Hillside Gardsn, it is understood that this will provide 2 playing pitches and no changing, players will be transported by mini-bus.

The applicant will need to clearly demonstrate that the application meets Sport Englands Policy E4.

Archaeology Team has commented as follows:-

There will be a need for a building recording condition, beyond that there is apparently little of archaeological interest.

Nature Conservation Officer has commented as follows:-

Comments continued;

There will be a need for an Environmental Management Plan. Details of external lighting to include lux contours will be required.

Landscaping should employ native species, the old hazel coppice near Canon Kitson should be retained as far as possible.

A pond is recommended within the open space. A ten year management plan should be produced for the open space area, including a financial budget and monitoring. Bird and bat boxes should be provided

Sustainable Cities Team has commented as follows:-

Comments continued;

The applicant's consideration of climate change mitigation measures is welcome which include ways to reduce energy demand for the whole site, although the applicant is encouraged to go further with regards to energy efficiency for the new build and the energy efficiency improvements for the retained school building. Please see further comments under BCS14. PV should be considered for the retained buildings to deliver further energy savings.

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Electric vehicle charging points should be included. The consideration of climate change adaptation is welcome. If the school needed planning permission it would have to meet a minimum of BREEAM very good.

A pre-commencement condition for a more detailed energy strategy to include more detailed SAP assessments. The applicant should confirm that the 20% renewable energy proposed is inclusive of both the residential units and the sports hall. The applicant has not met policy requiring BREEAM for communities. It is disappointing that only Code 3 is to be met.

The waste strategy, rainwater harvesting consideration of flexibility and biodiversity should all be addressed.

Transport Development Management has commented as follows:-

TDM originally recommended refusal of this application as the applicant had failed to demonstrate the impact of the development on the surrounding highway network and also failed to provide the necessary connectivity improvements by foot, bicycle and public transport in order to provide high quality linkages to the surrounding area. Detailed negotiations have been undertaken to secure a package of off-site highway mitigation.

It is now considered that the application is acceptable in highway terms subject to a Section 106 Agreement and a number of conditions.

RELEVANT POLICIES

National Planning Policy Framework – March 2012**Bristol Core Strategy (Adopted June 2011)**

BCS5	Housing Provision
BCS9	Green Infrastructure
BCS11	Infrastructure and Developer Contributions
BCS12	Community Facilities
BCS13	Climate Change
BCS14	Sustainable Energy
BCS15	Sustainable Design and Construction
BCS16	Flood Risk and Water Management
BCS17	Affordable Housing Provision
BCS18	Housing Type
BCS20	Effective and Efficient Use of Land
BCS21	Quality Urban Design
BCS22	Conservation and the Historic Environment
BCS23	Pollution

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

DM1	Presumption in favour of sustainable development Adopted July 2014)
DM14	The health impacts of development Adopted July 2014)
DM15	Green infrastructure provision Adopted July 2014)
DM16	Open space for recreation Adopted July 2014)
DM17	Development involving existing green infrastructure Adopted July 2014)
DM19	Development and nature conservation Adopted July 2014)
DM23	Transport development management Adopted July 2014)
DM26	Local character and distinctiveness Adopted July 2014)
DM27	Layout and form Adopted July 2014)

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DM28	Public realm Adopted July 2014)
DM29	Design of new buildings Adopted July 2014)
DM30	Alterations to existing buildings Adopted July 2014)
DM31	Heritage assets Adopted July 2014)
DM32	Recycling and refuse provision in new development Adopted July 2014)
DM33	Pollution control, air quality and water quality Adopted July 2014)
DM34	Contaminated land Adopted July 2014)
DM35	Noise mitigation

Supplementary Planning Guidance

PAN 2 Conservation Area Enhancement Statements (November 1993)

KEY ISSUES

(A) IS THE PRINCIPLE OF A MIXED USE EDUCATION/HOUSING DEVELOPMENT ACCEPTABLE?

i) SADMP allocation

The Sites Allocation Development Management Local Plan adopted in July 2014 allocates the site as far as the boundary to the registered historic landscape for 'housing with mixed use'.

The land within the historic landscape had previously been proposed as Important Open Space.

This was contested during the Inspectors hearing on the plan earlier this year when it was requested that the allocation for development be extended northwards to include the application site as a whole, the boundary of the registered historic park was also queried. The Inspector commented that the latter was outside the remit of the local plan. However the issue of whether it should be designated as important open space was considered and the inspector noting that the land in question was visually contained by the boundary and generally at a lower level than the remainder of the estate its was of no central importance to the important open space designation and its exclusion would not compromise the value of the remaining area.

Therefore, as approved, this part of the application site is not designated as important open space in the local plan and therefore is not specifically protected as open space in its own right. Consequently the proposed development as it affects this area falls to be assessed under policies relevant to its sporting and heritage status.

Notwithstanding, the development of the part of the site which is allocated for housing and the re-use of some of the existing buildings for school purposes is fully in accordance with the allocation.

It is noted that the allocation estimates up to 300 homes on the site, and the proposal is for fewer. However there are no significant implications in respect of achieving the city council's adopted housing targets arising from this due to other committed developments.

ii) Loss of playing fields

Irrespective of the site allocation, the playing fields have been actively used within the last five years by a number of clubs as well as UWE and hence Sport England fall to be statutory consultees.

At pre-application, Sport England indicated that the acceptability of the loss of the playing field would be influenced by UWE's stated intention of providing new, good quality, playing fields in the vicinity of their Coldharbour Road site. When the current application was submitted an application for this had yet to be submitted and according Sport England have objected to the application.

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The application was subsequently been submitted to South Gloucestershire in July 2014. Sport England have commented on aspects of the proposal and requested some further information/amendments. To date it has not been determined but Sport England have indicated that provided the development is altered in accordance with their recommendations and the scheme can be linked legally to the current application then they will withdraw their objection. With regard to the latter, UWE own the site of the proposed sports pitch and it is proposed that they be signatories to the Section 106 Agreement so they are legally bound to its provision.

iii) Loss of Registered Historic Landscape

Policy BCS22 states that development will safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including historic parks and gardens. Policy DM31 states that development will be expected to have no adverse impact on the design, character, appearance or settings of registered historic parks and gardens and to safeguard those features which form an integral part of their character and appearance.

Where development would affect the significance of a heritage asset, as in this case, applications will be expected demonstrate that all reasonable efforts have been made to; mitigate the extent of the harm to the significance of the asset; and; demonstrate how those features of a heritage asset that contribute to its historical, archaeological, social, artistic or architectural interest will be retained and demonstrate how the local character of the area will be respected.

Section 12 of the NPPF sets out how applications that affect heritage assets should be assessed and advises that any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional and be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

When considering this matter the history of the estate and the role the application site plays in its value is significant.

Before 1800 on the site of the estate records show there to have been a small country house with formal gardens set in farmland and enclosed by walls, then the Frome Valley was referred to as a key feature. New owners called in Humphry Repton to landscape the estate.

Much of the entry in the English Heritage Register refers to the valley but it does comment that parkland occupies a gently undulating plateau. The park area had been described as 'thickly studded with luxurious timber' in 1833. Research suggests that Repton probably advised removing field boundaries, breaking up old plantations, creating sunk fences, planting clumps and converting the land to pasture.

The estate was transferred to the city in the 1940's and became a public open space. Records show the part of the estate that is included in the current application being sold to the college in the 1960's at which point a Public Right of Way, which previously crossed the site, was diverted to follow its northern boundary. It is assumed that the boundary hedge was planted at that time.

Irrespective of the hedgerow and the private nature of the land, it does continue to allow open views across the area, which would have been seen from the estate house, previously sited to the north east adjacent to the existing cricket pavilion, and formed an element of the original design.

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The proposal will result in the development of approximately half of this land, the remainder is to be given over to public use albeit to remain in the ownership of the developers and included in the maintenance programme for the housing development as a whole. The landscaping of the area includes the removal of the hedgerow and planting of clumps of a mix of trees, typical to a Repton landscape.

It is recognised that the loss of the land will remove the existing openness of this part of the estate, obstruct views and lead to harm to the registered landscape. English Heritage and Avon Gardens Trust have objected to the proposal on these grounds.

When assessing the degree of harm this would cause, the design of the proposal along the park edge is taken into account with shared surface treatment, the landscape buffer and proposal to incorporate art into this buffer. The improved design of the proposed sports hall, dwellings and the overall layout is also acknowledged given that it falls within the conservation area.

Overall it is concluded that the harm will be less than substantial. It is therefore necessary to ascertain what public benefit will accrue from the development;

Public Benefit

- a) Open Space- the development includes the provision of an additional area of open space available to public use, which will be landscaped in a manner that is complimentary to the historic estate. The layout of the proposed housing includes dwellings that face onto the open space which contributes to casual surveillance and a general perception of personal security to the benefit of users of the park.
- b) Linkages- the development includes new footpath routes that provide greatly improved access to the public open space from the west and south of the site.
- c) Housing provision- the site is allocated for housing and its development for 215 dwellings will represent a significant contribution towards the housing needed by the city and the adopted targets.
- d) Affordable Housing provision- as proposed the development includes 30% affordable housing, which is compliant with adopted policy. The type, location and tenure of the affordable housing have been agreed with the Strategic Housing Team.

The consequence of omitting the part of the development which impinges on the registered landscape on the amount of affordable housing possible on the scheme has been tested financially with the applicant providing some viability information.

This information has been independently assessed and the assertion that for the development to remain viable the percentage of affordable housing would drop to 11% is accepted as being broadly accurate.

- e) School- the retention and reuse of a number of the educational buildings as a school contributes towards the significant demand for school places currently being experienced within the city. The use also secures the long term maintenance of the listed buildings without any significant or detrimental alterations.

In conclusion, there is significant and tangible public benefit arising from the development. If the development is acceptable on all other grounds it is considered that this is sufficient to override the less than substantial harm arising from the loss of this part of the registered historic garden.

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(B) WHAT ARE THE IMPLICATIONS FOR NATURE CONSERVATION ARISING FROM THE DEVELOPMENT?

This authority has a duty to safeguard protected species and ensure that there is no detriment to the nature conservation value of the site, ref DM19.

There is evidence of badger and bats on the site.

A badger corridor is to be included along the north eastern boundary to accommodate known foraging activity and it is agreed that this be enclosed by a fence to prevent garden encroachment onto this area. Conditions are recommended to protect badgers during the construction period. Elsewhere on the site, of major significance is the evidence of bats in buildings that are either to be demolished, (Canon Kitson building) or refurbished, (main buildings and The Cedars). Four species have been identified and they are a highly protected European Protected Species (EPS) and as such a licence from Natural England will be required.

In addition, given the status of bats, there is a requirement that the local planning authority apply the three derogation tests under the Conservation and Habitats and Species Regulations 2010 at this stage. These are that there is; i) no satisfactory alternative to the work, ii) that satisfactory ecological mitigation is to be undertaken and iii) that proposals are of overriding public interest.

- i) It is acknowledged that there is no alternative to the works being undertaken to achieve the proposed development.
- ii) With regard to mitigation, information on what is proposed was included with the initial submission and this has been supplemented with further information. This is now considered to be satisfactory and conditions are recommended accordingly.
- iii) Finally, as referred to under the consideration of the implications on the registered estate, the use of the retained building as a school and the associated refurbishment that is going to affect the roof spaces is a use for which there is a known need and in the public interest, the refurbishment of 'The Cedars' as residential and the residential development on the site of the Canon Kitson building are part of the larger residential development for which there is a need within the city.

In conclusion, the tests are considered to be met. There will be a requirement that all external lighting be in accordance with the guidance issued by the Bat Conservation Trust.

In addition to the matter of protected species, there are opportunities to increase the nature conservation value of the site through the planting of native species within the landscaping scheme, appropriate management of the areas of open space, e.g. inclusion of meadow cut, and the installation of bird and bat boxes. The landscaping scheme as submitted includes a number of native trees and new sections of hedgerow are proposed using native plants. This and the management of the open space and all features of nature conservation interest, e.g. badger corridor, bird and bat boxes will be required by condition.

In conclusion, pending appropriate conditions, there are no objections on the grounds of nature conservation.

(C) ARE THERE ANY CONTAMINATION ISSUES?

Some soil sampling has been undertaken but insufficient for the size of the development. Findings identify elevated arsenic, lead and polycyclic aromatic hydro carbons around the boundary. Further investigative work will be required to include screening for asbestos but with what is known

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to date, a clean engineering cap and gas resistant membrane would be appropriate measures to safeguard the health of future residents.

Conditions are recommended to require further investigation and remediation proposals as appropriate.

(D) ARE THERE ANY ARCHAEOLOGICAL IMPLICATIONS?

A desk based archaeological assessment has been submitted with the application which states as follows;

'Evidence suggests that there were buildings within the southern part of the site from the late 18th century that were demolished during the development of the college site. Any surviving evidence of these features is likely to be an asset of low archaeological significance.

The baseline evidence indicates low potential for below ground archaeological remains within the site of prehistoric, Roman or medieval date. Development activity dating from the 19th century to the modern period is likely to have significantly truncated much of the proposed development site. The baseline evidence does not suggest the presence of any below ground archaeological remains that would be of such significance so as to require preservation in situ, or that would influence development design.'

The archaeological officer concurs with this assessment but has requested that the buildings being demolished are recorded and also the listed buildings where internal alterations are proposed.

(E) IS THE IMPACT ON THE BUILT HERITAGE ACCEPTABLE?

The implications for the registered historic landscape of Oldbury Court Estate is considered under Key Issue A, it is also important to assess the impact of the development on the listed buildings, the loss of the unlisted curtilage buildings, the implications for the protected trees and the overall impact of these matters plus the new buildings on the Stapleton and Frome Valley Conservation Area;

i) Listed buildings

The re-use of the listed buildings by the Steiner School is in principle welcome as the works required in connection with this are less intrusive than those hitherto anticipated in connection with a residential conversion.

There is a need to improve the energy efficiency of the building, improve communal facilities and entrances. This includes internal and external changes. The latter largely relate to more recent additions to the buildings.

As initially proposed, English Heritage objected to some of the works that were taking place to the buildings. Changes have been negotiated to a number of works to, and around, the listed buildings, which are now considered by officers to be acceptable. English Heritage have been notified of the changes but no further comment has been received to date. This is a material consideration though as they have not specifically objected to the sister Listed Building Application, there is no requirement to refer the application to the Secretary of State before a decision is made.

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ii) Loss of unlisted, curtilage buildings

A Conservation Audit is included with the application to cover all the buildings which are to be lost, which are of limited architectural value. Pending their recording and a good quality new development in their lieu, there is no objection to their loss.

iii) Protected trees

An Arboricultural Assessment has been submitted which shows that a small number of good quality trees, to include three which are subject to a TPO, will be lost as part of the proposal, however a large number of good trees that are not subject of TPO, as well as those which are and are to be retained, will be protected during construction. This includes those along the Oldbury Court Road frontage and in the vicinity of the listed buildings, which have significant amenity value.

Other retained trees are to be incorporated into new areas of communal open space within the development.

A total of 28 new street trees are to be planted and a sum to cover their maintenance will be included in the Section 106 Agreement.

Otherwise there are a number of trees proposed adjacent to footpaths and parking areas but also significant new tree planting will take place within the area of open space as it abuts Oldbury Court Park.

iv) Impact on conservation area

Through the allocation of much of the site for housing it is already accepted that there will be a change to the appearance of this part of the Stapleton and Frome Value Conservation Area. It is however important that the new build respects and preserves the character of the site as existing and character and appearance of the conservation area around the site.

The layout and design of the proposed housing has been the subject of negotiation and a large number of amendments agreed.

Whilst acknowledging that standard house types form the basis of the housing scheme, the elevational treatments have been adapted to the context and together with the proposed retention of the Conifers, inclusion of areas of open space and design of the public realm, it is considered that the character and appearance of the site and the surrounding part of the conservation area is preserved.

There was some concern that the proposed sports hall will unavoidably appear as a large block as a product of its function. The siting of the hall has been set back from the road by 15m and it is broken up visually through detailed design and the use of traditional facing materials, it is intended to incorporate a public art feature. It is therefore concluded that pending details the hall is acceptable when assessed against the character and appearance of the conservation area.

One writer has commented on the change in character of the public right of way along the western boundary of the site that will result. Aside from one house, a landscaped buffer is proposed along the boundary to this path to include proposed and existing trees. Its character will be largely safeguarded accordingly.

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- (F) IS THE DESIGN OF THE PROPOSAL ACCEPTABLE ON HIGHWAY SAFETY GROUNDS, IS THE IMPACT ON THE HIGHWAY SAFETY SITUATION WITHIN THE WIDER AREA ACCEPTABLE?

Concerns over the highway implications of the proposal have been the principle grounds of objection to the proposal. Comments have been made on the amount of parking and design of the road layout within the housing scheme, with concerns about there being insufficient parking and that straight roads will allow high speeds, the matter of designing out the risk of cars parking on pavements is also referred to.

Outside of the site, the existing congestion experienced on the surrounding roads and how this will increase with the incoming residents and the traffic associated with the school is a major concern amongst some local residents.

Both this require careful assessment but also the issue of the impact of increased traffic on key traffic hubs within the wider area.

i) Site layout

The layout of the roads within the site are partly a product of the geometry of the site but are also aligned with key views from the open space south towards landmark buildings within the conservation area. The potential for straight roads to encourage high speeds is fully acknowledged and a 'tables' combined with changes in surfacing are proposed across the site to slow vehicles. With regard to parking, a number of street trees are proposed on build outs, which will result in parking 'bays' being created. With regard to the number of car spaces being proposed, this is above the newly adopted maximum standard, equating to 193%. The applicant has commented that the matter of parking was one of the largest areas of concern from local residents given the large amount of parking outside the site.

Of the 424 total, 115 of these are garages and experience shows that many of these are not used for parking particularly on new build schemes where there is limited storage.

Pending measures to encourage walking, cycling and public transport the proposed provision is not considered unacceptable.

ii) Off site works

In the context of existing on street parking and the potential for large number of additional traffic movements to add to congestion, there is a need for measures to make the surrounding road network operate more safely but also to encourage alternative modes of transport so to reduce the overall impact.

With regard to the former, money is to be made available to implement traffic management measures between Straits Parade and Symington Road and at the junction of Oldbury Court Road with Symington Road and Victoria Park.

In respect of the latter, monies are to be made to improve the Public Right of Way between the site and Halfpenny Bridge, improvement of the pedestrian crossing at the junction of College Road and Manor Road, improved bus stops on Manor Road, a widened pavement on College Road and a car club space. A path between the site and the play area at Oldbury Park is also proposed to serve residents of the site and those existing residents who will use the routes through the site as short cuts. Travel Plans will be required for the residential element and the school.

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iii) Wider impact

The traffic from the development towards the centre will either use Fishponds Road or Manor Road up to the roundabout between Broom Hill and Frenchay Park Road.

This roundabout is already congested at peak times and there is a need to undertake works to make it safer for all road users and operate more efficiently. It is recognised that it is not only traffic from the application site which will add to existing congestion but also from the other two sites allocated for development in the SADMP at Blackberry Hill and Glenside. Consequently a proportionate contribution from the development is sought towards the works to the roundabout.

Pending relevant conditions and contributions to address the above items as appropriate, it is considered that the impact of the development can be mitigated.

The Construction Management Plan will address the route of construction vehicles.

(G) WILL THE PROPOSAL HAVE AN ADVERSE IMPACT ON NEIGHBOURS?

Concern has been expressed that the development will have an adverse impact on existing houses which currently look over the playing fields. Whereas view cannot be considered through the planning process, the matters of light, privacy and noise are important issues.

i) Privacy

The intervening distances between facing windows of proposed and existing houses is a minimum of 30m, this is sufficient to off set loss of privacy.

In respect of light, no proposed building is so close to existing to result in an unacceptable loss of daylight or overbearance.

ii) Light

Due to the orientation, shadow fall will be cast towards existing buildings along the eastern boundary of the site during the afternoon. However taking the intervening distance into account and the existing boundaries to the site the increase in shadow will be limited and not affect house. There is one proposed house due south of existing gardens and houses which will cast shadow onto gardens during much of the day, this has been moved away from the boundary through the relocation of the garage and notably this is a location where there are a number of trees at present which serve to cast shadow.

iii) Noise

Some objectors have referred to concern that the traffic associated with the development will result in noise and nuisance. While there will be an increase in traffic and pedestrian flow, it will be largely residential in nature and not grounds to object to the proposal.

The school has stated that some of its buildings will be available for community use and concern has been expressed that the use of the sports hall out of hours and the area to the front of the sports hall for play in connection with the school will cause noise nuisance.

A noise assessment of the proposed sports hall has been provided which shows that noise outbreak will be significantly lower than that which would cause nuisance to residential neighbours. However there remains the issue of general comings and goings that could be disruptive to immediate neighbours. When considering this it is recognised that there can be no

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control over the use of the assembly hall and refectory, which are referred to as potentially being available as there is no change of use involved. However the sports hall is a sizable building and its use out of hours would contribute to levels of activity. Consequently an hours control is recommended.

In respect of concerns that the construction phase will have an adverse impact on neighbours, it is recognised that there will be impact but the required construction management plan will cover the matters of noise, vibration, dust and site lighting. Matters such as hours of working, complaint management and public liaison will be addressed.

(H) DOES THE DEVELOPMENT SATISFACTORILY ADDRESS THE MATTER OF CLIMATE CHANGE?

A Sustainability Statement and a Building for Life Assessment have been submitted with the application.

As an overall assessment, it is recognised that the site is within easy walking distance of the major public transport route of Fishponds Road, where there is also a wide range of local facilities.

A number of the transport measures set out under key issue F will facilitate the use of alternative means of transport.

A mix of house types, size and tenures, to include a number of affordable units, are proposed on the site. The development is well served by existing and proposed open space and incorporates new routes into Oldbury Court Park, which will serve the wider area.

A strategy is proposed that will enable both the new housing and sports hall to save up to 20% CO2 above base level through the use of renewables in the form of PV panels. Full details of this are not included at this stage and further information is to be required by condition. Code for Sustainable Homes Level 3 is to be achieved by the housing and a condition is recommended that require evidence of registration. As BREEAM Refurbishment is to go live from the beginning of November, it is also recommended that the works to the retained buildings be registered for assessment but as the listed status of the buildings may be influential in the level achievable, this is not stipulated.

A SUDS scheme has been outlined for the housing development, which includes a swale within the area of open space to the north and permeable paving within the developed area. The overall principles are acceptable but a detailed SUDs scheme will be required.

Overall the level of information is satisfactory to demonstrate that the matter of climate change has been acceptably addressed.

(I) IS THE IMPACT ON THE BUILT HERITAGE ACCEPTABLE?

i) Listed buildings

The re-use of the listed buildings by the Steiner School is in principle welcome as the works required in connection with this are less intrusive than those hitherto anticipated in connection with a residential conversion.

There is a need to improve the energy efficiency of the building, improve communal facilities and entrances. This includes internal and external changes. The latter largely relate to more recent additions to the buildings.

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As initially proposed, English Heritage raised concerns to some of the works that were taking place to the buildings and their curtilage.

Changes have been negotiated to a number of works to, and around, the listed buildings, which are now considered by officers to be acceptable. English Heritage have been notified of the changes but no further comment has been received to date. However as English Heritage have not specifically objected to the application, there is no requirement for it to be referred to the Secretary of State.

Conditions are recommended to require further details but also given that BREAM Refurbishment is now live, that the works be registered.

- ii) Loss of unlisted, curtilage buildings

The Heritage Statement provides full statement and assessment of the buildings which are to be lost, which are of limited architectural value. Pending their recording and a good quality new development in their lieu, there is no objection to their loss.

(J) ARE THERE ANY OTHER POLICY IMPLICATIONS TO THE LISTED BUILDING APPLICATION?

As this application allows the demolition of the existing buildings on site as well as works to the listed buildings, conditions to secure a construction management plan, protect wildlife and retained trees will also be required.

CONCLUSION

The proposed scheme largely accords with the adopted Site Allocation for the site. The public benefit in respect of; the provision of new housing, 30% affordable housing, new publicly accessible open space and new pedestrian routes into the park, is considered to outweigh the less than substantial harm resulting from the development of an element of the Grade II registered landscape of Oldbury Court Estate. The use of the Grade II* listed buildings as a school is welcome and the layout and overall appearance of the new build will respect the appearance and character of the surrounding part of the Stapleton and Frome Valley Conservation Area.

COMMUNITY INFRASTRUCTURE LEVY

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

The CIL liability for this development is £763,277.98.

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APPLICATION (A) 14/02640/F:

RECOMMENDED GRANT subject to Planning Agreement

That the applicant be advised that the Local Planning Authority is disposed to grant planning permission, subject to the completion, within a period of six months from the date of this committee, or any other time as may be reasonably agreed with the Service Director, Planning and Sustainable Development and at the applicant's expense, of a planning agreement made under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended), entered into by the applicant, Bristol City Council and any other interested parties to cover the following matters:

1. 30% Affordable Housing
2. Contribution to offsite highway works;
 - i) £148,515 towards a scheme at the Broom Hill/Frenchay Park Road junction
 - ii) £45,000 towards a scheme at the junction of Oldbury Court Road with Symington Road and Victoria Park
 - iii) £90,000 towards improved pedestrian safety at the College Road/Manor Road junction and upgrade the bus stops on Manor Road
 - iv) £102,125 for surfacing improvements to the public right of way between College Road and Halfpenny Bridge
 - v) £30,625 to provide a new footpath link from the north of the development to the Oldbury Court Estate
 - vi) £5,000 towards Traffic Regulation Orders associated with the development
 - v) Provision of a one car club space and car
3. Off Site highway works;
 - i) Improvements to College Road footpath to include widening.
4. Maintenance of Street Trees
£92,928.65, (28 x £3,318.88)
5. Provision of alternative playing pitch at land south of Filton Road, Hambrook

A fee of £6,546.60 to cover the proper and reasonable costs incurred by the council in connection with the monitoring of the obligations contained in the agreement. All monetary contributions to be index linked to the date of committee.

- (B) That the Head of Legal Services be authorised to conclude the Planning Agreement to cover matters in recommendation (A).
- (C) That on completion of the Section 106 Agreement, planning permission be granted, subject to the following conditions:

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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. Construction management plan

No development of i) The housing, ii) Sports hall, iii) Works to listed buildings shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to, and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- * Parking of vehicle of site operatives and visitors
- * routes for construction traffic
- * hours of operation
- * means of reducing the effect of noise, vibration, dust and site lighting on residential neighbours
- * best practice to ensure adverse impact from dust, air pollution, effects on water quality, pollution from light, fuel use/storage and other potentially hazardous materials on the adjacent Site of Nature Conservation Interest and a buffer area of at least 5m
- * method of prevention of mud being carried onto highway
- * pedestrian and cyclist protection
- * proposed temporary traffic restrictions
- * arrangements for turning vehicles

Reason: In the interests of safe operation of the highway, safeguarding residential amenity and nature conservation of the site.

The developer is advised as follows;

i) Impact on neighbours

The Construction Environmental Management Plan as it relates to the issue of residential amenity should also include but is not limited to reference to the following:

Procedures for maintaining good public relations including complaint management, public consultation and liaison

Arrangements for liaison with the Council's Pollution Control Team

All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08 00 Hours and 18 00 Hours on Mondays to Fridays and

08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.

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Deliveries to, and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

Procedures for emergency deviation of the agreed working hours.

Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.

Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants. Measures for controlling the use of site lighting whether required for safe working or for security purposes

ii) Nature conservation

Robust protective fencing should be erected along the buffer line, incorporating warning signs, its location and a plan showing the boundaries of the SNCI. Contractors and subcontractors should be briefed on the importance of the ecological features which are to be retained on site. The site lighting shall ensure there is no light spill outside the boundaries of the site.

3. Highway to be adopted

No development of the housing shall take place until construction details of the internal access road(s) to achieve an adoptable standard have been submitted to and been approved in writing by the Local Planning Authority. The building(s) hereby permitted shall not be occupied or the use commenced until the road(s) is/are constructed in accordance with the approved plans.

Reason - To ensure the internal access roads are to a satisfactory standard for use by the public and are completed prior to occupation.

4. Badger Check

Prior to commencement of development a check shall be made by a suitably qualified ecologist and a report submitted in writing by the local planning authority for badger setts which may have been created since the ecological survey undertaken in March 2014.

Reason: To protect badger setts from damage or disturbance during development operations bearing in mind that the animal and its sett are specially protected by law.

5. Protection of badgers

Prior to the commencement of development, details of a scheme for the retention and/or closure of the badger setts or creation of new artificial badger setts, including the establishment of an exclusion zone around the setts from which all building, engineering, storage, other operations and all vehicles and personnel working on the site should be excluded, shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the provision of access for badgers along suitably wide corridors, means for fencing off the exclusion zone and the erection of site notices. The development shall be carried out in accordance with the approved scheme or any amendment of the scheme as approved in writing by the local planning authority.

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Reason: To protect the badger setts from damage or disturbance during development operations bearing in mind that the animal and its sett are specially protected by law.

6. Protection of badgers during construction

No development shall take place until measures to protect badgers from being trapped in open excavations and/or pipes and culverts are submitted to and approved in writing by the local planning authority. Measures shall include cover-plating, chain link fencing or the creation of sloping escape ramps for badgers by edge profiling of trenches/excavations or placing a plank in the bottom of open trenches at the end of each working day to allow any trapped badgers to escape. This is to prevent foraging badgers falling into trenches during the construction phase of the development. Open pipework larger than 150 mm outside diameter should be blanked off at the end of each working day.

Reason: To prevent harm to legally protected badgers.

7. Protection of retained trees during the construction period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position and to the specification shown on Drawing Nos. D28 28 P3 Rev D 1 of 2 and Rev D 2 of 2. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

8. Land affected by contamination - Site characterisation

No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

* human health,

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- * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- * adjoining land,
- * groundwaters and surface waters,
- * ecological systems,
- * archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11".

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. Land affected by contamination - submission of remediation scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. Land affected by contamination - implementation of approved remediation scheme

In the event that contamination is found, no development other than that required to be carried out as part of an approved scheme of remediation shall take place until the approved remediation scheme has been carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and be approved in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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11. Sustainable Energy Generation

Development of i) the housing hereby approved and ii) the sports hall hereby approved shall not commence until an energy strategy setting out how the development shall provide sufficient renewable energy generation for each element to reduce carbon dioxide emissions from the development by at least 20% beyond current requirements in Building Regulations Part L has been submitted and approved in writing by the Local Planning Authority. The energy strategy should include details of location, design and installation and a timetable for physical works on site.

The approved details shall be implemented in accordance with the approved timetable and strategy and retained as operational thereafter.

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

12. Code for sustainable homes (CSH)

No development of the housing shall take place until evidence that the development is registered with a CSH certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve the stipulated final CSH level. No dwelling shall be occupied until a final Code for Sustainable Homes (or any such equivalent national measure of sustainability for home design which replaces that scheme) Certificate has been issued certifying that Code Level 3 has been achieved for this dwelling unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.

Reason: To ensure that the dwelling (s) achieve Level 3 of the Code for Sustainable Homes (or any such equivalent national measure of sustainability for home design which replaces that scheme) and assessment and certification shall be carried out by a licensed CSH assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

13. Retained Buildings- BREEAM refurbishment

The works to the retained buildings shall not commence until evidence that the development is registered with a BREEAM certification body and a pre-assessment report in accordance with BREEAM UK Non-domestic refurbishment has been submitted indicating which level the development can achieve shall be submitted and approved in writing by the Local Planning Authority. No building shall be occupied until a final Certificate has been issued certifying that the approved level has been achieved for this development.

Reason: To ensure that the development achieves a satisfactory BREEAM rating level (or any such equivalent national measure of sustainability for building design which replaces that scheme) and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

14. Bat mitigation

All site clearance and construction works shall be carried out in strict accordance with the recommendations in the submitted ecological survey report dated 29 April 2014 and outline bat mitigation strategy received on 30 May 2014, recommendations and bat mitigation

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strategy in updated report received 3.11.14 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the protection and welfare of legally protected and priority species

15. Bat protection

Development as it relates to the existing buildings shall not commence until details of a scheme for the retention of the bats' roosts and the retention of the bats' existing accesses or the provision of alternative new roosts or accesses, has been submitted to and approved in writing by the local planning authority.

The scheme shall include a programme for the implementation of the development which minimises any impacts on bats including the provision of suitable voids or crevices for bats, bat boxes, bricks or similar, 'soft strip' demolition methods and measures to minimise light pollution. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the local planning authority.

Reason: To enable the local planning authority to retain control over development in order to safeguard bats and their roosts which are specially protected by law.

16. Bird and bat boxes

Prior to the commencement of i) the dwellings hereby permitted and ii) the sports hall details shall be submitted providing the specification and location for built-in bird nesting and bat roosting opportunities. This shall include 30 built-in bird and 30 built-in bat boxes, to include at least 15 swift bricks.

Reason: To help conserve legally protected bats and birds which include priority species.

Guidance: Examples of built-in bird and bat boxes are available from:

<http://www.ibstock.com/sustainability-ecozone.asp>

http://www.nhbs.com/brick_boxes_for_birds_eqcat_431.html

If built-in bird and bat boxes cannot be provided within built structures, they should be provided on trees (with no more than one bird box per tree).

Bird boxes should be installed to face between north and east to avoid direct sunlight and heavy rain. Bat boxes should face south, between south-east and south-west. Bird boxes should be erected out of the reach of predators. For small hole-nesting species bird boxes should be erected between two and four metres high. Bat boxes should be erected at a height of at least four metres, close to hedges, shrubs or tree-lines and avoid well lit locations.

17. Recording of buildings

No demolition or refurbishment of existing college buildings; shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording to be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment

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18. Large scale details

Detailed drawings including plans, sections and elevations at a relevant scale between 1:5 and 1:20 of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The works shall be carried out in accordance with that approval.

Large scale details of the proposed New Sports Hall

- a. Brick details including coursing, bonding, pointing and other decorative features
- b. Doors and windows including sills, lintels, surrounds incorporating public art work
- c. Roof details including eaves, copings, ridges, overhangs, guard rails, maintenance structures
- d. External cladding and details of all junctions with other materials
- e. External surface at entrance and soffit
- f. External staircase
- g. Rain water goods

Large scale details of the Residential Development (units 1-215)

- a. Typical brick coursing, bonding, pointing and other decorative features.
- b. Typical of all types of doors and window opening including sills, lintels, surrounds, reveals and design of external doors and windows.
- c. Typical details of all balcony types
- d. Typical details of bay projections, porches and canopies
- e. Typical details of eaves, soffits, overhangs, ridge, parapets, coping
- f. Typical details of rain water goods
- g. Typical details of junction with other materials
- h. Typical details of front boundary wall and retaining wall showing their location on plan

Reason- to ensure a satisfactory form of development

19. Provision of material samples/sample panels on site for inspection

Sample panels of all external materials comprising of wall facing materials, external cladding, plinth, external doors and windows including frames, sills, lintels and surrounds, door/window, decorative features, eaves, rainwater goods demonstrating the colour, texture, face bond and pointing of the following shall be erected at an appropriate location on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced.

1. School Sports building
2. Residential development

The development shall be completed in accordance with the approved sample before the building is occupied. The approved sample should be retained until the completion of the building.

Reason: In order to ensure the quality of the design and external appearance of the building is of high quality and compliant with the local Plan.

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20. Details of external realm

Detailed drawings including plans, sections and elevations at a relevant scale between 1:5 and 1:20 of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The works shall be carried out in accordance with that approval.

- a. Full details of tree pit construction in highway and soft landscape areas showing relationship to the surrounding highway and footway paving, tree grills where used, nature of growing medium, size of pits, tree support, method of anchoring and means of irrigation to ensure the provision of optimum growing conditions for newly planted trees.
- b. Construction details for junctions between i) paving materials (showing changes of level) and ii) between areas of hard and soft landscape treatments.
- c. Construction details of boundary treatments impacting to public realm i) 900mm high estate railings ii) 1800mm high close board timber fencing iii) 900mm screen wall
- d. Details of street furniture including lamps

Advice: All details to cite appropriate standards of good practice and guidance (such as BSI) for materials and workmanship where relevant.

Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the character and appearance of this part of the Oldbury Court Conservation Area.

21. External Realm- Samples

Sample panels of all external surfacing materials including Paving, kerbs, edging, showing jointing details shall be erected at an appropriate location on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved sample before the relevant phase is occupied in accordance with the phasing plan submitted. The approved sample should be retained until the completion of works.

Reason- To ensure that the appearance of the development is satisfactory and that it contributes to the character and appearance of this part of the Oldbury Court Conservation Area.

22. Historic Environment

Further details of following items; before relevant element started

Detailed drawings at the scale of 1 to 5; of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work to the retained college buildings is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) all new windows external doors including the glazing system/curtain walling to College Road remodelled entrance, the new fenestration to the conifers and chapel lecture theatre,
- b) all new internal joinery including doors, architraves, stairs and their guarding
- c) eaves detailing to the remodelled College Road entrance

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- d) ventilation terminals and flues

Reason: In the interests of visual amenity and the character of the area.

23. Historic Environment

Submissions of samples before specified elements started

Samples and materials of the following aspects of the scheme; shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work to the retained college buildings are commenced.

- a) Render to remodelled College Road Entrance
- b) Glazing system/curtain walling to College Road remodelled Entrance
- c) Typical masonry repairs and repointing to the Facades of the original college buildings
- d) New/replacement roofing materials
- e) New/replacement rain water goods
- f) Facing materials to the entrance steps and ramp at the College Road Entrance

The development shall be completed in accordance with the approved samples before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

24. Completion and maintenance of sustainable urban drainage - details to be approved

Prior to the commencement of the dwelling hereby permitted full details of the sustainable urban drainage scheme, (to be designed in accordance with the approved FRA) and to include a management and maintenance plan, shall be submitted and approved in writing by the Local Planning Authority, this shall be completed prior to the occupation of the dwellings and subsequently managed and maintained in accordance with that approval.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

25. Public Art

Prior to the commencement of the relevant parts of the development, a public art plan shall be developed for:

1. The historic park and garden in co-ordination with the landscape design. The area for public art proposals shall include the retained green open space, the boundary edge of the historic park and garden with the proposed residential development and trees along this edge.
2. School Sports Hall

The scope, programme and design of the public art proposed shall be agreed in writing with Local Planning Authority.

Following the approval of the plan details of the public art commission for the areas identified along with details of their construction, care and maintenance, shall be submitted for approval prior to the relevant works commencing. The public art work(s) shall be completed in accordance with the plans and programme agreed by the Local Planning

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Authority, and thereafter retained as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To mitigate against the development extending within the historic park and garden, the integration of public art into the landscape design and buildings and in pursuance of BCC's public art policy.

Pre occupation condition(s)

26. Reinstatement of redundant accessways

No dwelling hereby permitted shall be occupied or the use commenced until the existing accesses to the development site in Oldbury Court Road have been permanently stopped up and the footway reinstated to the satisfaction of the Local Planning Authority.

Reason: In the interests of pedestrian safety.

27. Implementation/installation of refuse storage and recycling facilities - shown on approved plans

No dwelling shall be occupied or the use of the sports hall commence until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans to serve that property have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

28. Completion and maintenance of car/vehicle parking - shown on approved plans

No dwelling hereby permitted shall be occupied or the use of the sports hall commence until the car/vehicle parking area shown on the approved plans to serve the dwelling/school buildings have been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

Reason: To ensure that there are adequate parking facilities to serve the development.

29. Completion and maintenance of cycle provision - to be approved

No dwelling shall be occupied or the use of the sports hall commence until full details of secure and weathertight cycle parking to serve the uses have been submitted and approved in writing by the Local Planning Authority, has been completed in accordance with that approval and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking.

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30. Travel Plans Residential - not submitted

No dwelling shall be occupied until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

31. Travel Plans School - not submitted

The use of the sports hall shall not commence until a School Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use for pupils, staff and visitors shall be prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

32. Completion of Pedestrians/Cyclists Access - Shown on approved plans

The use of the sports hall shall not commence until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

33. Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition ****, which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition ****.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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34. New works to match - Listed Buildings

All new external and internal works and finishes, and any works of making good, to the existing college buildings, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: In order that the special architectural and historic interest of the Listed Buildings is safeguarded.

35. Landscaping of open space

Prior to the occupation of the dwellings facing the open space hereby approved a detailed design for the landscaping works to the area of registered historic landscape of Oldbury Court estate within the site boundary and that is retained as open space (including the swale feature), to incorporate a public art proposal into the design shall be submitted to and approved in writing by the Local Planning Authority Planning authority before the commencement of these works.

Reason: To mitigate against the development extending within the historic park and garden.

36. Management of open space

Prior to the implementation of the landscaping works approved under condition 37, there shall be submitted and approved in writing by the Local Planning Authority a long-term management plan for the maintenance of this area, the space shall be managed in accordance with that approved plan.

Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the character and appearance of this part of the Oldbury Court Conservation Area.

37. Implementation of landscaping works- approved

All landscaping proposals hereby approved, (to include that under conditions 21 and 37) shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the character and appearance of this part of the Oldbury Court Conservation Area.

38. Details of lighting scheme - Nature Conservation

Prior to commencement of the installation of any proposed external lighting to; i) the housing, ii) sports hall and iii) the retained college buildings, details shall be submitted and agreed in writing by the Local Planning Authority. These shall include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries. The location

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of bat roosts should be plotted on the plan. All lighting must be designed in accordance with guidance from the Bat Conservation Trust.

Reason: To conserve legally protected bats and other nocturnal wildlife.

39. Badger corridor

Prior to the occupation of the dwellings abutting the proposed badger corridor, there shall be submitted and approved in writing by the Local Planning Authority, details of the proposed fencing to the corridor. The corridor shall be implemented and maintained in accordance with that approval.

Reason- In the interests of protected species.

40. Management of nature conservation

Prior to the occupation of the developments hereby permitted there shall be submitted and approved in writing by the Local Planning Authority a ten year nature conservation management plan for the application site. This should include consideration of features of interest,(to include the badger corridor, bat roosts, badger sett, bird and bat boxes) objectives, management prescriptions, a work schedule including a 10 year annual work plan, resourcing including a financial budget and monitoring.

Reason: To conserve and enhance the nature conservation and landscape features on the site.

Post occupation management

41. Ecological Survey- renewal

Should no development take place within twelve months from the date of the Ecological Survey dated March 2014, the site shall be re-surveyed for legally protected and priority (Section 41) species and an updated survey submitted to and agreed by the Local Planning Authority. The development shall only take place in accordance with the recommendations and (if applicable) mitigation measures contained in the approved updated protected species survey, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide up to date information to determine whether legally protected and priority species are present on the site.

42. 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 the interests of residential amenity.

43. 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.

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Reason: To safeguard the amenities of nearby occupiers

44. Restriction of parking level on site

Parking within the development site is to be restricted to the areas allocated on the approved plans and shall not encroach onto areas allocated on the plans for other uses.

Reason: To control the level of parking on the site and to safeguard the uses of other areas.

45. No further extensions- Plots 8, 47, 49-55 and 69-72

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) on the above plots, hereby permitted, or any detached building erected, without the express permission in writing of the council.

Reason: The further extension of this (these) dwelling(s) or erection of detached building requires detailed consideration to safeguard the amenities of the surrounding area.

46. Use of sports hall

The use of the sports hall hereby permitted, shall be restricted to the hours of 08:00 to 21:00 Monday to Friday, 08:00 to 18:00 Saturday, and Sunday and Public Holidays 08:00 to 18:00. Outside of these hours the hall should not be used for education or other community use.

Reason- To safeguard public amenity.

List of approved plans

47. 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.

As per the plans schedule received.

Reason: For the avoidance of doubt.

Advices

1. Alterations to vehicular access: There is a requirement to make alterations to vehicular access(es). Applicants should note the provisions of section 184 of the Highways Act 1980. The works should be to the specification and constructed to the satisfaction of the Highway Authority (Telephone 0117 9222100). You will be required to pay fees to cover the councils costs in undertaking the approval and inspection of the works.
2. Works on the public highway: The development hereby approved includes the carrying out of work on the public highway. You are advised that before undertaking work on the highway you must enter into a formal agreement with the council which would specify the works and the terms and conditions under which they are to be carried out. You should

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contact City Development, Wilder House, Wilder Street, Bristol, BS2 8PH or telephone 0117 903 6846, allowing sufficient time for the preparation and signing of the agreement. You will be required to pay fees to cover the councils cost's in undertaking the following actions:

- 1) Drafting the agreement
 - 2) A monitoring fee equivalent to 15% of the planning application fee
 - 3) Approving the highway details
 - 4) Inspecting the highway works.
3. Traffic Regulation Order (TRO): In order to comply with the requirements of condition; you are advised that the implementation of a TRO is required. The TRO process is a lengthy legal process involving statutory public consultation and you should allow an average of 6 months from instruction to implementation. You are advised that the TRO process cannot commence until payment of the TRO fees are received. Telephone 0117 9036846 to start the TRO process.
4. Highway to be adopted: All or part of the highway to be constructed in accordance with planning approval hereby granted is to be constructed to an adoptable standard and subsequently maintained at public expense. It is necessary for the developer to comply with the Highway Engineer's specification and terms for the phasing of the development, in accordance with section 38 (Adoption of highway by agreement) or section 219 (the Advance Payments code) of the Highways Act 1980. You must also contact the Engineering Design and Main Drainage Design section of City Transport to discuss the requirements for adopted roads or sewers and in due course submit a separate application in respect of these works. You are reminded of the need for early discussions with statutory undertakers to co-ordinate the laying of services under highways to be adopted by the Highway Authority. Telephone 0117 9222100.
5. Public Right of Way: The above application site abuts a Public Right of Way (PROW) No. BCC/;. Whilst it may be unlikely that the [public FP/BR] will be affected by the proposed development, it should remain open and safe for public use at all times. The developer should therefore be made aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or on completion, as any interference may well constitute a criminal offence.

The Public Rights of Way team should be consulted on any proposals concerning the property boundary abutting PROW [No.].****.

[Optional para. No public vehicular rights exist along this path and it may not be driven along without the lawful authority of the landowner(s), unless a private right of way is shown on property deeds. It is the applicant's responsibility to ensure that the appropriate private right exists or has been acquired from the landowner.]

Due to the close proximity of the development site to the [FP/BR], it may be necessary to advise as follows:-

During construction works, PROW [No.****] :-

- * Should remain open, unobstructed and safe for public use at all times;
- * no materials are to be stored or spilled on the surface of the PROW;
- * there must be no encroachment onto the width of the PROW;
- * no vehicles are to use the PROW without lawful authority;
- * any scaffolding and/or skips placed over or adjacent to the right of way must not obstruct public access or inconvenience the public in their use of the way and must be properly

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licensed (for a permit application form, contact the Highway Asset Management Group, tel. 0117 922 3838);

* if construction works are likely to temporarily affect the right of way, the developer may need to apply for a temporary Traffic Regulation Order to close or divert the PROW for the duration of the works on the grounds of safety of the public. For further advice, or to apply for a TTRO, contact the Highway Network Management team, Tel. 0117 903 6838). N.B. Any damage caused to the surface of the right of way during development works must be made good to the satisfaction of the Highway Authority.

6. The development hereby approved is likely to impact on the highway network during its construction. The applicant is required to contact Highway Network Management to discuss any temporary traffic management measures required, such as footway, Public Right of Way or carriageway closures, or temporary parking restrictions. Please call 0117 9031212 or email traffic@bristol.gov.uk a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.
7. Work must not commence to the existing buildings until a Natural England EPS licence has been obtained for the works.
8. (ref condition no.21) The recommended design criteria for dwellings are as follows:

Daytime (07.00 - 23.00) 35 dB LAeq 16 hours in all rooms & 50 dB in outdoor living areas.
Nighttime (23.00 - 07.00) 30 dB LAeq 8 hours & LAm_{ax} less than 45 dB in bedrooms.
9. An Employment and Training Strategy is recommended and should be agreed prior to development with the aim of maximising opportunities for local people, to include commitments about local procurement, recruitment and training.

APPLICATION (B) 14/02671/LA**RECOMMENDED GRANT subject to condition(s)****Time limit for commencement of development**

1. Listed Building Consent or Conservation Area Consent

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

Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004.

Pre commencement condition(s)

2. Construction management plan

No development of i) The housing, ii) Sports hall, iii) Works to listed buildings shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to, and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

Development Control Committee B – 12 November 2014**Application No. 14/02640/F and 14/02671/LA: St Matthias Campus (UWE) Oldbury Court Road/College Road Fishponds Bristol BS16 2JP**

- * Parking of vehicle of site operatives and visitors
- * routes for construction traffic
- * hours of operation
- * means of reducing the effect of noise, vibration, dust and site lighting on residential neighbours
- * best practice to ensure adverse impact from dust, air pollution, effects on water quality, pollution from light, fuel use/storage and other potentially hazardous materials on the adjacent Site of Nature Conservation Interest and a buffer area of at least 5m
- * method of prevention of mud being carried onto highway
- * pedestrian and cyclist protection
- * proposed temporary traffic restrictions
- * arrangements for turning vehicles

Reason: In the interests of safe operation of the highway, safeguarding residential amenity and nature conservation of the site.

The developer is advised as follows;

i) Impact on neighbours

The Construction Environmental Management Plan as it relates to the issue of residential amenity should also include but is not limited to reference to the following:

Procedures for maintaining good public relations including complaint management, public consultation and liaison

Arrangements for liaison with the Council's Pollution Control Team

All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08 00 Hours and 18 00 Hours on Mondays to Fridays and

08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.

Deliveries to, and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

Procedures for emergency deviation of the agreed working hours.

Bristol City Council encourages all contractors to be 'Considerate Contractors' when working in the city by being aware of the needs of neighbours and the environment.

Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants. Measures for controlling the use of site lighting whether required for safe working or for security purposes

ii) Nature conservation

Robust protective fencing should be erected along the buffer line, incorporating warning signs, its location and a plan showing the boundaries of the SNCI. Contractors and subcontractors should be briefed on the importance of the ecological features which are to be retained on site. The site lighting shall ensure there is no light spill outside the boundaries of the site.

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3. Badger Check

Prior to commencement of development a check shall be made by a suitably qualified ecologist and a report submitted in writing by the local planning authority for badger setts which may have been created since the ecological survey undertaken in March 2014.

Reason: To protect badger setts from damage or disturbance during development operations bearing in mind that the animal and its sett are specially protected by law.

4. Protection of badgers

Prior to the commencement of development, details of a scheme for the retention and/or closure of the badger setts or creation of new artificial badger setts, including the establishment of an exclusion zone around the setts from which all building, engineering, storage, other operations and all vehicles and personnel working on the site should be excluded, shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the provision of access for badgers along suitably wide corridors, means for fencing off the exclusion zone and the erection of site notices. The development shall be carried out in accordance with the approved scheme or any amendment of the scheme as approved in writing by the local planning authority.

Reason: To protect the badger setts from damage or disturbance during development operations bearing in mind that the animal and its sett are specially protected by law.

5. Protection of badgers during construction

No development shall take place until measures to protect badgers from being trapped in open excavations and/or pipes and culverts are submitted to and approved in writing by the local planning authority. Measures shall include cover-plating, chain link fencing or the creation of sloping escape ramps for badgers by edge profiling of trenches/excavations or placing a plank in the bottom of open trenches at the end of each working day to allow any trapped badgers to escape. This is to prevent foraging badgers falling into trenches during the construction phase of the development. Open pipework larger than 150 mm outside diameter should be blanked off at the end of each working day.

Reason: To prevent harm to legally protected badgers.

6. Protection of retained trees during the construction period

No work of any kind shall take place on the site until the protective fence(s) has (have) been erected around the retained trees in the position and to the specification shown on Drawing Nos. D28 28 P3 Rev D 1 of 2 and Rev D 2 of 2. The Local Planning Authority shall be given not less than two weeks prior written notice by the developer of the commencement of works on the site in order that the council may verify in writing that the approved tree protection measures are in place when the work commences. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree

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shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Reason: To protect the retained trees from damage during construction and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area.

7. Retained Buildings- BREEAM refurbishment

The works to the retained buildings shall not commence until evidence that the development is registered with a BREEAM certification body and a pre-assessment report in accordance with BREEAM UK Non-domestic refurbishment has been submitted indicating which level the development can achieve shall be submitted and approved in writing by the Local Planning Authority. No building shall be occupied until a final Certificate has been issued certifying that the approved level has been achieved for this development.

Reason: To ensure that the development achieves a satisfactory BREEAM rating level (or any such equivalent national measure of sustainability for building design which replaces that scheme) and assessment and certification shall be carried out by a licensed BREEAM assessor and to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.

8. Bat mitigation

All site clearance and construction works shall be carried out in strict accordance with the recommendations in the submitted ecological survey report dated 29 April 2014 and outline bat mitigation strategy received on 30 May 2014, recommendations and bat mitigation strategy in updated report received 3.11.14 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the protection and welfare of legally protected and priority species

9. Bat protection

Development as it relates to the existing buildings shall not commence until details of a scheme for the retention of the bats' roosts and the retention of the bats' existing accesses or the provision of alternative new roosts or accesses, has been submitted to and approved in writing by the local planning authority.

The scheme shall include a programme for the implementation of the development which minimises any impacts on bats including the provision of suitable voids or crevices for bats, bat boxes, bricks or similar, 'soft strip' demolition methods and measures to minimise light pollution. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the local planning authority.

Reason: To enable the local planning authority to retain control over development in order to safeguard bats and their roosts which are specially protected by law.

10. Recording of buildings

No demolition or refurbishment of existing college buildings; shall take place until the applicant/developer has recorded those parts of the building which are likely to be disturbed or concealed in the course of redevelopment or refurbishment. The recording to

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be carried out by an archaeologist or archaeological organisation approved by the Local Planning Authority.

Reason: To ensure that features of archaeological or architectural importance within a building are recorded before their destruction or concealment

11. Historic Environment

Further details of following items; before relevant element started

Detailed drawings at the scale of 1 to 5; of the following shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work to the retained college buildings is begun. The detail thereby approved shall be carried out in accordance with that approval.

- a) all new windows external doors including the glazing system/curtain walling to College Road remodelled entrance, the new fenestration to the conifers and chapel lecture theatre,
- b) all new internal joinery including doors, architraves, stairs and their guarding
- c) eaves detailing to the remodelled College Road entrance
- d) ventilation terminals and flues ;

Reason: In the interests of visual amenity and the character of the area

12. Historic Environment

Submissions of samples before specified elements started

Samples and materials of the following aspects of the scheme; shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work to the retained college buildings are commenced.

- a) Render to remodelled College Road Entrance
- b) Glazing system/curtain walling to College Road remodelled Entrance
- c) Typical masonry repairs and repointing to the Facades of the original college buildings
- d) New/replacement roofing materials
- e) New/replacement rain water goods
- f) Facing materials to the entrance steps and ramp at the College Road Entrance

The development shall be completed in accordance with the approved samples before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory.

13. Historic Environment - Internal features

All existing internal decoration features of the college buildings to be retained, including plaster work, ironwork, fireplaces, doors, windows, staircases, staircase balustrade and other woodwork, shall remain undisturbed in their existing position, and shall be fully protected during the course of works on site unless expressly specified in the approved drawings.

Reason: In order that the special architectural and historic interest of this Listed Building is safeguarded

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14. New works to match - Listed Buildings

All new external and internal works and finishes, and any works of making good, to the existing college buildings, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: In order that the special architectural and historic interest of the Listed Buildings is safeguarded

15. Details of lighting scheme - Nature Conservation

Prior to commencement of the installation of any proposed external lighting to; i) the housing, ii) sports hall and iii) the retained college buildings, details shall be submitted and agreed in writing by the Local Planning Authority. These shall include a lux level contour plan, and should seek to ensure no light spill outside of the site boundaries. The location of bat roosts should be plotted on the plan. All lighting must be designed in accordance with guidance from the Bat Conservation Trust.

Reason: To conserve legally protected bats and other nocturnal wildlife.

List of approved plans

16. 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.

As per the plans schedule received.

Reason: For the avoidance of doubt.

BACKGROUND PAPERS

Economic Development	7 July 2014
Avon Gardens Trust	20 August 2014
Sustainable Cities Team	8 July 2014
Sport England	2 July 2014
	12 June 2014
English Heritage	25 July 2014
Flood Risk Manager	27 June 2014
Strategic Housing - Affordable Housing Development Manager	7 July 2014
Contaminated Land Environmental Protection	2 July 2014
Nature Conservation Officer	30 June 2014
Natural England	16 June 2014
Crime Reduction Unit	19 June 2014
Archaeology Team	9 October 2014
Sustainable Cities Team	8 July 2014
Transport Development Management	24 October 2014

ST MATTHIAS CAMPUS, FISHPONDS, BRISTOL

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REVISIONS:
A. 2014-10-01. Drawing updated following layout amendments as per LPA's comments. PVA



STREET SCENES 1



STREET SCENES 2



STREET SCENES 3



STREET SCENES 4



STREET SCENES 5



STREET SCENES 6



STREET SCENES 7



STREET SCENES 8



STREET SCENES 9

STREET SCENES

SCALE: 1:200 @ A0

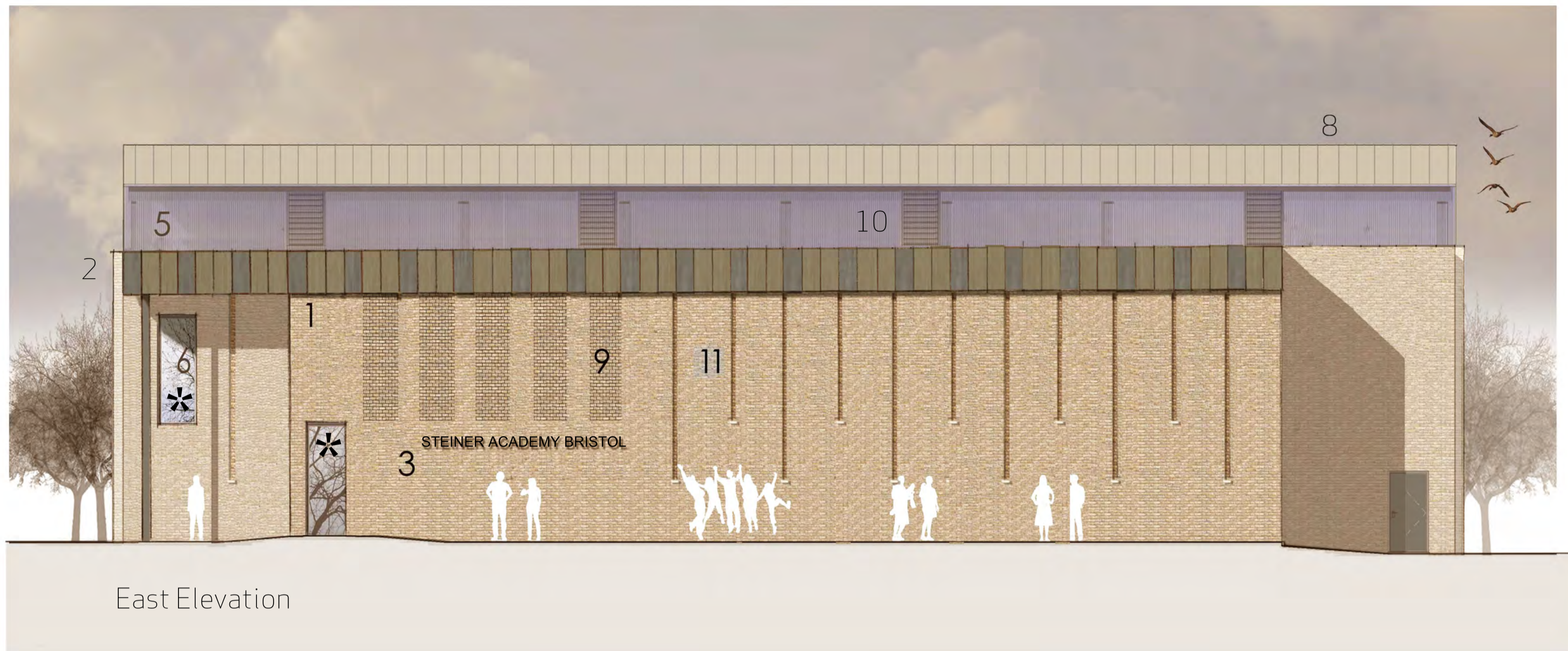
DATE: MARCH 2014
DRAWN: MED/PVA

DRAWING TITLE: STREET SCENES
DRAWING NO: 0428-103-1

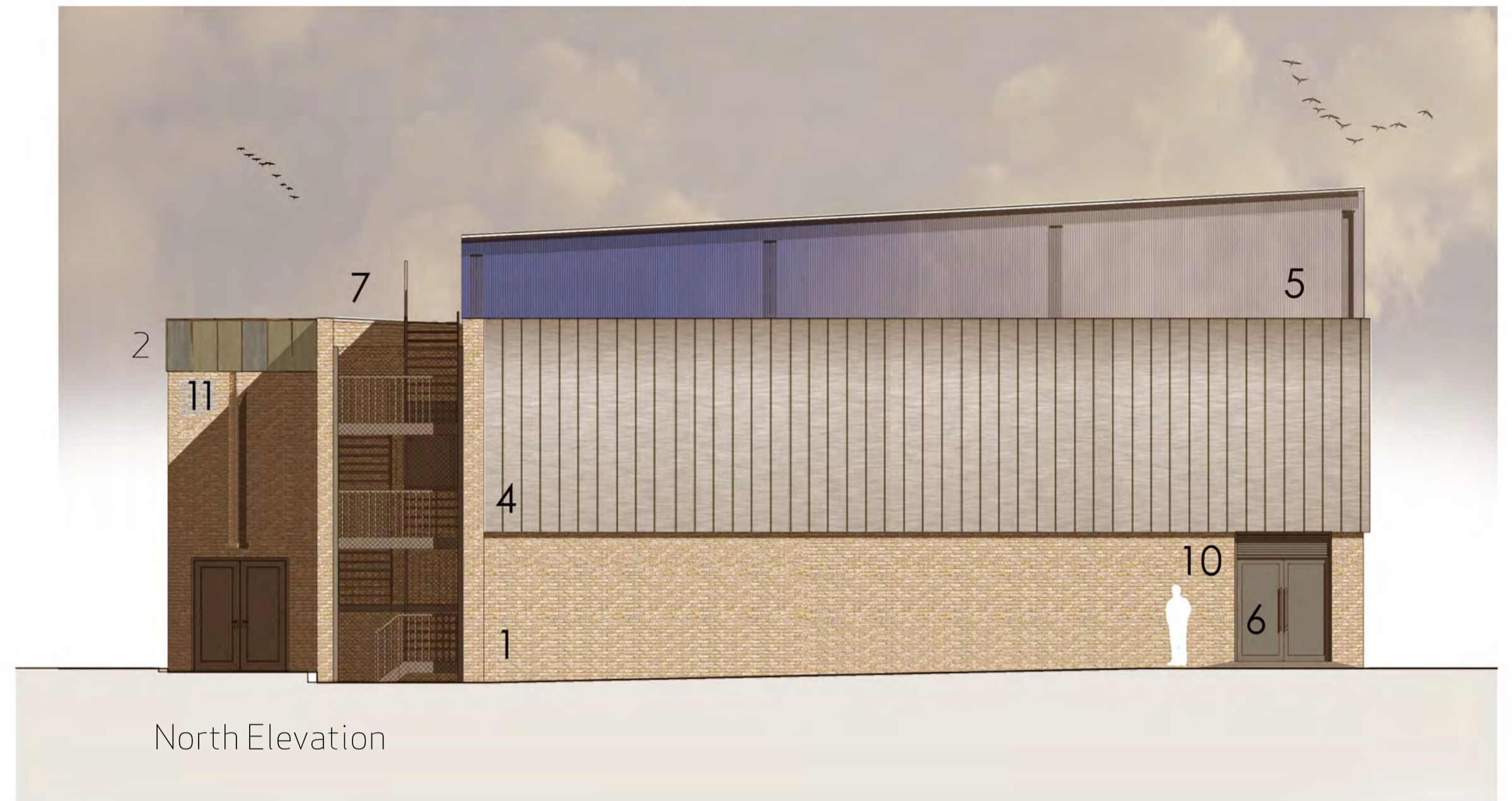


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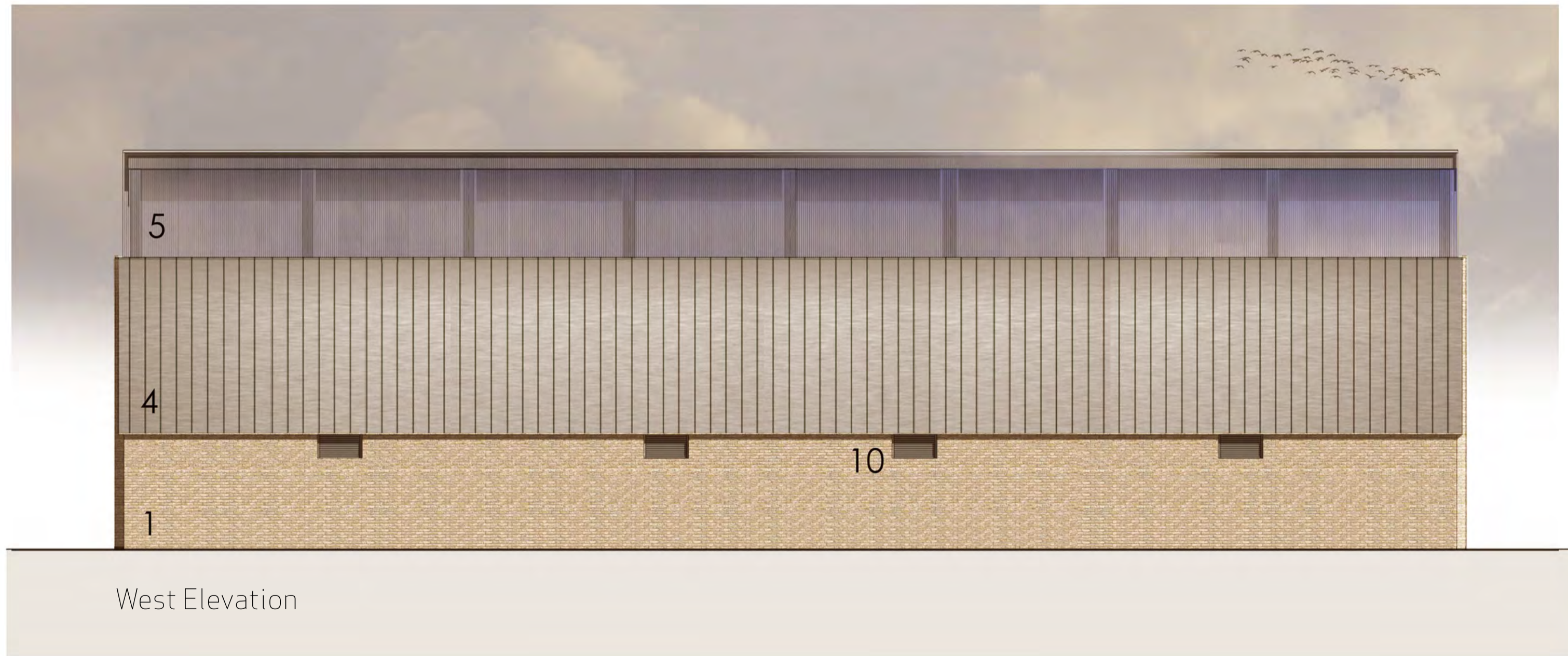
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East Elevation



North Elevation



West Elevation



South Elevation

Rev	Date	Description	Dr	Ch
E	22.09.14	Tender Issue	MP	SP
D	17.09.14	Tender Issue	SH	SP
C	07.08.14	Redesign following Planning Comments	SP	SP
B	13.03.14	Planning Issue following comments	SP	PdS
A	16.05.14	Draft Planning issue	SP	PdS

Rev	Date	Description	Dr	Ch
E	22.09.14	Tender Issue	MP	SP
D	17.09.14	Tender Issue	SH	SP
C	07.08.14	Redesign following Planning Comments	SP	SP
B	13.03.14	Planning Issue following comments	SP	PdS
A	16.05.14	Draft Planning issue	SP	PdS

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RIBA Chartered Practice Number 7740697

Client Steiner Academy Bristol / EFA
Project Steiner Academy Bristol
St Mathias Campus

Project No 1441
Drawing Elevation

Issue Status Tender Issue

A1 1:100

Drawing No L(1)-1112

Rev E



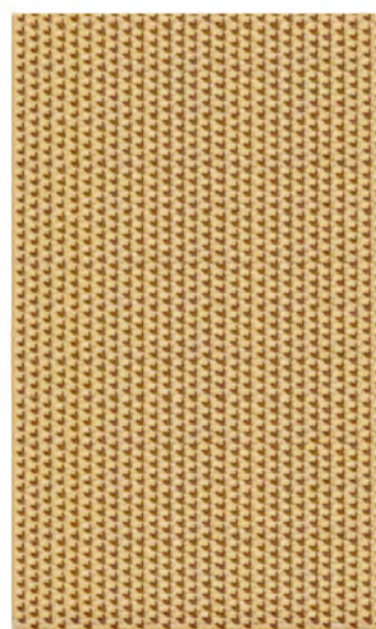
1



2



4



9



Pallant House Gallery, Chichester.
Sir Colin Wilson and Long & Kentish Architects

Materials Key:

1. Facing Brickwork
 2. Zinc Cladding Panels & Soffit to Canopy.
 3. Signage
 4. Aluminium Standing Seam Vertical Cladding
 5. Polycarbonate Clerestory
 6. Polyester Powder Coated Windows and Doors
 7. Open Steel Staircase Behind Decorative Mesh Enclosure
 8. Aluminium Standing Seam Roof
 9. Feature Brickwork Panel
 10. Polyester Powder Coated Louvre
 11. Vertical Recessed Brickwork Detail
- * Etching (or Similar) to Windows & Doors Indicated to be a Public Art Feature.
Details to be Agreed with BCC Public Art Officer.



Proposed View Along Oldbury Court Road



Existing View Along Oldbury Court Road

Rev	Date	Description	Dr	Ch
A	25.09.14	For Planning	MP	SH

Hatcher Prichard
Architects

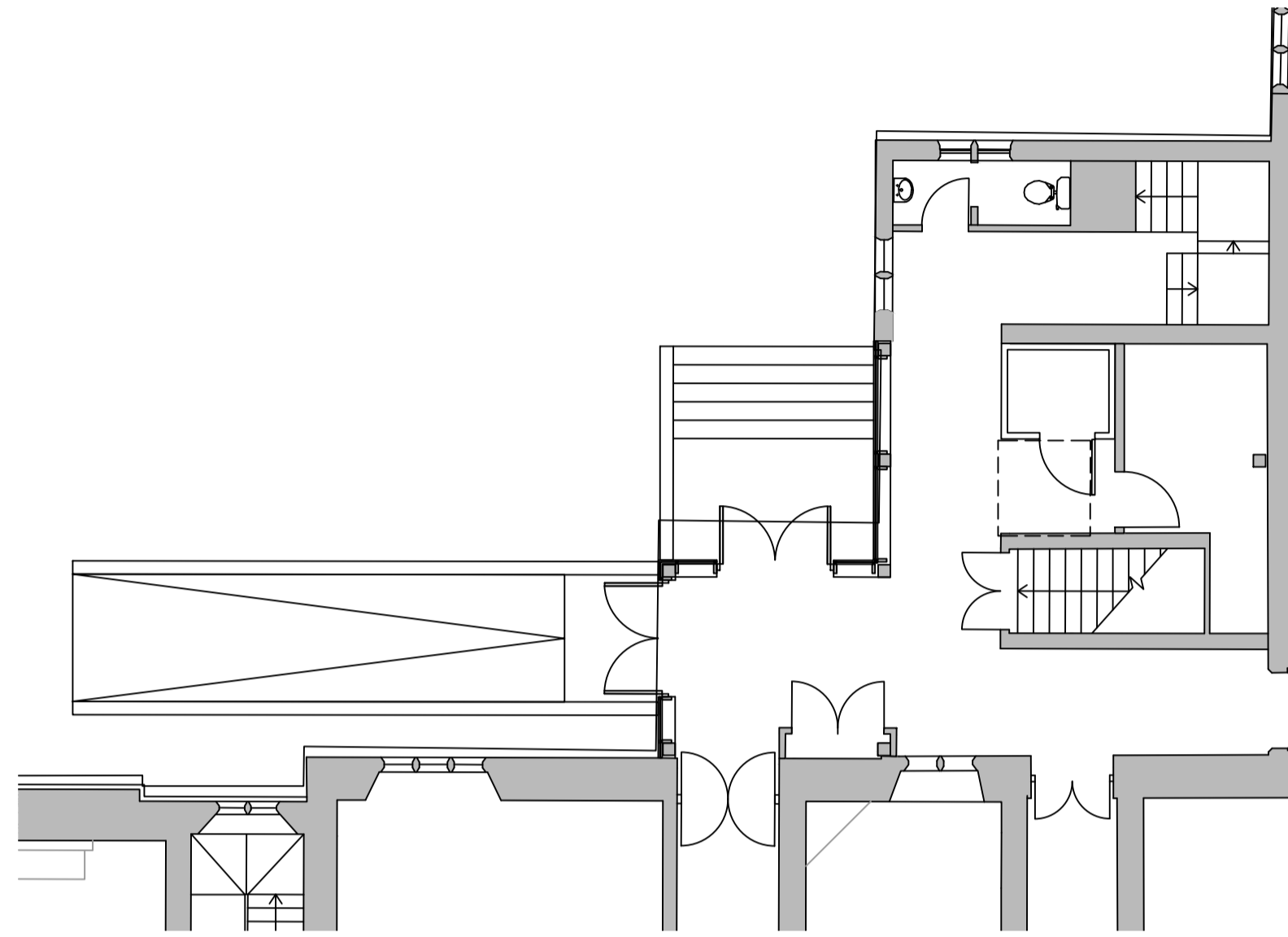
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Client Education Funding Agency
Project Steiner Academy Bristol
Fishponds, Bristol

Project No 1441
Drawing Photomontage Showing
the Sports Hall from
Oldbury Court Road

Issue Status For Planning
A3 NTS
Drawing No L(1-)116 Rev A

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GROUND FLOOR - 1:100
(Extract from Drawing L(0-103))

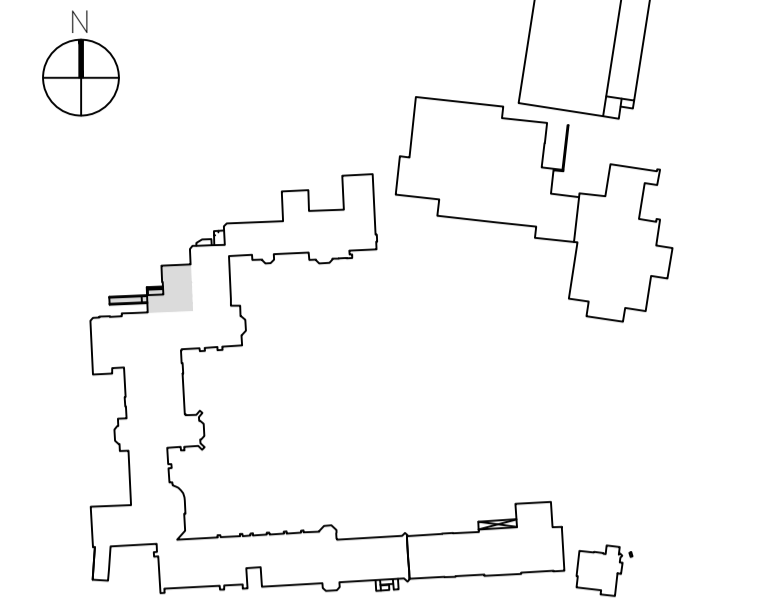


ELEVATION A - 1:50
(Extract from Drawing L(1-107))

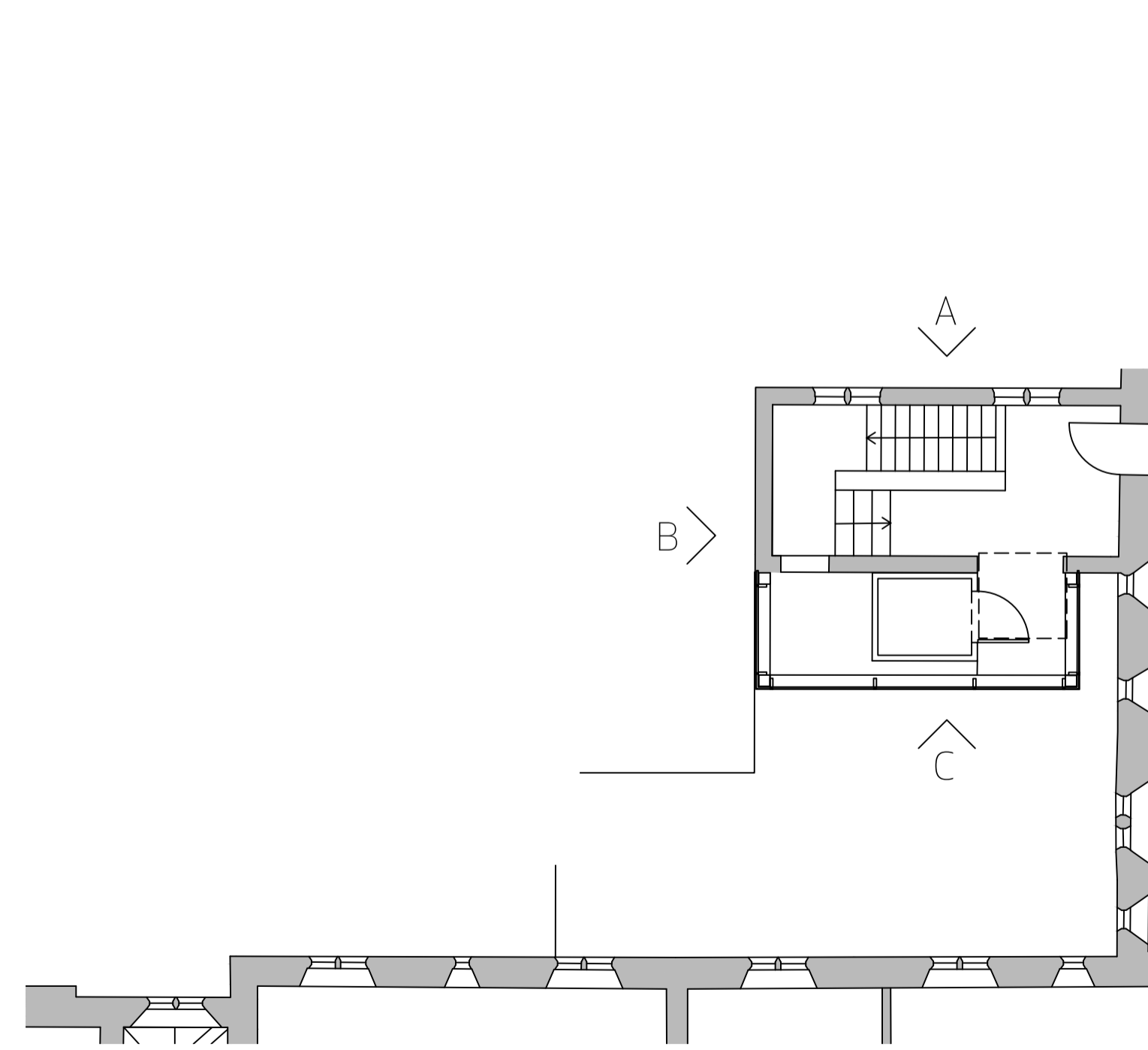
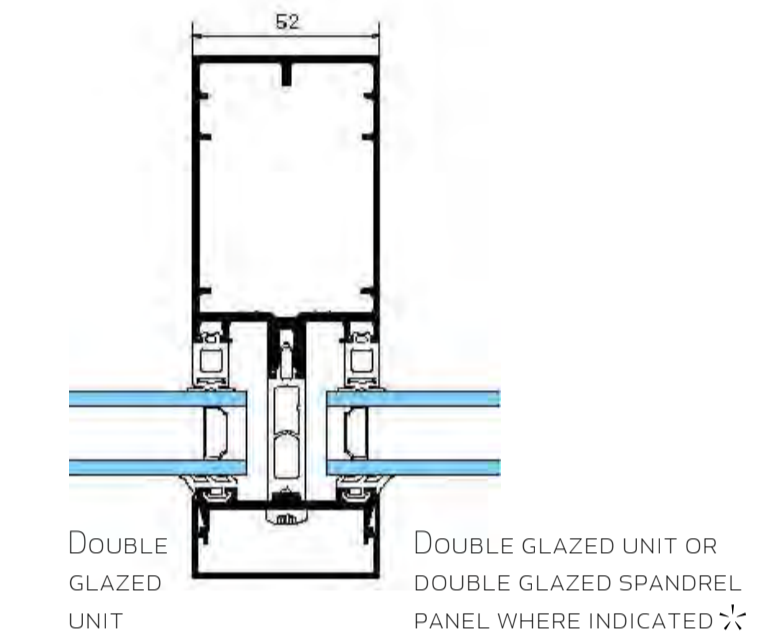


ELEVATION B - 1:50
(Extract from Drawing L(1-108))

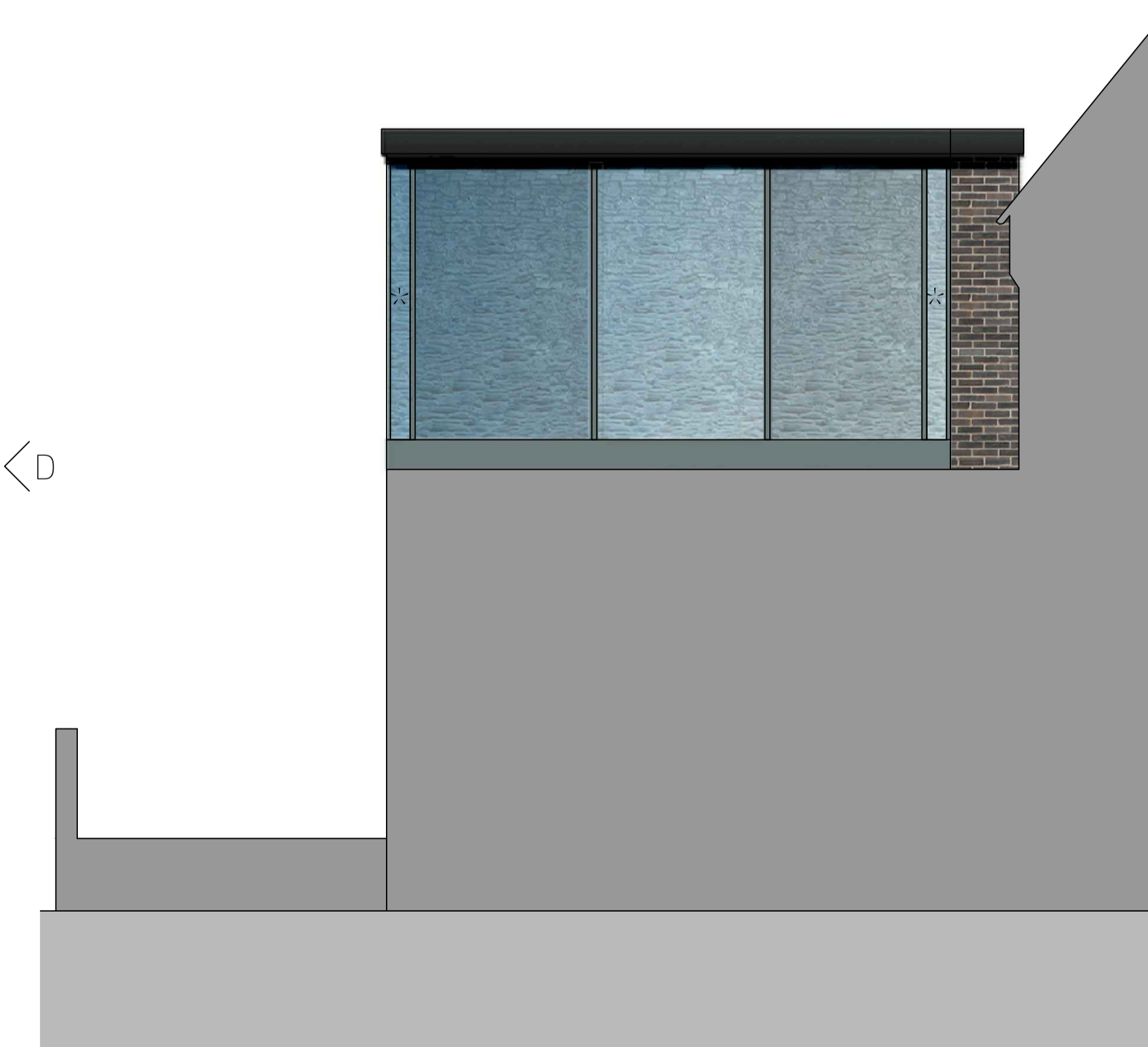
Keyplan 1:2000



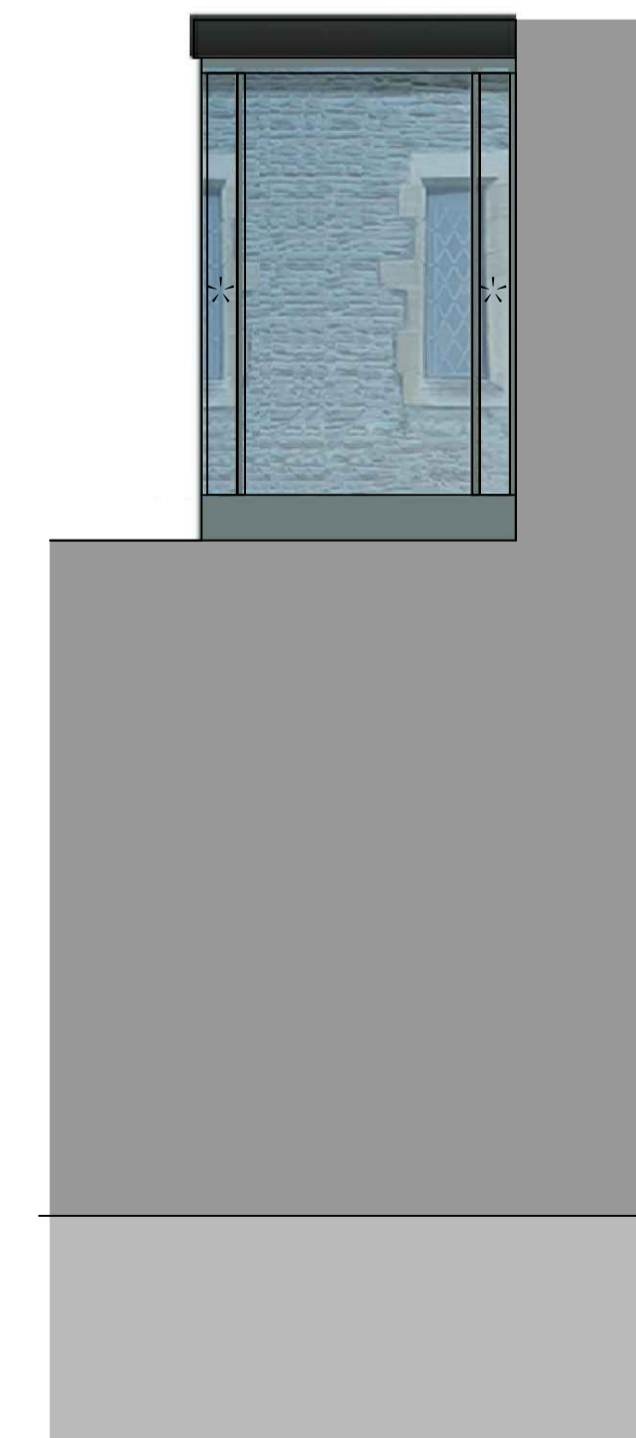
Typical Curtain Wall Detail



FIRST FLOOR - 1:100
(Extract from Drawing L(0-113))



ELEVATION C
(Extract from Drawing L(1-108))



ELEVATION D
(Extract from Drawing L(1-108))

Rev	Date	Description	Dr	Ch
A	24.09.14	For Planning	MP	SH

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Client Education Funding Agency
 Project Steiner Academy Bristol
 Fishponds, Bristol

Project No 1441
 Drawing Proposed
 Entrance Details

Issue Status For Planning
 A1 Scale as indicated

Drawing No L(1-117) Rev A