

# Development Control B Committee Supplementary Information



**Date:** Tuesday, 13 June 2023

**Time:** 6.00 pm

**Venue:** The Council Chamber - City Hall, College Green, Bristol, BS1 5TR

## 8. Public Forum

Any member of the public or councillor may participate in public forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:

**(Pages 3 - 17)**

### Questions:

Written questions must be received three clear working days prior to the meeting. For this meeting, this means that your question(s) must be received at the latest **by 5pm on Wednesday 7<sup>th</sup> June 2023.**

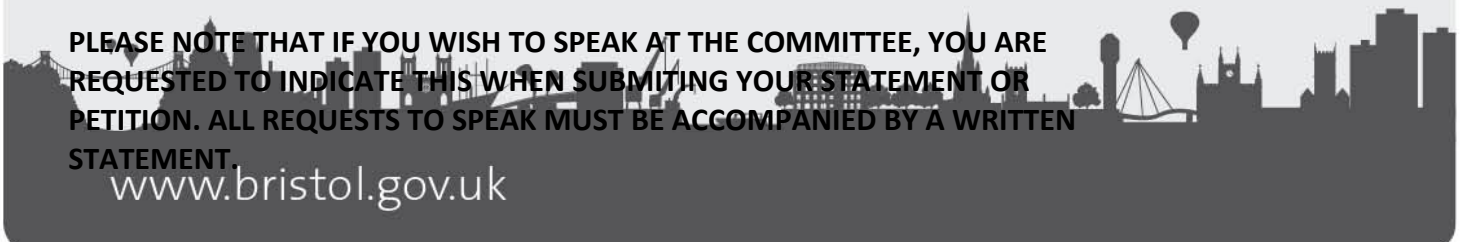
### Petitions and statements:

Petitions and statements must be received by noon on the working day prior to the meeting. For this meeting, this means that your submission must be received at the latest **by 12 Noon on Monday 12<sup>th</sup> June 2023.**

The statement should be addressed to the Service Director, Legal Services, c/o The Democratic Services Team, City Hall, 3<sup>rd</sup> Floor Deanery Wing, College Green,  
P O Box 3176, Bristol, BS3 9FS or email - [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

**PLEASE NOTE THAT IF YOU WISH TO SPEAK AT THE COMMITTEE, YOU ARE REQUESTED TO INDICATE THIS WHEN SUBMITTING YOUR STATEMENT OR PETITION. ALL REQUESTS TO SPEAK MUST BE ACCOMPANIED BY A WRITTEN STATEMENT.**

[www.bristol.gov.uk](http://www.bristol.gov.uk)



In accordance with previous practice adopted for people wishing to speak at Development Control Committees, please note that you may only be allowed 1 minute subject to the number of requests received for the meeting.

## 9. Planning and Development

To consider the following applications for Development Control Committee B - **(Pages 18 - 26)**

**Issued by:** Democratic Services

City Hall, Bristol, BS1 9NE

E-mail: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

**Date:** Monday, 12 June 2023



# Public Forum

## D C Committee B

### Tuesday 13<sup>th</sup> June 2023



**Members of the Development Control Committee B**

Councillors: Ani Stafford-Townsend (Chair), Chris Windows (Vice-Chair), Fabian Breckels, Andrew Brown (substitute for Sarah Classick), Lesley Alexander, Amal Ali, Lorraine Francis, Katja Hornchen, Guy Poultney

		<b>Questions/Statements/Petitions</b>	
<b>Number</b>	<b>Request To Speak Made Where Indicated S = Speaker</b>	<b>Name</b>	<b>Application</b>
		No PF received.	21/0376/F – 102 Gloucester Road, Bishopston BS7 8BN
<b>1</b>	<b>S</b>	<b>Alice Ellis – Arc Bristol</b>	<b>22/00933/F – U Shed</b>
<b>2</b>	<b>S</b>	<b>Clare Reddington – CEO Watershed</b>	
<b>3</b>	<b>S</b>	<b>Hannah Armstrong – Pegasus Group</b>	
<b>4</b>	<b>S</b>	<b>Stephen Davies – Padmanor Investment Limited</b>	
<b>5</b>	<b>S</b>	<b>Lisa Smith – We The Curious (Sally Davis to speak)</b>	
<b>6</b>	<b>S</b>	<b>Toni Riddiford – Stride Treglown</b>	
<b>7</b>	<b>S</b>	<b>Dave Redgewell</b>	
<b>8</b>	<b>S</b>	<b>Cllr Patrick McAllister</b>	

<b>9</b>	<b>S</b>	<b>Kevin Hydes</b>	
<b>10</b>	<b>S</b>	<b>Alex Riddell – CBRE</b>	
<b>11</b>	<b>S</b>	<b>Ben White -V7</b>	
<b>1</b>		<b>Councillor Asher Craig</b>	<b>22/02345/F – Inns Court, Open Space, Hartcliffe Way</b>



**Speaker statement in support for the redevelopment of U Shed**  
**Alice Ellis, Arc Bristol**

Dear Councillors,

You might recall in late 2021 Bristol's planning committee faced another difficult decision. Officers were concerned with our proposals to put the amazing Arc Bristol on the roof of We The Curious.

In case you missed that particular proposal, Arc is a glass cabin suspended between two masts. It is designed to lift 42 passengers 70 metres into the sky, so those people could look down at the amazing Harbourside and across this beautiful city...and contemplate and learn about its rich and complex history.

Officers and Historic England objected on the basis of heritage *harm*...as they insist on calling it (perhaps heritage *change* is a more useful description). At 70 metres above We The Curious, it is clearly highly visible from the Cathedral. So, officers recommended it was refused.

Fortunately for us we not only had the support of the Cathedral's lovely Dean, but committee members – somewhat bemused by the officer's recommendation – unanimously voted to support the application.

There's a reason I'm telling you this!

The application to redevelop U Shed has a lot in common with Arc. Both would play a major role in rejuvenating Harbourside, one of the most important parts of the city. Looking around it seems to me that Harbourside is risking losing a lot of its appeal. It really needs investment to make it a more attractive, vibrant and exciting place to live, socialise, work and visit.

The other thing Arc and U Shed have in common is that – despite the obvious benefits of both – we are told heritage trumps everything, yet again.

But I think that's wrong. The heritage *change* resulting from this proposal is tiny compared with Arc – but both are fantastic. And both deserve your support.

And, by the way, while you won't see Arc on top of We The Curious, we will be back...and I look forward to telling you all about our new Harbourside plans.

Kind regards

Alice Ellis, Arc Bristol

## **Statement in support of proposals to redevelop U Shed From Watershed Chief Executive Clare Reddington**

Dear Councillors,

I am writing in support of the planning application to redevelop U-Shed.

Watershed is one of Europe's leading independent cultural cinemas and the only multi-screen cultural cinema in the Southwest. We are a hub for local talent and gift space to over 164 residents in Pervasive Media Studio. The next generation of creative talent develops its voice through our ground-breaking engagement programmes.

Our Café and Bar provides a welcoming city centre hospitality offer and we are home to a range of conferences and events. We are part of the fabric that makes Harbourside such a fantastic place – and a draw for visitors – and we rely on the local environment to sustain our business.

However, the setting around Watershed has become tired and seriously needs investment. If you stroll around this part of Harbourside you'll see how much it needs reinvigorating. The public space needs major improvements and the mix of businesses needs diversity to ensure it remains vibrant, attractive and authentic.

We were delighted when the owner of U Shed approached us and shared its plans not just to replace the existing structure, but to invest heavily in public realm along the Waterfront and on Canon's Road which sits behind Watershed.

We welcome the three new ground floor units which would see the local hospitality offer refreshed. The scheme would bring active frontages to Canon's Road, invest in greening what is currently an unwelcoming area, and declutter the space in front of Pero's Bridge. These significant improvements will help revitalise this important part of Harbourside.

As an arts centre we are sadly not able to fund these extremely well-thought through improvements to the public realm, so really welcome this private sector investment. We wholeheartedly support the proposed development.

Yours faithfully,  
Clare Reddington  
CEO, Watershed

**U SHED REDEVELOPMENT, STATEMENT IN SUPPORT**  
**Hannah Armstrong, Associate Heritage Consultant, Pegasus Group**

Dear Councillors,

I am a heritage consultant specialising in the consideration of the built historic environment, and I'd like to briefly explain why the harm which may be deemed to arise should not prevent approval of the application, when taking into account the level of harm, the public benefits and the appropriate planning and legislative considerations.

To confirm, neither myself nor Historic England consider that harm would arise to the Cathedral, and Historic England does not formally object to the application. It is also my view that no harm would arise to any Listed Building.

The question of harm – which leads to the recommendation to refuse – should thus solely pertain to the impact on the three Conservation Areas. But what level of harm? I assess this to be:

- Minor harm to the City Docks Conservation Area - at the very lower end of 'less than substantial';
- Very minor harm to the City and Queen Square Conservation Area - again at the very lower end of 'less than substantial';
- Very minor harm to the College Green Conservation Area – again at the very lower end of 'less than substantial'.

When considering the change that would arise, it is important to take into account that the existing building is not historic, it is a 1990's replacement of an earlier 1920's building. The proposed, highly sustainable building incorporates clever references to the site's history.

Yes, there is a height increase but this is of 3.2 metres, in a setting with significantly taller buildings around it, including the Aquarium (5 metres taller than the proposed new building) sat immediately behind it.

We challenge various conclusions in the officer's report, in particular what assets may be impacted upon and the level of harm that would arise. It is my opinion that any harm would be at the very lower end of less than substantial, and the NPPF clearly states that public benefits must be considered against the level of harm. Enhancements to the public realm in the Conservation Area should form part of this consideration. It is also incorrect for officers to state that the proposals are contrary to the Planning Act 1990 purely as harm is deemed to arise.

Yours faithfully,  
Hannah Armstrong,  
Associate Heritage Consultant, Pegasus Group



## **U SHED REDEVELOPMENT, STATEMENT IN SUPPORT**

### **Stephen Davies, Director, Padmanor Investment Limited**

Dear Councillors,

We own two of the buildings immediately neighbouring U Shed: V Shed and The South Building. V Shed is home to Pitcher & Piano, JD Wetherspoon and Revolucion de Cuba; The South Building is home to a number of other outlets including Las Iguanas and Tikka Flame.

There are a number of reasons we fully support this excellent proposal to redevelop U Shed:

1. We believe the investment and partial change of profile here is needed. Bristol Harbourside has diminished in its appeal for mid-week and daytime use for workers and families, putting its reputation as a safe place of amenity and leisure at risk. This has happened partly through the focus on night-time economy, and the recent closure of buildings like We The Curious (temporarily due to the fire) and the Lloyds building. As a father of two young children I used to bring my kids to the Millennium Square regularly: I can't remember the last time I did because - in recent times - my daytime visits tend to be met with closed restaurants, litter and beggars. We recently bought V Shed as we believe that - through a combination of our own investment, the investment and long-term commitment of our tenants and the investment in other local buildings - Harbourside can regain its reputation;
2. 390 office workers will significantly increase spending in our tenants' bars and restaurants, both the people who work there and their visitors. Critically, this money is spent during weekdays which are quieter times for restaurants. This means it will help to sustain those businesses in between the much busier weekends. These businesses will then be able to offer more regular and secure employment to those staff - typically with families - who are less able to work evenings and weekends. Many people love working in the leisure business but are forced to leave when having a family. Helping support the food and beverage sector with regular day-time business by putting attractive offices nearby can have a huge impact on this sector.
3. Bristol needs new offices built to the most modern environmental standards in highly desirable locations to help attract staff back to the office. This building will be a place-maker for Bristol, adding to other recent high-profile schemes including the recent announcement by Dyson to redevelop another waterfront building opposite Castle Park. Dyson has specifically said they can attract the staff they need in Bristol, that they're unable to attract to their head office in Malmesbury.

Having a new office in this great location will help attract the businesses and staff that Bristol is struggling to accommodate, help regenerate the local area and provide regular business to the local leisure economy during weekdays. This would be great news for Bristol Harbourside. Please consider all these important benefits when making your decision.

Yours faithfully

Stephen Davies

Director, Padmanor Investments Limited

**We The Curious statement in support of U Shed application**  
**Lisa Smith, Estates Director, We The Curious**

Dear Councillors,

We are happy to support an application for development of the harbourside.

The Harbourside continues its slow and uncertain recovery from the pandemic and We The Curious faces additional challenges, after a fire on our roof last year, as I am sure you all know.

We are implementing a plan for our recovery, but it takes time and is putting additional pressure on our limited resources.

The area around We The Curious – most of which we lease from the council – needs investment, particularly the street which Watershed and U Shed back onto. As an educational charity we welcome development to the harbourside that aims to make the area more accessible and attractive to people who may not usually visit.

Harbourside, of course, is an incredibly important destination, for Bristolians, UK and overseas visitors. We have some amazing attractions, excellent restaurants, cafes and bars.

The open public spaces around the U Shed are tired and need substantial improvements. The proposals to redevelop this site don't just include a new contemporary building, but also significant investment in that public realm.

By opening up the building to face onto Canon's Road - and by creating a safe, attractive and green environment in this area - the development will turn what is currently a tired and unwelcoming space into a true place for people to move through and dwell in.

Yours faithfully,

Lisa Smith

Estates Director, We The Curious

## **U SHED REDEVELOPMENT, STATEMENT IN SUPPORT**

### **Toni Riddiford, Architect, Stride Treglown**

Dear Councillors,

Hopefully you've had a chance to look at the artist's impressions of the building we've designed. This is high-quality architecture worthy of its unrivalled Harbourside location.

We feel it strikes a balance between contemporary and industrial design, heavily influenced by the heritage context – a building that also reflects the original 1920's U Shed.

This is a carefully considered, high-quality design that has been shaped by the surroundings, and sits comfortably within them. Even though it's just three metres taller, we've stepped that top floor back so when you walk across Pero's Bridge you can't see it.

But it's not just about the building. Rather than turning its back on Canon's Road – as the existing building does – we turn towards it, with the office reception opening onto it, and glazing along the three new ground floor foodie spaces.

The extensive public realm investment would transform Canon's Road into an attractive tree-lined place full of activity. And the decluttering, new paving, lighting and seating along the waterfront is long overdue.

But why replace the building at all?

The existing 1990's building was poorly designed. It consists of an oversized single storey with mezzanines that are unusable in several places. The existing foundations can only cope with the current mezzanine levels, so the building needs to be taken down for the foundations to be strengthened.

In what will be a first for Bristol at this scale, the steel structure will be saved and reused - significantly reducing waste and embodied carbon. Any steel we can't reuse will be reused on other buildings. We expect to use at least 70 per cent fully reused steel, with the rest containing recycled steel.

Unlike the existing building, the new building would also meet the highest sustainability standards.

Finally – a clarification – officers have incorrectly stated in the report that the ceiling height under the Quayside Walkway would be reduced. It would actually remain the same at 3.74 metres and would be transformed with new paving, lighting and seating.

Yours faithfully

Toni Riddiford

Architect, Stride Treglown

Public statement.

We would like to object to this planning application .

On the design of the building the extra high and storey of the new buildings.

The effect and design on the city conservation area and the historic Harbour the Great western railway railway shed a grade 11 listed building.

The effect on the views of Bristol cathedral and Queen Square conservation area .

Bristol Harbour is major leisure and Tourism facility for the People of the city and county of Bristol 650 year old this year .

The historic Harbour is major South west Tourist attractions and is contributes to city visitor and Tourist economy and £ 2 .9 billion

the urban design of the Harbour is very important the present u shed is 19 90s

And fit in with the design of the Harbour

The new proposal is not in keeping with the historic Harbour.

We are also concerned that the transport officers recommend more cycling facilities and some road junction improvements but see not contribution to public transport bus services

Like service 9 from Portway parkway interchanges shirehampton station sea mills Hotwells Bristol Harbourside and Broadmead Bristol Temple meads station and Bristlington park and ride.

And other support bus service provided by the west of England mayoral combined transport Authority and North Somerset council under the bus service improvement plans.

And money toward the Harbour ferry landing stages .

Making the Harbour pontoon for access for disabled passengers and passengers with reduced mobility and money towards the ferry being made accessible.

We ask city Transport officials to consult the Transport Authority west of England mayoral combined transport Authority about public transport requirements

In planning applications.

We also want to see improvement to the surface in the Harbour especially on the quayside and outside u shed the area is still very difficult for wheelchair users and people with reduced mobility and

Mothers and Fathers with buggies.

But the Harbour is an area of historic Bridges and buildings in the city Docks conservation area including in future Baltic wharf and Western Harbour.

We want to see the a properly designed building as layed out by historic England.

We wish the planned lead approach

to the city Historic Harbour and the proposal does not fit in with the Harbour.

We request the planning committee to refuse this planning application.

David Redgewell South west transport Network and Trustee of Bristol disability equilities forum.

Gordon Richardson Bristol disability equilities forum

Thank you Chair.

I would like to urge the Committee to reject this planning application. There are a number of reasons why this proposal is not the right thing for the area and not a good thing for Bristol.

The heritage impacts of the development are substantial and negative, damaging iconic Bristolian views. In addition, this proposal would bring years of disruptive works to one of the most vibrant and touristy parts of our city, damaging commerce. The carbon costs of such works would also be substantial and the position next to the waterfront risks wider environmental damage. And the removal of an iconic Bristol business with hundreds of local employees and more in its supply chain represents an unalloyed negative for the city. I urge the Committee to reject this proposal.

Councillor Patrick McAllister

**Application Number: 22/00933/F – U Shed Building, Canons Road, Bristol, BS1 5UH**  
**Written Statement / Public Forum Statement on behalf of Zaza Bazaar Ltd**

On behalf of our staff and loyal customers, Za Za Bazaar wishes to reiterate its strong objection to the proposed redevelopment of the U Shed Building.

The application proposal will result in the permanent closure of Za Za Bazaar - a well-established and popular restaurant that has been serving the community for many years and has been the subject of significant investment in the city centre.

Over the past 12 years, we have served up to 15,000 customers each week, offering over 300 international dishes from across the world. Our restaurant has become a beloved hub amongst the community of Bristol and the Southwest of England, bringing people from diverse backgrounds and communities together and introducing people to cuisine from around the globe. We have hosted different college and university student groups; university and international societies; local schools, groups of diners from different religious backgrounds to celebrate Church Congregations, Ramadan, Eid, Chinese New Year, Diwali and Christmas.

The proposed redevelopment would result in the loss of over 230 jobs which are not just numbers and represent real, local people who depend on the restaurant for their livelihoods. These people have worked hard to make the restaurant successful; and it is unfair to take away their jobs and leave them without any means of supporting themselves and their families. The concern of those whose jobs are under threat is reflected by the objections submitted by a number of the staff. These objections are dismissed by the applicant in the recent 'Summary for Councillors' document as not reflecting reality due to Za Za Bazaar being a sub-tenant. This shows the applicant's disregard for the livelihood of people who work within the existing building.

These job losses have not been factored in as part of the applicant's assessment of the proposals – the applicant instead refers to the jobs that may be created by the proposed redevelopment and that only 56 hospitality jobs will be provided in the new building which is significantly fewer than the existing building and is dependent on the space within the new building being let which is not guaranteed. Indeed, the applicant accepts that negotiations with operators have not started but suggests that these will be local, living wage companies. It is difficult to see how any weight can be attached to this if negotiations with operators have not yet begun.

The loss of an existing use that drives footfall throughout the day and into the evening will have a significant impact on the vitality and viability of the area. There is no guarantee that the replacement units will generate the same level of footfall, particularly in the evening. We are also unconvinced as regards the need for the proposed office accommodation given the levels of vacancies reported across the city.

The proposed public realm improvements are not a sufficient trade-off for the loss of a well-established and popular local business and more significantly the loss of over 230 jobs. It would be far more sustainable in all respects (economically, socially, and environmentally) to reuse the existing building particularly in Bristol – the first City in the UK to declare a climate emergency.

We have informed our loyal customers and the community groups that use the restaurant of the proposals and there has been an overwhelming and humbling response. We understand that +400 email objections have been sent along with a petition of over 2,000 signatures. This includes opposition to the planning application from local groups including the Punjabi Forum International, Somalian Community Association, Sudanese Community at Bristol, Avon Indian Community Association, Bristol War Memorial Association and the Multi Faith Forum Bristol. Copies of this petition have been sent to officers during the week commencing 5 June (although even more have signed since).

It is for the above reasons that we maintain our objection and request that the subject application be refused. We intend to speak at Planning Committee to reiterate this objection.

**U SHED REDEVELOPMENT, STATEMENT IN SUPPORT**  
**Alex Riddell, Director, CBRE**

Dear Councillors,

The office market has changed considerably since the pandemic. One of the major changes is the substantial increase in the importance of so-called ESG (Environmental, Social and Governance), with employers rightly demanding the very highest standard buildings.

This is also coupled with the desire to attract the best talent and provide what employees want, which means locating in the most vibrant areas.

New rules have also just been introduced banning the letting of any office space falling below an E EPC energy rating, which will be gradually tightened to B by 2030. Many offices will need substantial investment with buildings in inferior locations becoming obsolete.

It is important for Bristol's prosperity to continue to provide high quality sustainable workspace. The demand is evidenced by schemes like Finzels Reach where we've seen some important employers moving into the city, including EDF, BBC Studios and Channel 4.

The final piece of Finzels Reach – the Halo building – is now home to 600 Deloitte staff, as well as major law firm Osborne Clarke. Dyson is also coming to Bristol.

But these important, major employers will only occupy buildings that meet that extremely high sustainability bar. And they will only lease in the very best locations – and Harbourside is one of an increasingly small number of places Bristol has that will attract these companies.

A recent CBRE UK wide report, put Bristol as the 2<sup>nd</sup> highest City in the UK for expected growth with office employment anticipated to be 12.97% over the next decade.

If Bristol wants this vital inward investment - to help drive the local economy and fund public services – we need to build the right employment spaces. As you will be aware property can take years to develop so we need to ensure a future pipeline of space is put in place now.

And we need to not just think about the quality of the building itself, but the public realm around those buildings, the cafes, bars and restaurants that help create the sort of vibrancy and choice these employees and their staff are looking for.

As an adviser to these major employers I can assure you this development has it all. If Bristol wants to retain its allure and appeal, then it is unquestionable necessary to grant permission to the right applications – and this is absolutely one of them.

Yours faithfully  
Alex Riddell  
Director, CBRE

**U SHED REDEVELOPMENT, STATEMENT IN SUPPORT**  
**Ben White, director, V7**

Dear Councillors,

Can I clarify the situation regarding Za Za Bazaar? There is some confusion here.

We would be happy to discuss Za Za Bazaar leasing the proposed – and upgraded – new ground floor spaces if the application is successful. No decisions have been made, and all options remain open.

We have been, and remain, in talks with the company that owns Za Za Bazaar. These are commercially sensitive discussions – and we're not at liberty to talk about other people's businesses.

Nor is it for me to ensure any of these discussions have been relayed to the onsite Za Za Bazaar team.

So, you'll understand why I don't think it's accurate or fair for us to be positioned as putting jobs at risk. In fact, quite the opposite - our proposal would actually create 446 jobs.

Any business or organisation faced with a potential major change would plan ahead – our proposals have been known about publicly since before we submitted this application 16 months ago. As Bristol City Council has itself shown, organisations can successfully plan and manage major moves between different properties...it's not a reason to lose staff.

We totally understand many people love Za Za Bazaar. We also understand you will be concerned about what happens to these jobs...but there is no reason why Za Za Bazaar must leave Bristol...in fact, they could still be based on this site, in our highly sustainable new building.

This is a massively important redevelopment that – as others have said – Harbourside really needs after too many years of underinvestment.

Yours faithfully

Ben White  
Director, V7  
On behalf of the U Shed redevelopment team



I am submitting the following statement to the DC B Committee meeting scheduled to take place 13th June, 2023. I am unable to attend in person.

**Statement in support of South Bristol Youth Zone**

I strongly encourage all members of the committee to support this application. A new, supersized youth centre serving some of the most deprived wards in Bristol – and in fact, the country – will make a huge difference to these communities.

It is anticipated that 5,000 people will join the Youth Zone in the first year and make use of everything from football, boxing and climbing, to creative arts, music, drama and employability training.

We received 184 responses from BCC's Public Consultation. 86% agree or strongly agree with the proposal and 71% agree or strongly agree with the proposed location. Only ten residents have objected, which represents 0.1% of the people projected to use the Youth Zone in the first year alone – this reiterates that this project will have the full, emphatic support of Bristolians and will be of overwhelming benefit to them.

The site is earmarked for housing development, so this is a section of green space that will be built on eventually. Considering the substantial housing development already happening in south Bristol, a Youth Zone would mean all residents, both existing and new, have excellent quality youth services on their doorstep.

Again, I strongly hope that councillors approve this application. It will have such a positive benefit for all children and young people in south Bristol for years to come.

**Councillor Asher Craig**  
**Deputy Mayor (Children, Education & Equalities)**  
**St George West Ward | Bristol City Council**

## Amendment Sheet 13 June 2023

### Item 1: - 102 Gloucester Road Bishopston Bristol BS7 8BN

Page no.	Amendment/additional information
1	Since the previous Committee meeting 1 additional public comment has been received being neutral to the proposed development. No additional issues raised other to those already covered in the Committee report but a request that affordable homes are secured through a s106 and that additional advice is sought on traffic calming measures

### Item 2: - U Shed Canons Road Bristol BS1 5UH

Page no.	Amendment/additional information														
	<p><b>U SHED AMENDMENTS SHEET</b></p> <p><b>Additional objections</b> An additional 90 objections have been received sine the Committee Report was submitted. These were received on a daily basis:</p> <table style="margin-left: 20px;"> <tr> <td>5<sup>th</sup> June</td> <td style="text-align: right;">17</td> </tr> <tr> <td>6th June</td> <td style="text-align: right;">8</td> </tr> <tr> <td>7th June</td> <td style="text-align: right;">15</td> </tr> <tr> <td>8th June</td> <td style="text-align: right;">10</td> </tr> <tr> <td>9th June</td> <td style="text-align: right;">14</td> </tr> <tr> <td>10th June</td> <td style="text-align: right;">10</td> </tr> <tr> <td>11<sup>th</sup> June</td> <td style="text-align: right;">16</td> </tr> </table> <p>In addition, a petition taking the form of a letter with multiple signatures was submitted by the current occupiers on Monday 5th June 2023. This contains 1750 signatures and raises objects to the closure of Za Za Bazaar.</p> <p><b>A correction is needed for Page 9 of the Officers' Report. It states that:</b></p> <p>'Further comments received on 11th April 2023 in response to an email from the LPA Conservation Officer to Historic England'</p> <p>The comments were in fact dated 3rd April 2023 and were uploaded to the Case File on 4th April 2023. They were sent to the previous case officer and were emailed to the case office on 11th April 2023.</p> <p>The Planning Agent for the application provided a response to the Committee Report on Monday 11th June. [This is copied in below]:</p> <p style="margin-left: 40px;">'Following up from our discussion on Friday, as mentioned, I have reviewed the Committee Report in detail and note there some important points that need clarification. I would be grateful if you could you ensure these points are appropriately conveyed to Members (in the absence of being afforded the</p>	5 <sup>th</sup> June	17	6th June	8	7th June	15	8th June	10	9th June	14	10th June	10	11 <sup>th</sup> June	16
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11 <sup>th</sup> June	16														

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	<p>opportunity to provide a Members' briefing directly).</p> <p><b>1) Planning history:</b> Within the Committee Report you refer to planning history of the site, including planning permission 96/01481/F at page 3 (and pages 27 and 28) with reference to the restrictive Condition 2 attached to planning permission 96/01481/F. This condition, setting percentage floorspace restrictions for particular uses, was imposed under a previous development plan context. Under the current adopted development plan, such a condition seeking to restrict office uses to 10% of floorspace at upper levels would conflict with adopted planning policy and would not meet the relevant tests for imposing conditions (paragraph 56 of the NPPF).</p> <p>In any event, while this planning history is interesting, the more recent planning history (reference 11/02083/F) is of most relevance. Planning permission 11/02083/F granted consent for "<i>Conversion of nightclub (Use Class D2) at first floor level and bar/restaurant (Use Class A3) at ground floor level into one restaurant over two floors with bar at ground level and associated external alterations</i>". As set out in the Planning Statement submitted with the application, this permission was granted in September 2011 and relates only to part of the U-Shed building (that is, the southern ground floor bays and the entirety of the upper floor, now in operation as Za Za Bazaar restaurant). The remaining ground floor area (comprising the three northern bays) did not form part of planning application 11/02083/F and relates to 'BSB The Waterside' bar, which is physically, functionally and operationally separate from Za Bazaar. Planning permission 11/02083/F was implemented, creating two separate planning units within U-Shed. These bar and restaurant uses exceed the Use Class A3 gross floor area limitations imposed by Condition 2 of planning permission 96/01481/F. As a matter of planning principle, in the granting and implementation of planning permission 11/02083/F, two separate new planning units were created (Za Bazaar and BSB The Waterside bar), such that the conditions attached to the planning permission 96/01481/F no longer apply. In referencing Condition 2 of planning permission 96/01481/F without noting that it no longer applies to the planning unit in question overstates the weight that can be applied to this historic restrictive condition.</p> <p>Za Za Bazaar, which formally was classified as Use Class A3 restaurant now falls within Use Class E, Commercial, Business and Service, as do Offices, following the coming into force of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. The stated purposes of the changes to the Use Classes Order as detailed within the Explanatory Memorandum accompanying the enacted legislation made clear that:</p> <p style="padding-left: 40px;"><i>"Bringing these uses together and allowing movement between them will give businesses greater freedom to adapt to changing circumstances and to respond more quickly to the needs of their communities..."</i></p> <p style="padding-left: 40px;"><i>These reforms are primarily aimed at creating vibrant, mixed use town centres by allowing businesses greater freedom to change to a broader range of compatible uses which communities expect to find on modern high streets, as well as more generally in town and city centres".</i></p> <p>The Town and Country Planning (Use Classes) Order 1987, as amended, provides that where a building is used for a purpose of any class specified in the Schedule, the use of that building for any other purpose of the same class</p>

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	<p>shall not be taken to involve development of the land. On this basis, the use of the upper floor of the existing building as Offices does not require express planning permission from Bristol City Council. This is a clear fall back position and should have been addressed within the Committee report rather than referring to a condition that no longer applies to the relevant planning unit.</p> <p><b>2) Consultation:</b> On page 4 of the Committee it is noted that it is your understanding that “<i>no direct consultation or communication with the existing occupier (Za Za Bazaar) has taken place and an objection from the Director of Operations has been submitted which includes reference to this</i>”. This is simply not the case. The applicant ran a public consultation on the proposals in 2021 prior to the submission of the planning application in 2022. Further, the applicant has been, and remains, in discussions with the company that owns Za Za Bazaar, a company called SK Group. Whether such discussions have been relayed more widely to members of staff is not known, but the applicant should not be criticised for failing to engage. Please could you update Members in this regard?</p> <p>As you know, the Za Za Bazaar employees based in Bristol have undertaken a campaign against the development and created pre-prepared text for diners to essentially ‘click and submit’ to the LPA. This is equivalent to a petition, should be reported as such and given the weight accordingly. Further, the handwritten petitions online include profanities, are inappropriate to be published as part of a formal planning application process and should be redacted.</p> <p>The Committee Report refers to a statement made by Za Za Bazaar Operations Director that there are no plans for the closure of the business and this appears to have formed a material consideration in your assessment. As I have previously advised, Za Za Bazaar currently occupy part of the building under a sub-lease which will expire by October/November 2023. It is therefore not correct to state that there are no plans for the closure of Za Za Bazaar in this location (irrespective of the current proposals). The Operations Director should be aware this. As a responsible landlord (and fund managers on behalf of pension holders), the applicant has been exploring the future potential for its asset as the current building is not fit for purpose for the modern occupier. In this respect, the reliance given to comments from the Operations Director of Za Za Bazaar, both in this regard and in relation to consultation above, should be reviewed.</p> <p>In any event, it is important to note that nothing has been ruled in or out about the potential for Za Za Bazaar to become one of the operators in the new building – the three ground floor units could reasonably be one combined larger unit. Such a larger unit could feasibly accommodate the Za Za Bazaar restaurant that is currently located at first floor level. Our client is open to discussions with the owners of Za Za Bazaar in this respect.</p> <p><b>3) Assessment of the proposals in land use terms:</b> Within the Committee Report, at page 28, you note that “<i>No marketing material has been supplied by the applicant to demonstrate that either there is a lack of demand for the existing two storey building or for the additional office space</i>”. To be clear, the policy designation of this part of the Harbourside as a ‘Leisure use frontage’ relates to Policy BCAP19 ‘Leisure use frontages in Bristol City Centre’. This is a permissive policy encouraging leisure uses. It is not a</p>

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	<p>restrictive policy requiring only these uses in this area, nor does it resist the loss of leisure uses, in fact Policy BCAP19 allows such uses provided the concentration of leisure uses is not unacceptable. The exact wording states: <i>“The development of uses that contribute to the leisure, entertainment and evening economy offer in Bristol City Centre will be encouraged and acceptable within the Leisure Use Frontages provided the concentration of uses would not result in harmful impacts”</i>.</p> <p>There is no policy requirement within the adopted development plan requiring marketing material to justify the loss of a restaurant use. There is also no policy requirement within the adopted development to justify the need for additional office space. On the contrary, the development plan outlines a clear ambition to increase the delivery of high quality office floorspace within the city centre (and in other scenarios requires marketing material to be submitted to justify the loss of office floorspace in certain locations across the city). The supporting text to Policy BCAP19 cross-refers to the Bristol City Centre Retail Study (DTZ, June 2013) as the evidence base for the ‘Leisure use frontage’ policy (paragraph 5.22, Bristol Central Area Plan). This Retail Study recommends that planning policy should promote the area as a leisure destination, but explicitly notes the area should include some residential and office uses (Bristol City Centre Retail Study, page 104).</p> <p>This position is further reinforced by the development plan allocation of the Waterfront Place Site for development for Offices/Culture and Tourism uses, with active ground floor uses (Policy SA1; Site reference SA102 - attached). This policy allocation (less than 100 metres south of the application site) conflicts with your assessment that <i>“The introduction of large-scale office building with leisure use at ground floor level in this important and prominent location would fail to enhance the Harbourside’s role as an informal leisure destination and the character and appearance of the office building would fail to preserve or enhance the setting of the Floating Harbour within the City Docks Conservation Area”</i>. Whether or not the pending application at Waterfront Place (21/05580/F) is acceptable to the Local Planning Authority, the principle of an office building with leisure use adjacent to the Floating Harbour clearly is undoubtedly acceptable in principle by virtue of this allocation within the Council’s own adopted development plan (Bristol Central Area Plan, Waterfront Site: Site reference: SA102). Please could you review this section of your reason for refusal as it does not stand up to scrutiny. The proposal retains active ground floor leisure uses and office floorspace with active frontage at first floor level and above and is entirely compliant with the land use planning policies within the adopted development plan.</p> <p><b>4) Ground conditions:</b> Further to our e-mails on this matter and noting the consultee comments in the Committee Report (pages 20 – 22 and 39), please find attached a Technical Note ‘Desk Study Assessment on Contamination Risk’ which draws on previous studies undertaken and submitted in support of the redevelopment of the V-Shed South building nearby (reference 98/00698/F). This Technical Note confirms the approach set out in the Committee Report that matters pertaining to ground conditions can be appropriately addressed by conditions attached to any planning permission granted.</p> <p><b>5) Urban Design:</b> Under consultee comments for Urban Design, it states ‘Adaptive reuse?’ – is this an error or the full extent of Urban Design</p>

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	<p>comments on the application? Separately, I note in the Committee Report at page 9 that further comments were received on 11<sup>th</sup> April 2023 from Historic England in response to an e-mail from the LPA Conservation Officer. In the interests of transparency, please could you share this correspondence with me?</p> <p>While I recognise that we will have to respectfully disagree in terms of the overall acceptability of the proposals in design terms, there are a few detailed points within the Committee Report that warrant closer review:</p> <ul style="list-style-type: none"> <li>• At pages 31, 36 and 37 of the Committee Report, you rely on the Urban Design Team’s advice that the existing building can be refurbished to accommodate change of use and internal reconfiguration, as the first floor offers an opportunity to introduce mezzanine levels and provide more floorspace. You note that the Urban Design Team contests the applicant’s position that there is insufficient space to provide acceptable ceiling heights in line with office standards. However, the submission by the applicant is justified by BCO guidance, the Urban Design comments are not. More importantly, no reference is made to the evidence submitted (Planning Technical Note, November 2022, Section 2.2) to demonstrate that the loads on the foundations of the existing building would be too great to accommodate additional mezzanine levels. This evidence was prepared by the Project Team structural engineers (Whitby Wood) and demonstrates why the building cannot be refurbished to incorporate mezzanine levels and greater floorspace. This is a clear material consideration explaining why the existing building cannot be refurbished to accommodate greater floorspace, it cannot be contested by the Urban Design Team, and it is not clear why this has not been acknowledged in the Committee Report.</li> <li>• At page 31 of the Committee Report, you note that design revisions during the application process have been limited to a reduction in glazing to address concerns regarding solar heat gain and cooling requirements. This is incorrect. This disregards the proposed amendments submitted as part of the Design Team’s response (March 2023) to the Conservation Officer’s consultee comments. The Design Team’s response incorporated proposed amendments to the design detailing of the building to seek to address comments regarding the grid design, depth and materiality of the elevations. With the inclusion of the brick red cladding as proposed through the amendments within the Design Team’s response (refer to page 3 of the Stride Treglown Design Document, submitted in March 2023) and updated elevations, the material palette is comparable to the existing built form.</li> <li>• Page 34 of the Committee Report refers to potential for both harm to the structure of the Harbour Wall and its setting as a designated heritage asset by reason of the design of the building. In consultation, both the structural engineer and heritage consultant within the Design Team maintain that the Harbour walls will be sufficiently protected during construction. It is unclear what harm could arise to the setting of the listed Harbour wall by reason of the design of the building. The</li> </ul>

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	<p>built form would not alter the setting or significance of the Harbourside walls and it is not clear how such harm could be identified.</p> <ul style="list-style-type: none"> <li>• Within Key Issue B (page 35) and the reason for refusal you raise concern that the proposed overhang of the upper floors over the Quayside Walkway would reduce the head height unacceptably from the existing situation, resulting in a more oppressive and offputting section of the route. However, again this is not correct. As set out in the Design Team’s response (March 2023) to the Conservation Officer’s consultee comments, the soffit height along the Quayside Walkway is proposed to be the same as the existing building (refer to paragraph 2.37 of the Avison Young Response Note, submitted in March 2023). Please could you review this section of your recommended reason for refusal as the proposals do not reduce the head height at ground floor level along the Quayside Walkway?</li> </ul> <p><b>6) Sustainability:</b> Following receipt of the Sustainable City consultee comments, the elevations of the proposed development have been amended to reduce the extent of glazing proposed to align with the LETI Climate Emergency Design Guide (as recommended by BCC Sustainable City comments). As set out my e-mail dated 19<sup>th</sup> May 2023, similar to the proposed approach under pending application reference 21/03767/F, the applicant would accept a planning condition attached to any planning permission securing a revised overheating assessment be submitted and approved in writing by the LPA to reduce overheating risks and minimise energy use. There is no reason why this application should be treated differently (particularly given this was not a submission requirement at the point of the application submission and the 18 months it has taken for the application to reach a point of determination).</p> <p><b>7) Ecology:</b> In outlining the Ecology consultee comments and in the consideration of this as a Key Issue (pages 22 and 40), the Committee Report simply states that there is no reason to object to the application. The Ecology Report submitted with the application identifies a Biodiversity Net Gain associated with the proposal of over 800% (because there is very limited ecological habitat within the site at present). This Biodiversity Net Gain is not noted in the Committee Report – it is a public benefit which should be acknowledged.</p> <p><b>8) Public benefits:</b> The public benefits of the proposal are not set out clearly within the report. Within the Conclusion section, the only public benefit recognised is the improvements to the public realm and, again, incorrect reference is made to a reduction in head height at ground floor level of the Quayside Walkway. The public benefits should be recognised to enable a fair planning balance assessment to be undertaken:</p> <ul style="list-style-type: none"> <li>• The proposals would deliver a high quality mixed use redevelopment scheme meeting the development needs of the city and supporting the construction industry;</li> <li>• The delivery of circa 4,900 square metres (GIA) of Grade A office floorspace (Use Class E) contributing to the total Core Strategy office floorspace target for the city centre over the entire plan period, directly contributing to the growth and</li> </ul>

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	<p>development of the city of Bristol and the wider national economy;</p> <ul style="list-style-type: none"> <li>• The retention of active ground floor uses which have the potential to spill out on to the public realm area and contribute to its activity, ensuring the proposed development contributes to the animation and character of the Harbourside as an important leisure destination and vibrant mixed use area within the city;</li> <li>• Public realm improvements, including improvements to the elevations of the building to open it up at ground floor level and improved glazing at upper levels to increase animation and visibility, together with improvements surrounding the building to improve the layout of the public realm, promoting a pedestrian and cyclist priority urban environment within this part of the city;</li> <li>• Office staff of the proposed development would be likely to make use of local services and businesses including leisure facilities, and the development also incorporates ground floor leisure units which would complement existing businesses, be available for use by existing residents within the city centre and would animate the area;</li> <li>• The proposals will meet and exceed standards in respect of sustainability; the proposed development has been designed to incorporate green infrastructure, on-site renewable energy, sufficient plant space and infrastructure to enable connection to the Bristol Heat Network and Biodiversity Net Gain.</li> </ul> <p><b>9) Members' Briefing:</b> As previously discussed, it is most disappointing that there was not a Members' Briefing for this major application. Therefore, I trust you will review this e-mail and fairly report on the matters raised to Members (particularly in respect of paragraphs 3 and 4 of your recommended reason for refusal).</p> <p>Kind regards,'</p> <p><b>Officers would like to respond to the points raised in turn:</b></p> <p><b>1) Planning History</b></p> <p>The applicant has set out that they believe that the 2011 permission changed the use of the building to a restaurant in two separate planning units. It is understood that the existing units have been in use for purposes falling within Class E / sui generis and on that basis, a change of use to Class E only would require planning permission.</p> <p><b>2) Consultation</b></p> <p>The applicant has set out that they have held discussion with the parent company of the current operator regarding the development and that discussions are ongoing.</p>



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	<p>We do not have details of future operators at this time. What is to be decided here is the future use of the building and the floors within it.</p> <p><b>3) Assessment of the proposals in Land Use Terms.</b></p> <p>The applicant references SA102 as a reason to accept the principle of use. Whilst Officers accept that the SA102 site may be acceptable for an office block with leisure use at ground floor, it is currently a vacant site and has been for some time. In this instance, the site includes an existing building, delicate design to sit within its surroundings and in leisure use, contributing positively to the CA. It's loss is assessed to fail to preserve or enhance the Conservation Area, and leisure use of the area which is clearly defined as an important part of the character of the City Docks Conservation Area.</p> <p><b>4) Ground Conditions</b></p> <p>The Land Contamination Officer has not had time to review the technical note submitted on the morning of 12<sup>th</sup> June in advance of the deadline for the Amendment Sheet. It is noted from their comments set out in the report that conditions could be attached to a planning permission to ensure the Contaminated Land requirements are satisfied.</p> <p><b>5) Urban Design</b></p> <p>Officers have reviewed the comments on the Urban Design section of the agent response to the committee report, but are confident in our assessment of the design issues as set out in the report.</p> <p>The view of the Urban Design Team is that the current building is at the upper limit of scale and massing for this sensitive part of the Conservation Area and was designed to fit in with the building heights and maritime buildings along this section of the floating harbour. Ultimately, the internal arrangement of the existing building is not a part of this application, only that there is scope for internal alterations that would be of greater public benefit and would pose less harm to the Conservation Area than the development proposed under this application.</p> <p><b>6) Sustainability</b></p> <p>The Application has not been treated any differently to other applications and assessment of the potential impacts on climate change, sustainable development and carbon dioxide emissions have been assessed.</p> <p><b>7) Ecology</b></p> <p>Whilst it is acknowledged that there would be some improvement in biodiversity, the site contains no green space and the improvements would be limited compared to the significant harms identified in terms of the</p>

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	<p>proposed development's impact on the heritage assets.</p> <p><b>8) Public Benefits – these points are taken in turn below:</b></p> <ul style="list-style-type: none"> <li>• This is acknowledged, however this must be weighed against the harms posed to the Conservation Area and nearby heritage assets.</li> <li>• All public benefits as set out are considered in the overall assessment of the scheme. The increase in office space is considered, but weighted against the significant loss of leisure floorspace within the leisure frontage in an area where leisure use forms an important part of the Conservation Character Appraisal. In this instance, the additional office space is not considered to outweigh the harm posed by development.</li> <li>• The retention of existing ground floor active uses would likely need to be secured with any development in this location and would be retained in the event of a refusal. This is not considered to be a public benefit.</li> <li>• The public realm improvements are considered minor against the scale of development and would fail to mitigate the harms posed to heritage assets.</li> <li>• This is acknowledged, however the application states that there would be 450 staff at the new development, whereas up to 15,000 people per week visit the current building.</li> <li>• The sustainability benefits are acknowledged however the Sustainable Cities team remain concerned about the early demolition of the existing building, carbon costs, future heating and cooling requirements of the building which must also be factored into the overall assessments of harms vs public benefits.</li> </ul> <p><b>9) Members' Briefing</b></p> <p>This does not require further comment.</p>

**Item 3: - Inns Court Open Space Hartcliffe Way Bristol BS4 1XD**

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	No amendments