

# Development Control A Committee Agenda



**Date:** Wednesday, 6 March 2024

**Time:** 6.00 pm

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

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**Date:** Tuesday, 27 February 2024

# Agenda

## 12. Amendment Sheet

**(Pages 3 - 11)**



## Amendment Sheet 6 March 2024

### Item 1: - Premier Inn The Haymarket Bristol BS1 3LR

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31	1.3 For clarity, the current plans show that the development would provide 442 student bedrooms and 132 co-living rooms.
33	<p>Since the report was drafted a total of 15 additional representations have been received, including 13 no. of objections and 2. no of supporting comments.</p> <p>In large part the objections refer to issues covered in the original report, but the following additional issues have been raised:</p> <ul style="list-style-type: none"> <li>• The proposal is part of a trend for developers from outside of Bristol seeking to make money, to the detriment of the character of the area (Officer comment: the application should be assessed against the relevant policies, and the source of the funding is not material to the consideration of the application).</li> <li>• A concern has been raised that the consultation did not expire until 29<sup>th</sup> February, by which time the committee report had already been drafted (Officer comment: It should be noted that the committee report needs to be drafted at least a week before the committee, but in making the decision the decision makers should take into account any representations made before the committee. Equally, should any objections raise substantive objections prior to committee date that have not previously been considered, it is open for officers to change the recommendation on any report).</li> <li>• It is argued that a development of the site could achieve similar benefits with a lower degree of harm (Officer comment: This issue is explored in the committee report. In this case, it is argued, that to substantially reduce the level of harm would require a significant reduction in scale, and officers are of the view that this would impact on the benefits the scheme could deliver. This conclusion is based on the information provided with the applicant, which considered other formats for the development of the site).</li> </ul> <p>Similarly, the supporting comments largely repeat the commentary included in the original report, in that the proposal would meet a housing need in a sustainable location.</p> <p>In addition, further objections have been raised by Bristol Civic Society, the Conservation Advisory Panel and Kingsdown Conservation Group, as follows:</p> <p><b>Bristol Civic Society</b> maintain their objections to the proposals, and have made the following additional comments in response to the submission of a cumulative impact assessment:</p> <p>The assessment is supported by a number of visually verified montages showing cumulative views of the two developments. These are largely welcome additions to understanding the likely impacts of the proposals. That said, there are a number of occasions where views are obscured by trees where this could have been avoided by taking a few steps in either direction. Nevertheless, the verified montages confirm our fears that the combined impact on heritage assets would be worse than the simple sum of the two proposals, which in themselves cause substantial harm. Examples of this agglomerating impact include the impacts on the St James Parade and Kingsdown</p>

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	<p>conservation areas and their settings.</p> <p>In addition to the impact on particular heritage assets, the verified montages also demonstrate that these proposals individually, and cumulatively, change the face of Bristol and in doing so undermine its character for the worse. National planning policy expects the planning and development process to achieve the “creation of high quality, beautiful and sustainable buildings and places”. By any reasonable metric, including the barometer of public opinion, individually and cumulatively, these proposals fail to do this.</p> <p>We are also unclear as to the lens type used in the montages and whether they use a 24mm wide-angle lens (which pushes tall buildings into the background and grossly underestimates the impact of these buildings) as opposed to the 50mm lens generally recommended by the Landscape Institute<sup>1</sup>).</p> <p>The somewhat superficial approach taken to the consideration of the impacts listed in paragraph 1.3 of the report is disappointing. Even the daylight, sunlight and overshadowing review “has not been completed with detailed assessments” and the reassurance provided does not sit comfortably with a number of the shadows cast shown on the verified views.<sup>2</sup></p> <p>In terms of the combined effect on wind conditions and microclimate we note that The Haymarket would be windier but that this, as with the rest of the assessment is based solely on a computational fluid dynamics (CFD) test. We note that the City of London expects a more sophisticated and comprehensive approach than demonstrated in this assessment including the use of thermal comfort guidelines, a technique that merges wind, sunlight, temperature and humidity microclimate data at a seasonal level to obtain a rounded understanding of how a place will actually feel to the public.</p> <p>Specifically on wind assessments, the City expects for proposals “Up to 4 times the average height of surrounding buildings, 50m to 100m for CoL” CFD simulations AND wind tunnel testing.</p> <p>We note with concern the following timeline. The closing date for responses to the notification dated 8 February is 29 February. We have just (23 February) been advised that the application will be considered by Planning Committee A on 6 March and that “From the Wednesday before the committee date, a copy of the officer’s report and recommendation can be viewed with the planning application documents”. The Wednesday before the Committee meeting is 28 February ie before the closing date set for comments on the latest package of documents and plans relating to the application.</p> <p>We have also recently had drawn to our attention that Just Build Homes is promoting this application. Just Build Homes facilitates support for planning proposals, “Clicking send will sign you up to the Just Build Homes campaign and send the above letter of support to the Bristol, City of Council planning department”. We do not know how many, if any, of the comments in support of the application came via the Just Build Homes route.</p> <p>The <b>Conservation Advisory Panel</b> Have confirmed that there existing objection still stands, and state:</p> <p>Revised drawings have been submitted that include verified views and views of Debenhams. Whilst there is a reduction in height of one storey and limited changes to one external elevation, it remains clear that there is significant harm to existing designated heritage assets. Furthermore, additional harm to additional buildings as a result of this further information. Consequently BCAPs original minute remains valid.</p>

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	<p>The <b>Kingsdown Conservation Group</b> also maintain their objections to the proposals, with the following comments:</p> <p>The nominal reduction in height and other minor modifications are merely tinkering and fail to address the fundamental problems with the proposal. These remain as follows:</p> <p><b>Sustainability</b>  The proposal is unsustainable. Tall buildings cannot now be considered acceptable in the current climate crisis, given their high levels of embodied carbon, when more sustainable solutions exist. In this case it is further compounded by the unnecessary demolition of an existing building which we remain convinced could and should be easily refurbished and repurposed.</p> <p><b>Design</b>  The height is clearly excessive and the scale and massing results in an incongruous development that does not preserve or enhance the character and appearance of the St James Parade Conservation Area, which this site directly abuts.</p> <p>The proposal would have a significant negative impact on the setting of a number of historic buildings, including St James Priory listed Grade 1, as well as on the setting of neighbouring Conservation Areas such as Stokes Croft and Kingsdown.</p> <p>The design, appearance and details fail to satisfy the requirements of adopted policy and the Urban Living SPD in being 'anywhere architecture' of a generic contemporary architecture style that does not reflect or respond appropriately to the local character and appearance of the area. Nor is correct to claim that the building will be "slender" as this is only the case from two specific end-on views. Generally due to the slab form the building will present an excessive bulk.</p> <p><b>Layout</b>  Contrary to requirements in Urban Living SPD the majority of rooms are either north or south facing, single aspect rooms. This will impact both heating and cooling requirements as well as daylight and outlook issues, as well as on the overall quality of living. The proposal disregards Nationally Described Space Standards in providing living spaces significantly smaller than the prescribed minimum (37m<sup>2</sup> minimum for a single bedroom flat) with the combined living/eating/sleeping space poorly designed ergonomically.</p> <p><b>Amenity</b>  The internal design results in substandard living conditions for future occupiers with insufficient external amenity space and inadequate internal amenity space.</p> <p>In terms of public amenity, the spaces surrounding the building contribute little of public benefit</p> <p><b>Cumulative impact</b>  Since this application was submitted an application has been submitted for another tower on the nearby Debenhams site (Barr's Street). Prepared views showing the cumulative impact of this tower combined with the two towers proposed for the Premier Inn site make clear that the impact on long distance views across the city will be very severely impacted or in some case completely obliterated (see view from Montague Hill in Kingsdown). With possible further applications for tall buildings in the pipeline the special setting of Bristol as</p>

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43	<p>a city in a bowl surrounded by countryside is at risk of being lost for ever.</p> <p>Other Comments – the following additional consultee comments have been received since the report was written:</p> <p><b>Transport Development Management</b> have provided additional comments which confirms that in general their concerns have been addressed. However, they do remain concerns about the stepped access from the Western Entrance to the Bearpit.</p> <p>As outlined within TDM's previous comments the highways authority was formulating a suitable mitigation requirement given the need to mitigate for the stopping up of an extensive area of adopted highway. As part of this there was discussion surrounding the closure of the Western access into the bearpit and other forms of mitigation. The closure of the Western access was not considered feasible to deliver in isolation as part of this development and any amendments to the Bearpit would need to be viewed more widely and holistically.</p> <p>As such and to maintain public safety it was considered necessary to retain the stepped access northwards from the Western access of the bearpit and to be tied into the landscaping proposals of the development. This enhances safety and the perception of safety and gives an additional exit point from the ramp/Bearpit, as can be seen from the four existing entrance/exits.</p> <p>The applicant has subsequently rejected this and provided a terraced tree planting area instead with the justification being the area to the rear of the Co-Living Building is to be used for the movement of waste.</p> <p>TDM do no consider this to represent a strong enough justification or mitigation to the loss of public safety.</p> <p>A comment has been received from <b>Health and Safety Executive Pathway One</b> raising a fire safety concern with the proposal.</p> <p>It is noted that escape in single direction from storey 2 to 18 from Block 2 (co-living residential accommodation) is past ancillary accommodation, including the kitchen, living, dining amenity area in order to access the stairs. The adopted fire safety standard states: <i>"Ancillary accommodation should not connect with any part of the only escape route from one or more dwelling(s) on the same storey as the ancillary accommodation..."</i>.</p> <p>Accordingly, the proposed connection of ancillary accommodation in dead end conditions is not appropriate because the development is not a small building, as defined in the adopted standard. Design changes to relocate ancillary accommodation on the storey level, will affect land use planning considerations such as the number and configuration of dwellings in the building, and layout of the development.</p> <p>It is also noted that the single means of escape from the cluster accommodation in Blocks 1 is by way of a common corridor/lobby serving studio dwellings. Fire safety standard 9991 state that: <i>"The cluster should be lobbied from any staircases serving the building (i.e. a protected lobby should be formed between the cluster front entrance door and the stair door)"</i>.</p> <p>Where travel distance is measured to a stair lobby door the lobby should not directly connect with any dwelling, storage space or any other space containing a potential fire hazard. Design changes necessary to resolve this issue will affect land use planning</p>

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	<p>considerations such as the number and configuration of dwellings in the building, and layout of the development.</p> <p>The HSE have made additional comments, which they confirm should not be used for decision making by the LPA, but for clarity are summarised as follows:</p> <p>Section 7 of the fire statements states: <i>“Block 1 and Block 2 exceed 50m in height. Therefore, a qualitative design review (QDR) will be required to determine whether the recommendations in BS 9991 remain appropriate”</i>. It is therefore noted that a qualitative design review (‘QDR’) has not yet been undertaken, such that it has informed the design presented to the LPA. This is noted and it will be for the applicant to demonstrate compliance at later regulatory stages.</p> <p>Floor plans for Block 2 illustrate that the escape from the external communal terraces is by way of an unprotected area (i.e., enclosed dining area). The fire safety standard states that the access to communal roof gardens and similar places should be from a protected stairway enclosure or a protected ventilated lobby/corridor.</p> <p>Floor plans for Block 1, storey 28, appear to show excessive travel distance in single direction from the games room to the lift lobby/stair. It will be for the applicant to demonstrate compliance at later regulatory stages.</p> <p>It is noted section 6(i) of the fire statements states: <i>“Automatic sprinkler protection in accordance with BS 9251 and/or BS EN 12845 will be provided throughout the building”</i>. It is therefore noted that confirmation in relation to sprinkler provision has not been decided such that it has informed the development design presented to the LPA.</p> <p>BS 9251:2021 (4.1, Note 3) states that: <i>“In buildings where there is a mix of residential, non-residential and commercial use (e.g. where flats are above shops, car parks, bin stores, offices and retail units), it is generally appropriate to protect the residential parts using this British Standard and the non-residential parts using BS EN 12845”</i>.</p> <p>It should be considered that, where necessary, space will need to be made available to house suitable water tanks for the sprinkler system supplies which may affect land use planning considerations in relation to the layout of the building and will be for the applicant to demonstrate compliance at later regulatory stages.</p> <p>It is noted the question on the fire statement, section 13, about the reliance on the use of existing hydrants and whether they are currently usable/operable has been omitted, therefore no response stated.</p> <p>A green roof may constitute a fire hazard as it requires a regular management and maintenance regime. Where green roofs are proposed the roof construction will need to provide sufficient fire resistance to prevent fire spread to any adjoining wall(s). It will be for the applicant to demonstrate that the proposed green roofs are viable in relation to fire safety and will be for the applicant to demonstrate compliance at later regulatory stages.</p> <p>Officer comment: The key consideration regarding fire safety at this stage is that they applicant needs to demonstrate that the development can be made safe without changes to the scheme which would impact on material planning issues – in this case the external appearance of the building. The applicant has responded to the concerns raised by the HSE, but at the time of writing a further response from the HSE has not been received. The nature of the response is that the way the HSE has applied the standards has been queried, but in any case it has been argued that the concerns could be overcome without further external alterations, i.e. with internal alterations only. Whilst it appears that the</p>

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47	<p>concerns can be overcome, final comments from the HSE will be required before a decision can be made.</p> <p>The <b>Council's Archaeologist</b> has confirmed that the archaeological concerns can be addressed by appropriately worded conditions.</p> <p>Key Issue A</p>
48	<p>With regard to the Environmental Impact Screening Opinion, it should be added that the conclusion is supported by the fact that the applicant has submitted a further cumulative impact statement, which confirms the original conclusions.</p> <p>Key Issue B</p>
51	<p>For clarity, it should be noted that there is currently a meeting hall of 320 Sq. m. on the site, which is used by a community group, and the key issue omitted an assessment under policies BCS12 and DM5. These policies seek to retain community space where the loss would result in a shortfall of provision or quality. Officers do not object to the application on these grounds given the supply of other similar community space in the area. The applicant's submission lists another 16 similar facilities within 1km of the site.</p> <p>Key Issue C</p>
58	<p>The 'Levelling-up and Regeneration Act 2023 was adopted in 2023 and sets out duties of regard to certain heritage assets (comprising Scheduled Monuments, Registered parks and Gardens, Protected Wrecks, and World Heritage Sites) where development may affect a relevant heritage asset or its setting. Section 58B(1) of the Act states that the local planning authority must have special regard to the desirability of preserving the asset or its setting. As noted above, the Heritage Addendum identifies no harm to any Scheduled Monuments.</p> <p>With regards to impacts on non-designated assets, it is noted that the Heritage Statement submitted with the application assesses the impact on over 100 heritage assets, including non-designated heritage assets. Other than those mentioned in the original report, it concludes that there would be no harm or a low degree of harm to those assets. For clarity, Officers concur with this assessment unless specifically listed in the report.</p> <p>With regards to Historic England's position, the report suggests that in order to remove the harm the building would need to be reduced in height by at least 8 stories. For clarity, the comments from HE do not go as far as to confirm that this would remove all harm, only that it is a suggested amendment to reduce the impact.</p> <p>Amenity Impacts</p>
61	<p>It is noted in the consultations responses that concerns have been raised regarding the impact on micro climate, specifically regarding wind. It should be noted that a wind assessment has been submitted with the application, which has been added to with details of the cumulative impact of wind relating to the development of this site and the adjacent Debenhams site. This concludes that the site would remain suitable for the appropriate use, which in particular allows for comfortable waiting for busses, and usable leisure space at ground floor. Officers are comfortable with those conclusions.</p> <p>Conclusions and Planning Balance</p>



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	<p>The reports list the public benefits of the proposal, but does not specifically list the economic benefits. In order to give Members a clearer impression of the public benefits, as set out by the applicant, the following are considered to be the economic benefits:</p> <p>Economic Benefits</p> <ul style="list-style-type: none"> <li>o 159 full time equivalent construction jobs;</li> <li>o 22 full time equivalent on-site jobs once operational;</li> <li>o £702,000 per annum gross value added;</li> <li>o £276,000 per annum in Council Tax;</li> <li>o Circa £2m in CIL contributions; and</li> <li>o Circa £2,600,000 (estimated) from New Homes Bonus payments.</li> <li>o Public Art contribution</li> </ul> <p>With regard to the CIL contribution, it should be noted that the figure listed in the report may be subject to change, given the delivery of affordable housing and final floorspace figure.</p> <p>In conclusion, officers recommendation remains to approve the application. However, given the remaining concerns from HSE and TDM, it is requested that recommendation is amended to the following:</p> <p><b>Delegate to Officers to Approve the application, subject to the removal of concerns from the HSE and TDM, the completion of a s106 and appropriate conditions.</b></p>

## Item 2: - NCP Rupert Street City Centre Bristol BS1 2PY

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	<p>Since the report was drafted 3 additional representations have been received, with 2 objections and 1 letter of support from the University of Bristol.</p> <p>The points raised in objection are that:</p> <p>The proposal would result in the loss of a fine example of brutalist architecture that adds to the character of the city. The building could be adapted to have EV hubs.</p> <p>Object to the height and massing of the new building and its impact on the wider townscape.</p> <p>The building would create claustrophobic surroundings which would not be good for the health and well being of residents. Residents would also suffer from the noise and pollution from traffic below.</p> <p>The letter of support from the University of Bristol reads as follows:</p> <p>I write to outline the University of Bristol's broad support for the proposed development at site Rupert Street City Centre Bristol BS1 2PY.</p> <p>The applicant has shared their proposal with the University.</p>

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	<p>Our support considers and applies to the proposals in the Design Access Statement of Nov 2023, and focuses on three principal criteria that form the basis of this response. These are:</p> <p><b>New Student Accommodation: Does the University support the product, price and type of accommodation?</b></p> <p><b>Partial.</b></p> <p>Purpose Built Student Accommodation helps to ease overall demand, relieves pressure on the city’s housing stock. The rooms comply with university minimum design requirements for cluster units arranged in sizes with the largest clusters being no greater than 12 rooms but not less than 6 rooms. We welcome the fact that there is a mix of studio sizes and a generous provision of communal social and amenity space. We welcome 10% of all student rooms are adaptable or accessible.</p> <p>We welcome the intent to offer 20% co-living rooms at an affordable rent. The University faces a significant challenge in offering nearby accommodation for staff, visiting lecturers, research fellows, and professors. The ability of the city to house these key knowledge workers plays a pivotal role in determining the University’s sustained success, impacting both research and educational achievements. The proposed Co-Living housing solution is well-placed to provide convenient and sustainable housing in proximity to the University.</p> <p><b>Planning and Placemaking: Does the University support the planning use and quantum on this site?</b></p> <p><b>Yes.</b></p> <p>The proposals meet the University’s criteria, which include being within sustainable transport of our main Clifton campus. In providing 328 beds they meet our minimum requirement of at least 200 new bedrooms in any one location. Student living increases levels of activity within areas and bring additional vitality to areas.</p> <p>They also respond to emerging planning policy H7, the general provision of which are: to ensure that there will be no adverse impacts on surrounding communities and areas; to be subject to an appropriate management regime; to prohibit excessive noise between hours 23:00 and 08:00; to make provision for disabled access. The scheme seeks to contribute to placemaking through provision for community/commercial spaces for local community and charity groups on the ground floor.</p> <p><b>User Experience and Wellbeing: Does the University support the proposed operation and service provision?</b></p> <p><b>Yes</b></p> <p>The provision of 24-hour staffing and amenities including study, social, laundry, waste, cycling, and landscape design is welcome. The University recognizes the frontage design addresses arrival and provides a means of accessing sustainable transport. We support the approach to shared use of amenity provision with the co-living residents.</p> <p>Page 4</p> <p>Para 3.1: Maximum height: 21 storeys (not 20 storeys).</p>

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	<p>Page 5</p> <p>Para 3.7: Following amendments, 24 disabled car spaces to be provided (not 20)</p> <p>Page 6</p> <p>Para 5.2: The applicant has advised that pre application engagement resulted in the following changes to the design:</p> <ul style="list-style-type: none"> <li>- Ground floor use: Through engagement there was awareness of need for community/voluntary uses. Floorplan layout designed following consultation with Creative Youth Network and Voscur.</li> <li>- Public Realm: Through engagement there was awareness from the public of a desire to see the public realm on Rupert Street and Lewins Mead improved.</li> <li>- Affordability: Feedback was clear that affordability of housing in Bristol was a major issue. 20% of the co-living homes will be provided at discounted rents and classed as affordable.</li> </ul>