

# Development Control B Committee Supplementary Information



**Date:** Wednesday, 28 September 2016

**Time:** 2.00 pm

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

## **Distribution:**

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**Date:** Tuesday, 20 September 2016



# Supplementary Agenda

## 7. Planning and Development

To consider the following applications for Development Control Committee B – **(Pages 1 - 20)**

### 1. 16/00719/F - Avonbank, Feeder Road, Bristol

Proposed installation of low carbon, bio-diesel powered generators and associated infrastructure for the provision of a Flexible Generation Facility to provide energy balancing services via the capacity market for the National Grid.

### 2. 16/01888/F - Old Bristol Royal Infirmary Building

Conversion of the Old BRI Hospital building, including two upper storey additions and partial demolition, to accommodate 6,112 sq.m. office floorspace (Use Class B1) and 3,990 sq.m. Medical School (Use Class D1); and erection of a part 10, part 12 and part 13 storey building to the rear for student accommodation (Sui generis) comprising 738 student bedspaces; communal areas and refurbishment of Fripps Chapel for communal student facility with ground floor commercial use (Use Class A3); associated landscaping, car parking and cycle parking. **An addendum report is attached setting out proposed additional conditions and comments from the City Design Team.**

### 3. 16/02137/F - Land adjacent to 2 Southernhay Avenue

Proposed four storey, three bedroom single dwelling house.

4. 16/01193/X - Eastgate Retail Park- Application for removal of condition No 6 following grant of planning permission 15/00907/X (Insertion of additional mezzanine floorspace into combined Units C/D and alterations to the front and rear of Units C/D - to now allow the sale of food from Unit J)



16/01888/F- Old BRI Site

## Addendum to Officer Report to Committee

### Recommended Conditions

#### 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. Phasing Plan

Prior to the commencement of any element of the development hereby permitted, a Phasing Plan for the development (including demolition works, refurbishment and renovation of the Old BRI building and chapel, construction of the new build student accommodation, completion of the vehicle access, parking area and internal courtyard; and public realm works) shall be submitted to and approved in writing by the Local Planning Authority.

The demolition works hereby permitted (of the Old BRI building including Hill Ward block and South Entrance block) shall not be carried out otherwise than as part of completion of the entire development for which planning permission has been granted under this consent unless otherwise agreed in writing by the Local Planning Authority.

The development hereby permitted shall thereafter be carried out in accordance with the approved Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the refurbishment and renovation of the Old BRI building is undertaken at an appropriate phase within the development given the key objective of retaining the heritage asset.

3. Highway Works

Within three months of this decision a general arrangement plan showing the following works to the highway shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority. It should be demonstrated that the scheme is designed in accordance with the public realm strategy.

- i) Refurbishment of footway in Marlborough Street, Lower Maudlin Street and Whitson Street to a condition suitable for a highly used city centre location (to the satisfaction of the Local Planning Authority);
- ii) Widening of footway in Whitson Street on site's frontage to an absolute minimum of 2m;
- iii) Relocation of motorcycle parking;
- iv) Removal of redundant ambulance bay in Lower Maudlin Street and replacement with short pay and display car parking / motorcycle parking;
- v) Refurbishment of zebra crossing in Lower Maudlin Street;
- vi) Pedestrian improvement scheme for the junction of Whitson Street with Marlborough Street to aid crossing movements along Marlborough Street;
- vii) Alterations to the waiting restrictions to enable the works;
- viii) Associated ancillary measures including but not limited to lighting, signing, street furniture, street trees, drainage, resurfacing
- ix) Dedication of highway extents to be agreed by the Highway Authority

These works and the approved details shall be completed prior to occupation of the development to the satisfaction of the Local Highway Authority.

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are planned and approved in good time to include any statutory processes, are undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

#### 4. Construction Management Plan

No development shall take place until a site specific Construction Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The Plan shall include the following elements, unless otherwise agreed in writing by the Local Planning Authority:

##### Highway and Traffic Management

- a) Phasing to reduce impact on network (including hoarding- to include measures to improve safety/ visibility at junction of Whitson Street and Lower Maudlin Street);
- b) Access arrangements for taxi rank and Bus Station access at all times;
- c) Number, type and size of vehicles accessing the site (deliveries, waste, cranes, equipment, plant, workers, visitors) and access arrangements including swept path analysis for the larger vehicles. Turning of vehicles shall be within the site unless completely unavoidable. Arrangements to receive abnormal loads or unusually large vehicles;
- d) Routing plan of vehicles avoiding weight and size restrictions and reducing unsuitable traffic onto residential roads. Waiting areas and means of communication for delivery vehicles if unavailable space within or near to site, identification of holding areas;
- e) Means of minimising the number of vehicle movements and parking on nearby streets through: programming, waste management, construction methodology, shared deliveries, car sharing, travel planning, use of a local workforce, parking facilities for staff and visitors, on-site facilities;
- f) Measures to protect vulnerable road users (cyclists and pedestrians);
- g) Arrangements for any temporary traffic management measures - including (but not limited to) bus stops/ routes, carriageway restrictions, removal of parking, changes to one way streets, hoarding licences, scaffolding licences;

- h) Means of prevention of mud being carried onto the highway;
- i) Hours of operation;

#### Environmental and Amenity Considerations

- i. Procedures for maintaining good public relations including complaint management, public consultation/ liaison and liaison with the Council's Pollution Control Team;
- ii. All works and ancillary operations (including deliveries to and removal of plant, equipment, machinery and waste) 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 unless otherwise agreed in writing by the Local Planning Authority (LPA).
- iii. Procedures for emergency deviation of the agreed working hours and procedures for agreeing any special deviation of the agreed working hours with the LPA.
- iv. 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.
- v. Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. 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.

Reason: In the interests of safe operation of the highway during both the demolition and construction phase of the development and in the interests of the amenities of surrounding occupiers during the construction of the development.

#### 5. Highway Retaining Walls

No groundworks or excavation shall take place until structural details of the proposed excavation works have been submitted to and approved in writing by the Local Planning Authority. The excavation works shall be carried out in accordance with the approved plans.

Reason: To ensure the works safeguard the structural integrity of the highway in the lead into the development both during the demolition and construction phase of the development.

#### 6. To secure the recording of the fabric of the old BRI building

No redevelopment or refurbishment of the old BRI building and chapel (including the Hill Ward Block and South Entrance Block) 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 is 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.

7. To ensure implementation of a programme of archaeological works

No development shall take place within the area indicated on plan number (Rio 0282 A-PL-01 A) until the applicant/developer has secured the implementation of a programme of archaeological work, to include excavation, building recording and a watching brief during groundworks, in accordance with a Written Scheme of Investigation which has been submitted by the developer and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To ensure that archaeological remains and features are recorded prior to their destruction.

8. To ensure a suitable foundation design to preserve archaeological features has been secured

No work on site (excluding site clearance) shall take place until a detailed design for the foundations, including the layout of any basements, piling configuration, drainage and services together with a method statement for their construction has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only take place in accordance with the approved detailed scheme.

Reason: To ensure the preservation in situ of archaeological features of identified importance.

9. 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, and 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,
- \* 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 is understood prior to works on site both during the construction phase 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 - 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 been 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 is understood prior to works on site both during the construction phase 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.

11. 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, unless otherwise agreed in writing by the Local Planning Authority. 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 both during the construction phase and 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.

## 12. Unexploded Ordnance Assessment

Prior to the commencement of the development (new build student accommodation element only) hereby permitted, further unexploded ordnance assessment as per the recommendations of the submitted UXO Risk Assessment shall be carried out at the site to establish whether there is any unexploded ordnance, the details of which shall include any necessary mitigation measures and shall be submitted to the local planning authority for approval prior to the commencement of the new build student accommodation element of the works hereby approved unless otherwise agreed in writing by the Local Planning Authority. The development shall be undertaken in full accordance with any approved mitigation measures and the recommended timescales.

Reason: To protect the health and safety of construction workers and future occupiers of the proposed development as well as the wider ordnance.

## 13. Noise Sensitive Premises Assessment

Prior to the development of the superstructure (new build student accommodation) a detailed acoustic report on the existing noise climate at the development site shall be submitted to and been approved in writing by the Local Planning Authority.

The report shall include a scheme of noise insulation measures for all residential accommodation. The noise insulation measures shall be designed to achieve noise insulation to a standard that nuisance will not be caused to the occupiers of residential accommodation by noise from the following:-

- a) Noise from traffic;
- b) Noise from refrigeration or ventilation plant;
- c) Noise from commercial uses within the development including refrigeration and ventilation flues and plant;

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings.

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

Reason: In order to safeguard the amenities of nearby and future occupiers of the site. The details are needed prior to the start of work as the acoustic report may require changes to the design details.



15. Details of Extract/Ventilation System - Not Shown

Prior to the occupation of the commercial unit (A3 café/ restaurant) details of the means of ventilation for the extraction and dispersal of cooking smells/fumes from the commercial unit (Use Class A3), including details of its method of construction, odour control measures, noise levels, its appearance and finish shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

Reason: These details need careful consideration and formal approval and to safeguard the amenity of adjoining properties and to protect the general environment. The details are needed prior to the start of work so that measures can be incorporated into the build.

16. CHP Exhaust details

Prior to the CHP (combined heat and power) plant being installed, details of the location, height, design, specification of the exhaust flue and NOx emissions of the CHP plant for this facility shall be submitted to and approved, in writing, by the Local Planning Authority. The flue shall only be installed in accordance with the approved details and thereafter retained.

Reason: To ensure the exhaust flue is acceptable on visual and amenity grounds and in air quality terms.

17. Overheating Assessment Report

Prior to the development of the superstructure (Old BRI building and new build student accommodation) hereby permitted, an Updated Overheating Assessment Report to address (but not be limited to) the following matters shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

- a) Student residential accommodation - further consideration of external horizontal shading options;
- b) Office accommodation- analysis of overheating risk for specific spaces within the building and particularly for the top floors extension to the Old BRI building;
- c) Further consideration of future climate scenarios (2030 and 2050) and options to addressing overheating under these scenarios;

The development hereby permitted shall be carried out in accordance with the approved updated report thereafter and maintained as such in perpetuity.

Reason: To ensure that the development would be designed with appropriate consideration of thermal comfort of occupants, climate change and reduced mechanical ventilation of buildings.

18. Heat Network Connection

Prior to the development of the superstructure (Old BRI building and new build student accommodation) hereby permitted, a Heat Network Connection Statement setting out a strategy of how all elements of the development would address the potential for future connection to existing and forthcoming heat networks (in terms of space requirements and feasibility for all predicted plant, equipment and connection systems). The development hereby permitted shall be implemented in accordance with the approved statement thereafter and maintained thereafter in perpetuity.

Reason: To give consideration to the potential for the scheme to connect to both existing (University of Bristol/ Hospital Trust heat networks) and particularly, forthcoming heat networks in the future and to ensure that satisfactory provision is made prior to the commencement of the development for the space and practical requirements necessary to facilitate such connection in the future.

19. BREEAM- Student accommodation

Prior to the commencement of development of the superstructure hereby approved evidence that this element of the development is registered with a BREEAM certification body and a pre-assessment report for this element (or design stage certificate with interim rating if available) shall be submitted to and approved in writing by the Local Planning Authority indicating this element of the development can achieve the stipulated final BREEAM level. No building shall be occupied until a final Certificate has been issued, submitted to and approved in writing by the Local Planning Authority certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating Excellent has been achieved for this development 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 development achieves BREEAM rating level Excellent; (or any such equivalent national measure of sustainability for building design which replaces that scheme) and that this is done early enough in the process to allow adaptations to designs 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.

20. BREEAM- Old BRI building refurbishment

No commencement of the refurbishment of the Old BRI building hereby permitted shall take place until evidence that this element of the development is registered with a BREEAM certification body and a pre-assessment report for each element (or design stage certificate with interim rating if available) has been submitted indicating that this element of the development can achieve the stipulated final BREEAM level. No building shall be occupied until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating Excellent has been achieved for this development 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 development achieves BREEAM rating level Excellent; (or any such equivalent national measure of sustainability for building design which

replaces that scheme) and that this is done early enough in the process to allow adaptations to designs 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.

21. Renewable energy generation

Prior to the commencement of the superstructure of the new build student accommodation and extensions to the Old BRI building of the development hereby permitted, an updated scheme of solar panels (to include details of siting and output) and an updated Energy Strategy, shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the potential of the site for renewable energy generation through solar panels has been fully explored and maximised.

Should the updated scheme of solar panels fail to meet the requirements of Policy BCS14 of the Bristol Core Strategy, a review of additional renewable and low/ zero carbon energy generating options shall be made and a proposal for additional measures be submitted to, and approved in writing by the Local Planning Authority.

Prior to the occupation of each relevant element of the development hereby permitted, the solar panels and additional renewable/ low/zero carbon measures related to each relevant element (as indicated within the approved details) shall be installed and made fully operational (in accordance with the approved details) thereafter.

Reason: To ensure that the potential of the site for renewable energy generation has been maximised and to seek accordance with Policy BCS14 of the Bristol Core Strategy.

22. Sustainable Drainage System (SuDS)

The development hereby approved (Old BRI building refurbishment or new build student accommodation element) shall not commence (excluding demolition and enabling works) until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

23. Submission and approval of landscaping scheme and public realm works

Prior to the commencement of the works to the internal courtyard of the scheme and the public realm works, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority to include (but not be limited

to) the following elements. It should be demonstrated that the scheme is designed in accordance with the highway works proposals and requirements.

- a) External cycle parking;
- b) Full landscape details for the internal courtyard area (including materials, planting plans, species, hard landscape features, lighting);
- c) All public realm tree planting (including a plan showing their exact location in relation to adoptable highway and services);
- d) Tree pit details (courtyard and public realm);
- e) Anti-walk buffer zone paving to comprise natural stone setts (outside ground floor student bedroom windows);
- f) Management and maintenance regime;
- g) Lighting proposals;
- h) All public realm paving proposals including alternative paving treatments at entrance points to include an upgrade to the proposed material pallet;

All of the physical external works, including the public realm works, shall be completed to the satisfaction in writing of the Local Planning Authority prior to the first occupation of the student accommodation hereby approved. Once completed, the works shall thereafter be retained.

The approved planting scheme shall be implemented so that planting can be carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area and to ensure its appearance is satisfactory.

24. Further large scale details before relevant element started

Large scale detailed drawings 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 detail thereby approved shall be carried out in accordance with that approval prior to the occupation of the relevant building and shall thereafter be retained.

- a) Typical windows, doors, entrance features (including doors to storage areas) to all building elements incorporating lintel, cill, head, jamb, reveals, louvers, surround, corner details, bay or projections details and any glazing design;
- b) Typical details of new extensions to the Old BRI building and chapel (including glazing, cladding, junctions with Old building) and louvres to the glazed atrium;
- c) Details of all material junctions (including with upper level elements, soffits, overhangs, projections, pillars, bay features, brickwork detailing, roof edging);
- d) Typical shopfront details to commercial unit;
- e) All new entrances and boundary treatments (including entry gates and railings);

f) Design enhancements to the existing entrance to the Old BRI building (paving etc.);

g) Typical details and location of ventilation flues, terminals and grilles;

h) Rainwater goods;

Reason: To ensure that the external appearance of the building would be satisfactory.

25. Approval of samples and sample panels before work starts

Prior to the commencement of the relevant element taking place samples/ sample panels of the following elements shall be submitted to/ made available for inspection by and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples and sample panels before the relevant buildings are occupied and shall thereafter be retained.

- a) Old BRI and chapel extensions metal cladding materials;
- b) Brick materials (sample panel to include mortar finish);
- c) Anodized aluminium cladding (to indicate finished and weathered appearance);
- d) All metal cladding materials to new build student accommodation;
- e) Reclaimed stone elements (sample panel to include mortar finish);
- f) All new external paving/ surfacing materials;
- g) New render finish to Old BRI building if applicable (sample panel);
- h) Glass reinforced concrete (GRC) cladding;

Reason: To ensure that the external appearance of the buildings is satisfactory.

26. Artificial lighting (external)

No development of the relevant element shall take place until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and approved in writing by the Local Planning Authority.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2005.

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

27. Bird and bat boxes

Prior to the occupation of the development hereby permitted details shall be submitted providing the specification, orientation, height and location for built-in bird nesting and bat roosting opportunities. This shall include twenty swift bricks or boxes.

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

Advice

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](http://www.nhbs.com/brick_boxes_for_birds_eqcat_431.html)

If built-in bird and bat boxes cannot be provided within or on 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.

Internal nest trays or boxes are particularly recommended for swifts. Swift bricks are best provided in pairs or groups (e.g. at least two or three on a building, avoiding windows) at least one metre apart. This is because they are usually colonial nesters. Swift boxes/bricks are best located on north, north-east or east facing walls, at least 5 metres high, so that there is a clear distance (drop) below the swift boxes/bricks of 5 metres or more so that there is space for the swifts to easily fly in and out of the boxes. Locating swift boxes under the eaves is desirable. Further guidance is available at: <http://www.swift-conservation.org/InternalNestTrays.htm>

### **Pre occupation condition(s)**

#### **28. Public Art**

Within three months of this decision a Public Art Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall set out the specific commissions development, a procurement process and programme illustrating how the public art commission(s) within the building accord with the City Council's Public Art Policy and Strategy. The Public Art Plan shall also contain budget allocations, a timetable for delivery and details of future maintenance responsibilities and requirements. The delivery of public art shall then be carried out in full accordance with the agreed Public Art Plan timetable and the agreed budget set out in the document unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that an appropriate Public Art Scheme is delivered because the public art scheme, as currently proposed, is unsatisfactory.

#### **29. To secure the conduct of a watching brief during development groundworks**

The applicant/developer shall ensure that all groundworks, including geotechnical works, are monitored and recorded by an archaeologist or an archaeological organisation to be approved by the council and in accordance with the Written Scheme of Investigation approved under Condition 7.

Reason: To record remains of archaeological interest before destruction.

30. To ensure completion of a programme of archaeological works

No building shall be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 7 and the provision made for analysis, publication, dissemination of results and archive deposition has been secured.

Reason: To ensure that archaeological remains and features are recorded and published prior to their destruction

31. 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 9 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 10, 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 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.

32. Further details- vehicle parking including disabled parking

Prior to the commencement of the relevant part of the development hereby permitted, a revised parking layout plan shall be submitted to and approved in writing by the Local Planning Authority showing a minimum of eight disabled parking bays.

Prior to the first occupation or first use of any element of the development hereby permitted, a disabled parking management plan shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how the disabled parking spaces would be managed and allocated to each of the uses on the site.

No building or use hereby permitted shall be occupied or the use commenced until all of the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development only. The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes. The development shall be carried out only in accordance with the disabled parking management/ allocation plan thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that there are adequate parking and disabled parking facilities to serve all elements and uses within the development.

33. Further details - Cycle Provision

Prior to the commencement of the relevant part of the development hereby approved, further details of the proposed cycle parking arrangements shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the required minimum separation distances between cycle racks.

No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed, 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 and to ensure that this is properly planned for prior to the finalisation of the scheme and makes satisfactory allowance for manoeuvring cycles into cycle racks.

34. Completion of access, stopping up of former access and completion of parking/servicing

No building or use hereby permitted shall be occupied or the use commenced until the following have been completed in accordance with the approved details:

- The means of vehicular access and access for pedestrians and cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.
- The vehicular crossover has been installed and the footway has been reinstated in accordance with the approved plans.
- The existing access to the development site has been permanently stopped up and the footway reinstated in accordance with the approved plans.
- The facilities for vehicle parking, loading/unloading, circulation and manoeuvring have been completed in accordance with the approved plans. Thereafter, these areas shall be kept free of obstruction and available for these uses only and not for any other purpose.

The development shall thereafter be retained permanently in accordance with the approved details.

Reason: In the interests of highway safety and to ensure the provision of safe access, parking, servicing facilities for the development.

35. Servicing Strategy

Prior to the occupation of any element of the development hereby approved (offices, medical school, A3 unit, student accommodation), a Servicing Strategy outlining arrangements for deliveries and refuse collection for the entire site shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall thereafter be carried out in accordance with the approved strategy.



Reason: To ensure that all elements of the development would be safely and appropriately serviced and that there would be no conflict between the servicing of different elements of the development.

36. Implementation/Installation of Refuse Storage and Recycling Facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or the use commenced until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans 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 buildings 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 at any time.

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

#### **Post occupation management**

37. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the approved commercial (Use Class A3/ cafe restaurant) unit shall only be used for uses that fall within Use Classes A1 or A3 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason: To ensure that only A1 (shops) or A3 (Restaurants and Cafes) uses are undertaken in this space and to ensure that other uses are controlled with a view to how they may impact upon the amenity of the area.

38. The accommodation hereby approved shall only be resided in by students in full-time education.

Reason: To accord with the approved application details.

39. Medical school

Permission has been granted on the basis of the submitted details that the proposals will include a Medical School of at least 3500sqm gross internal floor area and the development hereby permitted shall be implemented in accordance with the approved details. Any reduction in the floor space of the Medical School would require the approval in writing of the Local Planning Authority prior to the occupation of the Medical School, unless otherwise agree in writing by the Local Planning Authority.

Reason: To ensure the re-provision on the site of an ancillary healthcare use.

40. Student Housing Management Plan

The student residential accommodation use hereby permitted shall be carried out in accordance with the approved Student Housing Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the environment and residential amenity of the area.

41. Student Moving In and Out Strategy

The student residential accommodation use hereby permitted shall be carried out in accordance with the approved 'Student Moving In/ Moving Out Strategy' in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard highway safety.

42. Travel plans

The approved Framework Travel Plan shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. No later than 6 months following the occupation of the development hereby permitted a Full 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 Full Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Full Plan Targets to the satisfaction of the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling.

43. Commercial Unit (Use Class A3): Hours open to customers Monday - Sunday

No customers shall remain on the premises of the A3 unit hereby permitted outside the hours of 08:00 to 23:00 Monday to Saturday, and on Sundays 10:00 to 22:00.

Reason: To safeguard the residential amenity of nearby occupiers.

44. A3 unit: Use of Refuse and recycling facilities

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

Reason: To safeguard the amenities of nearby occupiers

45. Energy Strategy

The development hereby permitted shall be carried out in accordance with the approved Energy Strategy (Revision D, dated August 2016) and all details subsequently approved by condition unless otherwise agreed in writing by the Local Planning Authority and maintained as such thereafter.

Reason: To ensure compliance with policy objectives relating to sustainability and climate change.

46. Restriction of noise from plant and equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the background level as determined by BS4142: 2014 Methods for rating and assessing industrial and commercial sound.

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

47. Roof areas- use

Access to all roof areas of the student accommodation hereby permitted shall only be for the purposes of maintenance and emergency access. No roof area of the scheme hereby permitted shall be used as a balcony, accessible roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

**List of approved plans**

48. 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.

***Final list of plans to be finalised and reported via the Committee Amendment Sheet.***

These summary comments highlight the key considerations from City Design Group covering Archaeology, Conservation, Landscape, Public Art and Urban Design related issues for the benefit of the planning committee. The full comments are available online through BCC's public access. ([Link](#))

The Old BRI site offers an excellent opportunity to develop a prime city block. CDG acknowledges the pre-application engagement on the project. The engagement has helped to address some of the broad issues relating to the retention of the locally listed old BRI and Fripp's Chapel buildings. Further, CDG acknowledges the significant changes made to the massing and design of the scheme following the submission of the current planning application to take into account CDG's first formal response to the application and follow up meetings. The changes have improved the composition and massing of the proposed development from the original submission.

The aspects of scheme forming part of CDG's consideration are;

- Support the retention of the locally listed old BRI and Fripp's Chapel buildings.
- Support the clean-up (removal of pipes, vents etc.) of the front façade and to refresh the principle street elevations of the Old BRI building.
- The proposed rear atrium extension to the old BRI building is supported in principle; however the current proposal harms the special interest of the asset, given the demolition of the rear section of the building.
- The removal of the current rooftop accretion and creation of a new rooftop extension is supported in principle, however the three storey extension is considered to be excessive.
- The scale of the development along Whitson Street is still considered to be harmful to the street scene and the legibility of the Chapel as a key feature within it.
- Whilst it is accepted that the proposals seek to draw back from the site boundary at ground level the scale, massing, design, and material quality of the new-build proposals would constitute harm to the setting of The White Hart Inn, Bristol Eye Hospital, Listed walls to St James's Priory, St James's church and Church house.
- The new buildings will coalesce with St James's Church tower from some perspectives, but the general sense of over-development and scale on the old BRI site will diminish the essential legibility of the church and its skyline in this context.
- The harm caused to the character of the conservation area will be significant. The scale and massing will be overbearing and overshadow this intimate courtyard space and impact negatively on the amenity of residents and visitors to the church.
- The Old Building of the BRI has a visual presence from the St Michael's Hill and Christmas Steps Conservation Area. Viewed from an elevated position on Park Row, or closer to the building on Upper Maudlin Street, the proposed new rooftop additions and the tall buildings would project incongruously above the existing context.
- The current design falls short of the criteria for tall building as set out in policies.
- The setting of the listed buildings and conservation areas should be given due consideration while considering the materials for the scheme. There are concerns about some of the materials and details being proposed.
- Considering the location of the site at the heart of the city, it is important that the ground level addressing the public realm is designed to be active public facing frontages with access into the buildings. It is not considered appropriate to provide access to the blocks from courtyard and include private habitable rooms addressing the public realm along the perimeter of the site.
- Considering the scale, significance and setting of the scheme within the city centre, the development is expected to deliver a public realm improvement package for the benefit of its residents, the surrounding area and the wider movement network. The proposed public

realm works are austere and do not provide the necessary level of improvements to the immediate surroundings of the site.

- The planning submission lacks public art provision, plan or strategy which is not supported.
- The extent of archaeology on site is still to be fully understood.

City Design Group supports the retention of the Old BRI building and the Fripp's Chapel and remains committed to playing a positive role in helping to unlock the site. However, several significant issues still remain to be resolved;

- Inappropriate response to the setting of designated heritage assets in form of Grade I, II\* and II listed buildings as well as conservation areas. This is echoed by comments from Historic England;
- Inappropriate additions to the non-designated heritage assets i.e. locally listed Old BRI and Fripp's Chapel buildings;
- Inappropriate response to the settings of non-designated heritage assets i.e. locally listed Old BRI and Fripp's Chapel buildings;
- Inappropriate response addressing to the townscape and urban design considerations;
- Unresolved building form, scale and massing of the new development block including the rooftop extension. There appears to be scope to review development capacity as per the BCC commissioned viability assessment;
- Inadequate quality of architecture, materials and detailing considering the scale of development;
- Inactive frontages to the street with lack of thresholds and entrance into building(s);
- Unresolved landscape and public realm improvements; (this can be conditioned)
- Insufficient public art offer. (this can be conditioned)
- Lack of full understanding of Archaeology on site. (this can be conditioned)

As currently proposed, the harm caused by the proposal is considered to outweigh the public benefits. CDG therefore recommends the application is withdrawn or refused.

Relevant Planning policy consideration – NPPF (Requiring Good Design; Conserving and enhancing the historic environment), BCS21, BCS22, DM26, DM27, DM28, DM29, DM30, DM31, SPD1, SPD7, St James's Parade CAA and St Michaels Hill & Christmas Steps CAA.

#### **Further steps to resolve outstanding issues**

It is considered that significant revisions to the scheme are required to overcome these issues.

With respect to the Old building it is recommended to;

- Pull back the single storey replacement rooftop extension on the flanks of the building from main frontage at Marlborough Street to the line of the larger rooftop extension to reduce impact along Marlborough Street.
- Reduce the proposed rooftop extension by one storey. Make it an elegant and subservient addition to the old building.
- There is an opportunity to introduce partial mezzanines within the generously proportioned floor heights of the old BRI building to accommodate displaced workspaces.

With respect to the new buildings it is recommended to;

- Reduce the scale of the building adjacent to the Chapel on Whitson Street by one storey and maintain the setback for the top storey.
- The building at the junction of Whitson Street and Lower Maudlin Street sits on a prominent corner and forms an important townscape feature and should be designed accordingly by;

- Reconsidering the design of the corner and articulate the top storey differently to reduce the apparent scale and emphasise the corner aspect.
- Emphasising the vertical proportions rather than the horizontal on the flanks of the building.
- Reduce the scale of the red brick building along Lower Maudlin Street by 3 stories.
- Reduce the scale of the tallest metal-clad building by 5 stories to reduce impact on St James's Church tower.
- Reduce the scale of the grey brick building adjacent to the old BRI building by 7 stories to make it comparable in height to the old BRI building.
- Angle the alignment of the grey brick building in plan form to match the orientation of the old BRI building.
- Reduce the scale of block within the courtyard by 2 storeys.
- There is opportunity to intensify development in the courtyard to partly compensate for the loss of floor space but this should not appear above the roof of the chapel.

#### Architecture, detailing and materials;

- There is a need to refine and articulate the design, proportions and fenestration of buildings to create hierarchy across façades. It is important to continue with the design approach to make each block distinctly different.
- The materials for the new blocks, while varied should be robust with high quality finishes and detailing. For example it is recommended to use real bricks instead of brick slips. Use stone from site for construction of the lower sections (G+1or2) of the new buildings.

#### Entrance and thresholds;

- Reorient the entrances to the students' accommodation to face the street and design these as well-proportioned and inviting foyer spaces to animate the street and avoid dead frontages.
- Increase the provision of publically accessible lower floor uses along Lower Maudlin Street and Whitson Street.
- Design the entrance to the medical school (i.e. space between Lower Maudlin Street and the gate leading to the courtyard) as a shared surface.

#### Landscape and public realm;

- Create a comprehensive scheme for public realm improvements along Lower Maudlin Street, Whitson Street and Marlborough Street. This should include consideration of crossing points on each of the streets. The improvements need to include;
  - Tree planting to soften the streetscape
  - Paving materials to reflect and improve the character and experience of the space
  - Emphasise legibility of movement, crossings and entrances
  - Emphasise historic context and architecture

#### Public Art;

- The commissioning of a public art plan for the development.
- Identification in the art plan of locations for public art with a focus on;
  - The appearance and design of the proposed rooftop extension on the Old BRI building;
  - The public realm around the development and the design of new, augmented or revised landscape; including those used en-mass by students;
  - The design and finish of the new building blocks;
  - Entrances and access points, and ground floor finishes of the building.