

Development Control A Committee Agenda



Date: Wednesday, 21 December 2022

Time: 6.00 pm

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

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If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.

Councillors: Richard Eddy (Chair), John Geater, Paul Goggin, Fi Hance, Tom Hathway, Philippa Hulme, Farah Hussain, Ed Plowden and Andrew Varney

Issued by: Democratic Services

City Hall, PO Box 3399, Bristol, BS1 9NE

E-mail: democratic.services@bristol.gov.uk

Date: Tuesday, 13 December 2022

www.bristol.gov.uk



Agenda

1. Welcome, Introductions and Safety Information

(Pages 5 - 8)

2. Apologies for Absence and Substitutions

3. Declarations of Interest

To note any interests relevant to the consideration of items on the agenda. Please note that any declarations of interest made at the meeting which are not on the register of interests should be notified to the Monitoring Officer for inclusion.

4. Minutes of the previous meeting

To agree the minutes of the last meeting as a correct record.

(Pages 9 - 17)

5. Action Sheet

The Committee is requested to note any outstanding actions listed on the rolling Action Sheet for DCA Committee.

(Page 18)

6. Appeals

To note appeals lodged, imminent public inquiries and appeals awaiting decision.

(Pages 19 - 26)



7. Enforcement

To note recent enforcement notices.

(Page 27)

8. Public Forum

Up to 30 minutes is allowed for this item

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. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on 15 December 2022.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on 20 December 2022.

PLEASE NOTE THAT IN ACCORDANCE WITH THE NEW STANDING ORDERS AGREED BY BRISTOL CITY COUNCIL, YOU MUST SUBMIT EITHER A STATEMENT, PETITION OR QUESTION TO ACCOMPANY YOUR REGISTER TO SPEAK.

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

(Page 28)

- a) **Footway Bridge Over Kings Weston Road Bristol - 22/02249/FB and 22/01149/LA**

(Pages 29 - 53)

- b) **155-165 West Street Bedminster Bristol - 22/00805/F**

(Pages 54 - 122)

10. Date of Next Meeting

1st February 2023 at 2pm.





Public Information Sheet

Inspection of Papers - Local Government (Access to Information) Act 1985

You can find papers for all our meetings on our website at www.bristol.gov.uk.

Public meetings

Public meetings including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny will now be held at City Hall.

Members of the press and public who plan to attend City Hall are advised that you may be asked to watch the meeting on a screen in another room should the numbers attending exceed the maximum occupancy of the meeting venue.

COVID-19 Prevention Measures at City Hall (from March 2022)

When attending a meeting at City Hall, the following COVID-19 prevention guidance is advised:

- promotion of good hand hygiene: washing and disinfecting hands frequently
- while face coverings are no longer mandatory, we will continue to recommend their use in venues and workplaces with limited ventilation or large groups of people.
- although legal restrictions have been removed, we should continue to be mindful of others as we navigate this next phase of the pandemic.

COVID-19 Safety Measures for Attendance at Council Meetings (from March 2022)

Government advice remains that anyone testing positive for COVID-19 should self-isolate for 10 days (unless they receive two negative lateral flow tests on consecutive days from day five).

We therefore request that no one attends a Council Meeting if they:

- are suffering from symptoms of COVID-19 or
- have tested positive for COVID-19

Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.



Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee Members and will be published on the Council's website before the meeting. Please send it to democratic.services@bristol.gov.uk.

The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, it may be that only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the Committee and published within the minutes. Your statement or question will also be made available to the public via publication on the Council's website and may be provided upon request in response to Freedom of Information Act requests in the future.

We will try to remove personal and identifiable information. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.
- Under our security arrangements, please note that members of the public (and bags) may be searched. This may apply in the interests of helping to ensure a safe meeting environment for all attending.



- As part of the drive to reduce single-use plastics in council-owned buildings, please bring your own water bottle in order to fill up from the water dispenser.

For further information about procedure rules please refer to our Constitution <https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

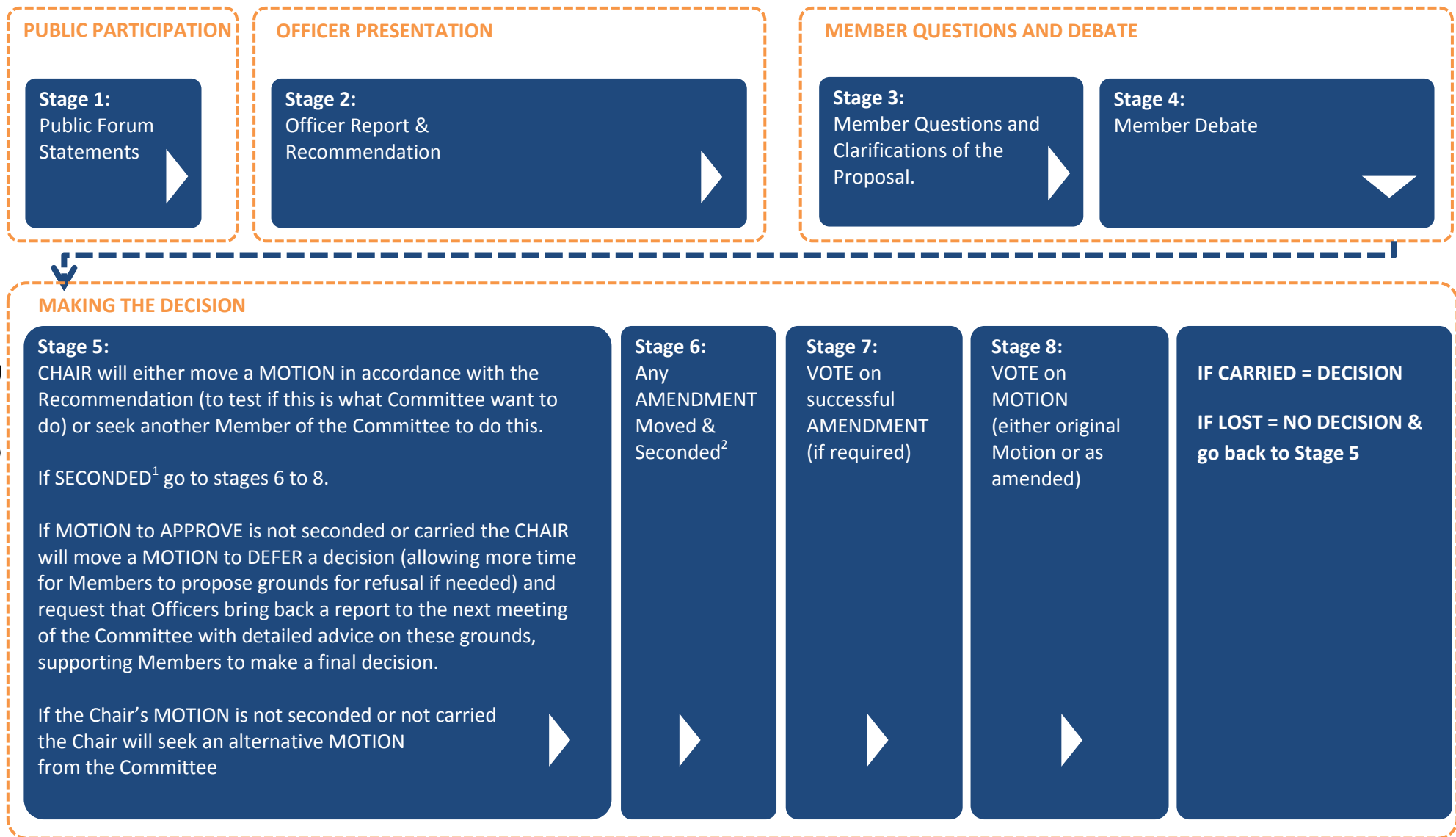
Webcasting/ Recording of meetings

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Development Control Committee Debate and Decision Process



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¹ A Motion must be Seconded in order to be formally accepted. If a Motion is not Seconded, the debate continues

² An Amendment can occur on any formally approved Motion (ie. one that has been Seconded) prior to Voting. An Amendment must itself be Seconded to be valid and cannot have the effect of negating the original Motion. If Vote carried at Stage7, then this becomes the Motion which is voted on at Stage 8



Public Document Pack

Bristol City Council Minutes of the Development Control A Committee

16 November 2022 at 2pm



Members Present:

Councillors: Richard Eddy (Chair), Paul Goggin, Fi Hance, John Geater, Tom Hathway, Philippa Hulme, Ed Plowden, Andrew Varney

Officers in Attendance: Gary Collins – Head of Development Management, Relevant Case Officers, Philippa Howson – Transport Development Manager, Steve Gregory – Democratic Services

1. Welcome, Introductions and Safety Information

All parties were welcomed to the meeting.

2. Apologies for Absence and Substitutions.

Apologies received from Councillor Farah Hussain.

3. Declarations of Interest.

None declared for this meeting.

4. Minutes of the previous meeting held on 5 October 2022.

Resolved – That the minutes of 5 October 2022 be agreed as a correct record and signed by Councillor Eddy.

Matter(s) Arising

York Place Bedminster - concerns had been raised about fire safety, this had now been resolved. The Applicant had since amended the scheme and the H&SE had confirmed this to be acceptable.

Councillor Eddy clarified that his comment about removal of land from the Green Belt made at the last meeting was not about being a material consideration but about giving a wider context to residents of the city, when considering an application and was made arising from the ongoing consultation of the Local Plan.

5. Action Sheet.



Councillor Varney provided a verbal update on the Planning Enforcement issue considered by the Growth and Regeneration Scrutiny Commission on 29th September 2022.

Key points made were -

1. The planning authority had a responsibility to investigate all breaches but not necessarily to take any action
2. It was necessary to take great care when pursuing enforcement
3. Planning Enforcement legislation was last reviewed in 1992.
4. Income from application fees funded the work of the planning enforcement team, noted that the number of staff had declined from 6.5 to 3.5 and that one officer had also been recently seconded into the team to largely deal with HMO cases only.
5. BCC was in the lowest quartile for issuing enforcement notices ie, 12 out of 565 cases resulted in notices being served.
6. Some Developers were aware that the current system was not robust so could 'get away' with breaches.
7. TPO breaches were not prosecuted.
8. Staff resources was a major issue, and the current financial situation could make it worse.
9. One solution was to have a whole Council enforcement approach for any breaches.
10. Noted that some enforcement related to repeat offenders.
11. Some breaches were genuine mistakes.
12. There was an institutional reluctance to pursue enforcement due to potential high costs involved.
13. One action considered by the scrutiny commission was to lobby the Government by letter and officers would also contact Core Cities for their input.

Following questions from members further points made were –

14. The Scrutiny Commission would not be giving further consideration to planning enforcement, but the actions suggested during its scrutiny process would be followed up.
15. The funding from planning applications was not a linear process. Application fees were set nationally so although large applications cost more than smaller one's the cost to the planning authority was similar, and as BCC received a high number of small applications there were high processing costs and relatively less income to fund enforcement work.
16. Members agreed that an annual benchmarking report comparing performance with other core cities would be useful. This was agreed.
17. DC A members to have sight of letter to government before sending, with Cllr Varney to share this with DC A Members in advance.

6. Appeals

The Head of Development Management summarized the Appeals report specifically referring to Item 7 (493 - 499 Bath Road Brislington) regarding a key decision that had been made last week at an appeal. Members were reminded that DC A Committee decided on this application, at its meeting in March 2021, and refused the application in accordance with the officer recommendation citing the height and scale of the proposal, the impact that the scale of the development would have on the future occupiers of the residential units, and lack of compliance with the heat hierarchy policy.

The heat hierarchy reason for refusal was one not previously explored at appeal so this was seen as a test



case. The Inspector felt that the developer had not made a convincing case, regarding viability, about not providing more air source heat pumps as a greener solution for the heating of the buildings, the application had provided for 75% direct electric heating and 25% from air source heat pumps. The Inspector also felt that the Urban Living SPD did carry sufficient weight to refuse the application. (This would be circulated to members after the meeting).

The outcome was that the Planning Inspector fully supported the Council's position and dismissed the appeal.

7. Enforcement.

There were two notices, both noted accordingly.

8. Public Forum

Members of the Committee received Public Forum Statements in advance of the meeting.

The Statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision.

9. Planning and Development

The Committee considered the following applications.

9a 21/04208/F – 1A-C Colston Yard Bristol

Councillor Paul Goggin did not take part in the debate or decision for this application as he was unable to attend the formal site visit.

No amendments had been made to the application since the publication of the original report.

Members were reminded that this application had been considered at the DC A Committee meeting of 5th October 2022 and was deferred to the 16 November 2022 Committee to allow for Members to conduct a formal site visit.

The Officer summarized the report as follows:

Since the decision to defer this application, pending a site visit, a revised scheme had been submitted which reduces the height of the southernmost section by 3.4m, removing the gable and one proposed apart-hotel room. As such, the proposal was now for a 19-room aparthotel and an 8no. bedroom HMO (which benefits from an extant planning permission).

The revisions submitted required further assessment of key issues C (Design and Heritage), D (Amenity) and K (Other Matters) in the original Officers' Report. This assessment was set out below.

Following the submission of the revised plan, a 14-day re-consultation was undertaken with letters sent to all neighbouring properties and citizens that had commented on the



application. The deadline to respond was 2nd November 2022. In addition, the Urban Design Officer and Economic Development Officers had also been consulted.

A total of 27 objections had been received from members of the public. The majority of the reasons for objection were resubmission of reasons given in the first round of consultations and summarised in the first report.

Additional reasons for objection given during the re-consultation period were summarised as follows:

- Revised plans did not adequately address previously raised issues.
- Should be a storey lower.
- Does not offer a substantial contribution to Bristol Infrastructure.
- Non-residential development.
- Lack of light due to trucks.
- Construction hours were too long.
- The area was a key feature in Bristol's tourism offering due to the concentration of independent businesses.
- No need for hotel accommodation.
- Loss of light and air to properties adjoining the proposal.

Comments had also been received in support of the proposal within the latest consultation period and these included:

- The continuation of the Johnny Ball Lane arches was appealing.
- The architectural merits were evident in the response to the Victorian arches on Johnny Ball Lane, the pitched roofs of Colston Yard and Street.

The recommendation was for approval and any outstanding issues could be dealt with by Conditions.

The following points arose from questions and debate:

- During determination of the proposal structural assessments had been made by an external specialist consultant and had confirmed the structural viability of the development.
- Condition 2 ensured that as the adjacent structure was within 6 metres of the publicly adopted highway, an agreement between the developer and the Council would need to be secured before any work could take place.
- The consent for the development was for a hotel only and additional consent would be required for any student accommodation application on the site.
- A Construction Management Plan (CMP) for building waste removal was yet to be approved following concerns raised by local businesses however any development must ensure safe access, and this would be secured by condition prior to any development work commencing. It was considered that as most construction work would be via Johnny Ball Lane end this would be minimize the impact on local businesses.
- The Condition for the CMP would not be consulted on with all objectors, this would not be an opportunity to raise fresh objections. The applicant might contact neighbouring properties to ensure access and emergency accesses are kept clear.
- It was confirmed that the number of objections raised for the development had reduced from 57 to 28 following resubmission of the proposal.
- There would be two CMP's one for transport to and from the site and one for environmental aspects



such as noise and dust. The Transport Manager expressed concerns about transport arrangements for the site and supported a robust CMP and would welcome an opportunity to comment on it.

- Concerns about trip generation from the hotel development on the site could be less than that from businesses under the existing use of the site.
- The CMP was crucial to reduce impact on local businesses and residents, it was proposed that the final version of the CMP be reviewed by the DC A Committee's lead members. This was agreed.
- The Servicing/Management Plan was a material consideration and would be tightened up to secure access arrangements and ensure equality of access for disabled people. This to include a chair lift at the main entrance to the building and security lighting along Johnny Ball Lane.
- A member suggested that the application be deferred pending a further transport report following concerns raised by the Transport Management Team.

Having regard to all the comments made Councillor Eddy moved that the application be granted, to include a robust CMP being approved by lead members and the provision of a chair lift, this was seconded by Councillor Varney.

On being put to the vote there were 3 for, 3 against and 1 abstention. A decision was, therefore, not made.

In accordance with the Council's Standing Orders Councillor Eddy exercised his casting vote and voted for the proposal.

RESOLVED –

- 1. That the application be granted subject to the conditions as set out in the report.**
- 2. That a robust Construction Management Plan be approved by lead members, in liaison with the Transport Management team, prior to any work commencing.**
- 3. That the proposal includes a chair lift at the main entrance to the building.**

9b 21/01999/F – Former Car Park College Road Clifton Bristol

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

This application had been considered by DC Committee A on the 22 September 2021 following the receipt of a Member Referral from Councillor Grant.

The Officer summarized the report as follows:

1. Members had resolved to grant planning permission and following the completion of a Section 106 Agreement to secure 13 affordable houses (split 77% Social Rented and 23% Intermediate affordable housing) and planning permission was granted on the 28th February 2022.
2. On the 24 March 2022, the Local Planning Authority received a Pre-Action Protocol Letter Before Claim on behalf of the Clifton & Hotwells Improvement Society, challenging the grant of planning permission. Following the receipt of legal advice, the LPA conceded the prospective claim.



3. The process of Judicial Review of planning permissions related to the process undertaken rather than the merit of the scheme. In this case the grounds of the review related to the way in which Heritage and Sustainability matters were presented to the Committee.
4. On the 14 June 2022 the High Court quashed the decision of the Local Planning Authority to grant planning permission, principally on the grounds that the report as presented to Committee failed to properly consider the level of heritage harm; undertake a planning balance in relation to harm and public benefits; or set out a clear and convincing justification for the heritage harm in accordance with the guidance in the National Planning Policy Framework that it was purporting to apply. A related error concerned an inaccurate summary of the views of Historic England with regard to the heritage effects of the development.
5. The Local Planning Authority was now required to reconsider the application and to look at all matters afresh with no reliance on the earlier report or on the previous quashed decision. The current report included a required assessment weighing the public benefits of the application against the assessed harm to heritage assets surrounding the site.
6. The Conservation Advisory Panel strongly objected to the new proposal on grounds of sustainability. Case officers reminded members that the new proposals had been assessed on existing policies, when the policies were updated, the proposal would be assessed again.

Having regard to all the material planning considerations, it was considered that the application was acceptable as it brought new housing on a brownfield site and included affordable homes in a sustainable location for the benefit of Clifton and the city. The harm to identified heritage assets was outweighed by the benefits. The heritage tests in the NPPF were satisfied and had met legal duties under the Listed Buildings Act 1990 in relation to listed buildings and conservation areas.

It was emphasised that the current application proposals had changed significantly, and members were therefore asked to disregard their previous views and only consider the application before them.

The following points arose from questions and debate:

- A biodiversity report had not been done as at the time the Application was submitted, April 2021, there was no legal requirement, in planning law, to undertake one. The NPPF requirement to do so came into force after the application date, aiming to be introduced in November 2023.
- The application was assessed by the Council's ecologist as this was a requirement of the NPPF, and no objections had been received on biodiversity grounds. The biodiversity objectives were supported by the requirement for a landscaping scheme and on-site tree planting.
- A net gain biodiversity report would be a legal requirement in future arising from the Environment Act 2021 whereby all planning permissions granted in England would have to deliver at least 10% biodiversity net gain, it was anticipated that this would come into effect in November 2023. No guidance on this had been received at the current time however there was an ongoing debate with stakeholders about net gain biodiversity to obtain the minimum 10% as would be required by the NPPF going forward.
- The key date of decision for this application was today (16 November 2022) and only policy requirements currently in force now could be given due weight.
- Sustainability had been assessed on the existing adopted plan policy and core strategy and the proposal was in full compliance with the policies. It was acknowledged that a new policy framework was emerging, but the LPA was legally bound to consider under existing policies. The process for this was undertaken with probity and transparency.
- Requirement for Air Source heat pumps was included under Conditions.
- It was confirmed that the planning application for the main site had been received however



members were reminded that the application before them must be considered on its own merit without reference to the application for the main site.

- It was anticipated that as the main site would retain existing buildings the confluence with the current proposal would not be significant as the new application would not be a 'mirror' site to this proposal.
- The requirement to design in renewables eg solar pv, was restricted because of heritage and conservation grounds, this was unavoidable and illustrated the classic balance of all the issues raised by the proposal. There were no grounds to refuse permission on scale and massing of the proposal.
- The committee noted that the Tree Forum disagreed with the number of trees proposed to be planted citing that 30 more should be planted elsewhere. The case officer felt that the correct number had been identified and this had been assessed by the Council's tree officer, noted that the scheme would replace all trees lost on site.
- Regarding height scale and massing the case officer confirmed that there were no real grounds for refusal however it was for members to decide on the application before them.
- The key positive aspects of the development were that it was on a brownfield site, contributed to the chronic shortage of housing, including 20% affordable housing, was on a sustainable site with positive conservation measures and was fully policy compliant.

Having regard to all the comments made Councillor Eddy moved that the application be granted, this was seconded by Councillor Goggin.

On being put to the vote there were 7 for and 1 against.

RESOLVED - That the application be granted subject to the completion of a planning agreement and the conditions as set out in the report.

9c 21/06761/F – Land on the North Side of Gas Lane Bristol

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

Members were advised that the application proposal was being brought to the Committee due to its size.

The Case Officer summarized the report as follows:

- The scheme proposed to redevelop the site and create a Purpose-Built Student Accommodation within a building ranging in height between 5 and 6 storeys. A total of 260 student bedspaces would be provided within a combination of studio and cluster flats. Also proposed is 237sqm of commercial floorspace within Class E use.
- The site was located within the Temple Quarter Enterprise Zone, which was allocated through the current local plan and where a wide range of uses, including residential, were envisaged.
- In response to consultation two objections had been received and raised issues relating to the design of the scheme. There had also been letters of support.
- The site was at risk of flooding, and the Environment Agency had provided comments on the proposal and if the objection could be overcome, officers were seeking delegated authority to progress the discussions and to add conditions as necessary. If the objection could not be overcome, the application would be brought back to committee for determination.



- The proposal was considered to be of an acceptable height and scale within the context, and the degree of harm envisaged to heritage assets was considered to be outweighed by public benefits brought about by the scheme.
- In view of the constrained nature of the area, the applicant had put forward improvements to the road infrastructure and public realm, and a number of financial contributions were also to be sought via s106 Agreements and these were currently in the process of being negotiated.

The application was recommended for approval subject to conditions and s106 agreement.

The following points arose from questions and debate:

- Regarding safety and security measures the case officer confirmed that the proposal contained several measures and included a balustrade around the terrace, high security locks on the accommodation units and on-site CCTV cameras.
- The accommodation was a mix of both self-contained and shared units.
- There was no requirement for affordable homes for student accommodation.
- The section 106 agreement for the University application on a neighbouring site provides funding for a future Controlled Parking Scheme in the area. This proposal was a car-free scheme and will also explore parking restrictions around the site.
- The site did not have a Masterplan, this was considered when proposing to expand the campus however the Council could not resource the work required to do this. It was considered that a Masterplan was not required for this application proposal.
- The applicant be asked to consider tree planting to provide shade in the courtyard areas.

Councillor Eddy moved, seconded by Councillor Fi Hance, that the application be granted.

On being put to the vote it was unanimously -

RESOLVED – That the application be granted subject to the completion of a planning agreement and the conditions as set out in the report.

Councillor Fi Hance left the meeting at this point.

9d 22/00805/F – 155-165 West Street Bedminster Bristol

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

The Application had been referred to Committee for determination due to the significant public interest the application had received.

The Case Officer summarized the report as follows:

- Planning permission was sought to demolish existing buildings at the site, to facilitate the construction of student accommodation (19no. flats: 12no. studios, 7no. cluster flats) and a replacement employment unit Use Class E(g). The existing site comprised a vehicle repair workshop and a car showroom and a private access road to Chapel Barton flats.
- Concern had been expressed that the proposed development was being located outside of the



city centre, further away from higher education establishments. Although planning policy generally supported specialist student housing in the city centre, it did not prohibit them elsewhere in the City, provided the 'general criteria' set out in policy DM2 was met.

- The application complied with the general criteria of policy DM2, as it would not harm the amenity and character of the locality or create/contribute to a harmful concentration of student uses within the locality. The proposal was on a brownfield site in an accessible location close to good public transport routes, including regular bus services.
- The proposal met the expectations of policy BCS18, as it would help to diversify the housing stock in the area, address the demand for specialist student accommodation.
- The proposal would reduce pressure on existing housing stock and help to provide needed student accommodation and counted toward the Council's five-year housing land supply.
- Concerns that the proposal would result in unacceptable levels of on-street vehicle parking had been addressed by Transport Development Management who confirmed that there was sufficient capacity in the locality to safely accommodate any car parking associated with the development.
- The proposal was not expected to unacceptably impact neighbours through noise and disturbance. A management plan had been provided to provide further reassurances. The development included sustainable design measures and provided an acceptable living environment.
- The proposal had demonstrated that the development would bring substantial benefits to the locality and no significant harms associated with approving the development had been identified.

The application was recommended for approval, subject to a s.106 Agreement and conditions.

The Committee considered the proposal and queried the suitability of providing student accommodation relatively far from its host University. Members asked if the planning authority could re-examine the suitability of the site for student accommodation and therefore suggested that the application be deferred pending a more detailed report about the site's suitability for student accommodation.

Having regard to the comments made Councillor Eddy moved, seconded by Councillor Paul Goggin, that the application be deferred.

On being put to the vote there were 6 for and 1 abstention.

RESOLVED – That the application be deferred pending a more detailed report about the site's suitability for student accommodation.

10. Date of Next Meeting

21 December 2022 at 6pm

The meeting ended at 5.10 pm

CHAIR _____



Action Sheet – Development Control Committee A

Date of Meeting	Item/report	Action	Responsible officer(s)/Councillor	Action taken / progress
16/11/22	Enforcement	Annual benchmarking report to DC comparing performance with other core cities would be useful. This was agreed. DC A members to have sight of letter to government before sending, officers to liaise with scrutiny commission.	Head of DM Cllr Andrew Varney	To be provided during 2023 Pending
“	Appeals	Copy of appeal decision to be circulated to Members regarding item 7, Bath Road.	GC	Completed
“	Colston Yard	Final version of the CMP be reviewed by the DC A Committee’s lead members	GC	Pending

DEVELOPMENT CONTROL COMMITTEE A

21 December 2022

REPORT OF THE DIRECTOR: ECONOMY OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	St George Troopers Hill	42 Nicholas Lane Bristol BS5 8TL A single storey extension is proposed to the rear of the property with a roof terrace accessed from the rear bedroom. Appeal against refusal Delegated decision	12/10/2020
2	Filwood	22 Courtenay Crescent Bristol BS4 1TQ Rear ground floor extension with part first floor bedroom extension and new front porch. Appeal against refusal Delegated decision	16/11/2022
3	Knowle	79 Minehead Road Bristol BS4 1BP Two story side & rear extension & single storey front bay / porch and creation of 2 parking spaces to front. Appeal against refusal Delegated decision	17/11/2022
4	Stoke Bishop	14 Mariners Drive Bristol BS9 1QQ Oak frame 1.5 car garage to the front garden. Appeal against refusal Delegated decision	18/11/2022
5	Westbury-on-Trym & Henleaze	7 Wildcroft Road Bristol BS9 4HZ First floor extension over present garage. Appeal against refusal Delegated decision	18/11/2022
6	Hartcliffe & Withywood	50 Hareclive Road Bristol BS13 9JN Retrospective application for boundary wall with adjustments. Appeal against refusal Delegated decision	18/11/2022

7	Hillfields	25 Beaufort Road Speedwell Bristol BS15 1NF Two storey side extension. Appeal against refusal Delegated decision	07/12/2022
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Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
8	Brislington West	515 - 517 Stockwood Road Brislington Bristol BS4 5LR Outline application for the erection of a five-storey building comprising 9no. self-contained flats, with Access, Layout and Scale to be considered at part of the outline application. Appeal against refusal Delegated decision	TBA
9	Brislington West	515 - 517 Stockwood Road Brislington Bristol BS4 5LR Outline application seeking matters of Access, Layout, and Scale for the erection of a care complex (Use Class C2). Appeal against refusal Delegated decision	TBA
10	Lawrence Hill	11 - 17 Wade Street Bristol BS2 9DR Outline application for the demolition of buildings and erection of student accommodation, with access, layout and scale to be considered. Appeal against non-determination	TBA
11	Clifton Down	Land At Home Gardens Redland Hill Bristol BS6 6UR Outline planning application for the redevelopment of the site comprising demolition of existing buildings (1-4 Home Gardens, 1-2 The Bungalows and associated garages and outbuildings) and the erection of two new buildings to provide up to 60 residential units (Class C3) (including 20% affordable housing) and up to 262sqm of flexible office space (Class E) to Whiteladies Road frontage and associated works. Permission sought for Access, Scale and Layout). Appeal against refusal Committee	15/11/2022
12	Avonmouth & Lawrence Weston	8 - 10 Station Road Shirehampton Bristol BS11 9TT Redevelopment of the site to include 18no. houses and 3no. apartments with associated access, parking and landscaping. Appeal against non-determination	21/02/2023

Public inquiry

Item	Ward	Address, description and appeal type	Date of inquiry
13	Brislington East	Land At Broom Hill/Brislington Meadows Broomhill Road Bristol BS4 4UD Application for Outline Planning Permission with some matters reserved - Development of up to 260 new residential dwellings (Class C3 use) together with pedestrian, cycle and vehicular access, cycle and car parking, public open space and associated infrastructure. Approval sought for access with all other matters reserved. (Major) Appeal against non-determination Committee	31/01/2023

Written representation

Item	Ward	Address, description and appeal type	Date lodged
14	Eastville	Merchants Arms Bell Hill Bristol BS16 1BQ Change of use from public house (Sui Generis) to mixed use Class F2 (Local Community Uses), Class C3 and Class C4. Appeal against non-determination Delegated decision	06/06/2022
15	Henbury & Brentry	Severn House Ison Hill Road Bristol BS10 7XA Window and balcony door replacement scheme for 16 flats. Appeal against refusal Delegated decision	07/06/2022
16	Horfield	3 Hunts Lane Bristol BS7 8UW Change of use of existing garage/store to a single 1 bed dwelling (Use Class C3). Appeal against refusal Delegated decision	14/06/2022
17	Westbury-on-Trym & Henleaze	Land Opposite Car Park Westbury Court Road Bristol BS9 3DF Application to determine if Prior Approval is required for proposed 15.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	21/06/2022
18	Westbury-on-Trym & Henleaze	15 Westfield Road Bristol BS9 3HG Demolition of existing buildings and erection of 4no. dwellinghouses, with parking and associated works. Appeal against refusal Delegated decision	21/06/2022

19	Central	40 Baldwin Street Bristol BS1 1NR Erection of a building containing 9 residential flats and office space. Appeal against refusal Delegated decision	20/07/2022
20	Central	Rear Of 6 Tyndalls Park Road Bristol BS8 1PY Application for removal or variation of a condition 12 (List of Approved Plans) of permission 20/01279/F - Demolition of boundary wall and construction of a two storey building containing 1no. residential unit with associated provision of amenity space, refuse and cycle storage - revised plans to show the proposed building sitting higher on the site as compared to the consented scheme, given the proposed use of existing foundations. Appeal against refusal Delegated decision	23/08/2022
21	Bishopston & Ashley Down	229 - 231 Gloucester Road Bishopston Bristol BS7 8NR Erection of a new building to provide 4no. residential flats with refuse/recycling and cycle storage and associated development. Appeal against refusal Delegated decision	02/09/2022
22	Frome Vale	Strathmore Pound Lane Bristol BS16 2EP Appeal against High hedge at 4 metres in height in rear garden. Appeal against high hedge	09/09/2022
23	Horfield	160 Monks Park Avenue Bristol BS7 0UL Erection of a two bedroom dwelling; with associated vehicular access from Kenmore Drive and pedestrian access from Monks Park Avenue, refuse storage, cycle storage, car parking, provision of private gardens and new landscaping. Appeal against refusal Delegated decision	09/09/2022
24	Bishopston & Ashley Down	Telecommunication Monopole Junction With Queens Drive And Kings Drive Bristol BS7 8JW Proposed 15 metre tall slim-line, phase 8 monopole c/w wraparound cabinet at base, 3no. additional ancillary equipment cabinets and associated ancillary works. Appeal against refusal Delegated decision	29/09/2022

25	Hillfields	<p>Communication Mast Ingleside Road Bristol BS15 1JD</p> <p>Application to determine if prior approval is required for a proposed 5G telecommunications installation: H3G Phase 8 17 metre high street pole c/w wrap-around cabinet and 3 further additional equipment cabinets.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	29/09/2022
26	Brislington West	<p>Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD</p> <p>Enforcement notice appeal for hardstanding. (C/22/3306445).</p> <p>Appeal against an enforcement notice</p>	04/10/2022
27	Clifton	<p>The Richmond Building 105 Queens Road Clifton Bristol BS8 1LN</p> <p>Proposed telecommunications Rooftop installation upgrade and associated ancillary works.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	04/10/2022
28	Brislington West	<p>Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD</p> <p>Enforcement notice appeal for builders yard. (C/22/3306441).</p> <p>Appeal against an enforcement notice</p>	04/10/2022
29	Brislington West	<p>Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD</p> <p>Enforcement notice appeal for bunds & portable buildings. (C/22/3306446).</p> <p>Appeal against an enforcement notice</p>	04/10/2022
30	Brislington West	<p>Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD</p> <p>Enforcement notice appeal for plant equipment. (C/22/3306444).</p> <p>Appeal against an enforcement notice</p>	04/10/2022
31	Bedminster	<p>Telecoms Installation Winterstoke Road Bristol BS3 2NW</p> <p>Application to determine if prior approval is required for a proposed 5G telecommunications installation: 15 metre slim line phase 8 monopole c/w wraparound cabinet at base, 3 no. additional ancillary equipment cabinets and associated ancillary works.</p> <p>Appeal against refusal</p> <p>Delegated decision</p>	06/10/2022

32	Lockleaze	36 Stothard Road Bristol BS7 9XL Enforcement Notice enforcement for the erection of detached building in garden without planning permission. Appeal against an enforcement notice	17/10/2022
33	Bishopston & Ashley Down	37 Maple Road Bishopston Bristol BS7 8RD Change of use from small house in multiple occupation (C4) to a large house in multiple occupation for up to 7 people (sui generis). Appeal against refusal Delegated decision	17/10/2022
34	Cotham	38 Chandos Road Bristol BS6 6PF Demolition of 8no. existing garages and construction of 2no. two storey residential dwellings. Appeal against refusal Delegated decision	17/10/2022
35	Redland	7 Belvedere Road Bristol BS6 7JG Change of use from 3no. 2-bed flats (Class C3) to a 12-bed extension to the nursing home at 8-9 Belvedere Road (Class C2) (Revised proposal). Appeal against non-determination	24/10/2022
36	Bishopston & Ashley Down	21 Oak Road Bristol BS7 8RY Change of use from residential dwellinghouse (Use Class C3) to a House in Multiple Occupation (HMO) for up to 6 residents (Use Class C4), with associated cycle and refuse/recycling storage. Appeal against non-determination Committee	25/10/2022
37	Bishopsworth	Land To Rear Of 44 & 46 Wrington Crescent Bristol BS13 7EP Construction of 2no. three bedroom semi-detached dwellings. Appeal against non-determination	26/10/2022
38	Westbury-on-Trym & Henleaze	10 Rylestone Grove Bristol BS9 3UT Demolition of existing detached house and erection of 6 bedroom replacement detached dwelling with integral garage, associated landscaping and adjusted access. (Self Build). Appeal against refusal Delegated decision	17/11/2022

39	Stoke Bishop	2 Bramble Drive Bristol BS9 1RE Enforcement notice appeal for front boundary not completed as per plans approved as part of planning permission 21/00431/H and additional planting. Appeal against an enforcement notice	22/11/2022
40	Henbury & Brentry	Site Opposite Bradbury Court 117 Station Road Henbury Bristol BS10 7QH Application to determine if prior approval is required for a proposed - Proposed telecommunications installation: Proposed 15.0m Phase 8 monopole C/W wrapround cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	23/11/2022
41	Westbury-on-Trym & Henleaze	9 Abbey Road Bristol BS9 3QN One proposed detached dwelling to the side of No. 9 Abbey Road. Appeal against refusal Delegated decision	08/12/2022
42	Clifton	Granby House Granby Hill Bristol BS8 4LT Replacement of all sash windows of Granby House that were manufactured and installed during 1972-74 on the front (north), side (west) and back (south) elevation with matching style wooden double glazed units and repair window casing and mouldings. Appeal against refusal Delegated decision	09/12/2022

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
43	Brislington West	493 - 499 Bath Road Brislington Bristol BS4 3JU Demolition of existing building and redevelopment of the site for 146 residential units, including apartments and houses (Use Class C3), with associated car parking, landscaping and works. (Major application). Appeal against refusal Committee	Appeal dismissed 08/11/2022
44	Hartcliffe & Witherwood	Telecommunication Outside 530 Bishport Avenue Bristol BS13 9LJ Application to determine if prior approval is required for a proposed 15.0m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	Appeal dismissed 25/11/2022

45	Hartcliffe & Witherwood	1 Maceys Road Bristol BS13 0NQ Erection of a two-storey two-bedroom dwelling attached to 1 Maceys Road, with vehicular access, refuse and cycle stores. Appeal against refusal Delegated decision	Appeal dismissed 29/11/2022
46	Lockleaze	37 Crowther Road Bristol BS7 9NS Conversion of an existing house into a 1 bed flat and 2 bed, 2 storey maisonette, including a roof extension and single storey extension. Erection of 2 dwellings on land to side. Appeal against refusal Delegated decision	Appeal dismissed 08/11/2022
47	Stoke Bishop	Corner Of Coombe Lane/Stoke Lane/Parry's Lane Bristol BS9 1AL Application to determine if Prior Approval is required - proposed 'slim-line' phase 8 c/w wraparound cabinet at base, 3no. additional ancillary cabinets and associated works. Appeal against refusal Delegated decision	Appeal dismissed 08/11/2022
48	Bedminster	Land Adjacent To Teddies Nurseries Clanage Road Bristol BS3 2JX Proposed demolition of existing buildings and erection of replacement building for indoor recreation use (Class E(d)), with associated car parking. Appeal against refusal Delegated decision	Appeal dismissed 02/12/2022
49	Southmead	Telecoms Mast Corner Of Charlton Road/ Passage Road Westbury Bristol BS10 6TG Application to determine if prior approval is required for a proposed - Proposed 20.0m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	Appeal dismissed 09/12/2022
50	Stoke Bishop	49 The Crescent Sea Mills Bristol BS9 2JT Proposed enlarged ground floor rear extension which is permitted development and first floor stairwell extension. Appeal against refusal Delegated decision	Appeal allowed 08/12/2022
51	Redland	30 Codrington Road Bristol BS7 8ET Single storey rear extension to replace existing conservatory. Appeal against refusal Delegated decision	Appeal allowed 07/12/2022

DEVELOPMENT CONTROL COMMITTEE

21 December 2022

REPORT OF THE DIRECTOR: ECONOMY OF PLACE

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Cotham	71 Arley Hill Bristol BS6 5PJ Change of use of the building to large HMO with 8 bedrooms. Enforcement notice	22/11/2022
2	Southville	20 Mount Pleasant Terrace Bristol BS3 1LF Change of use to HMO (C4) without planning permission. Enforcement notice	29/11/2022

Development Control Committee A 21 December 2022

Report of the Director: Economy of Place

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Avonmouth & Lawrence Weston	Grant	22/02249/FB & 22/01149/LA - Footway Bridge Over Kings Weston Road Bristol Removal and reinstatement of Kingsweston Road Footbridge.
2	Bedminster	Grant subject to Legal Agreement	22/00805/F - 155 - 165 West Street Bedminster Bristol BS3 3PN Demolition of existing buildings and construction of student residential accommodation (12 studios flats and 7 cluster flats) and a replacement employment unit (Use Class E(g)), and associated works. (Major application)

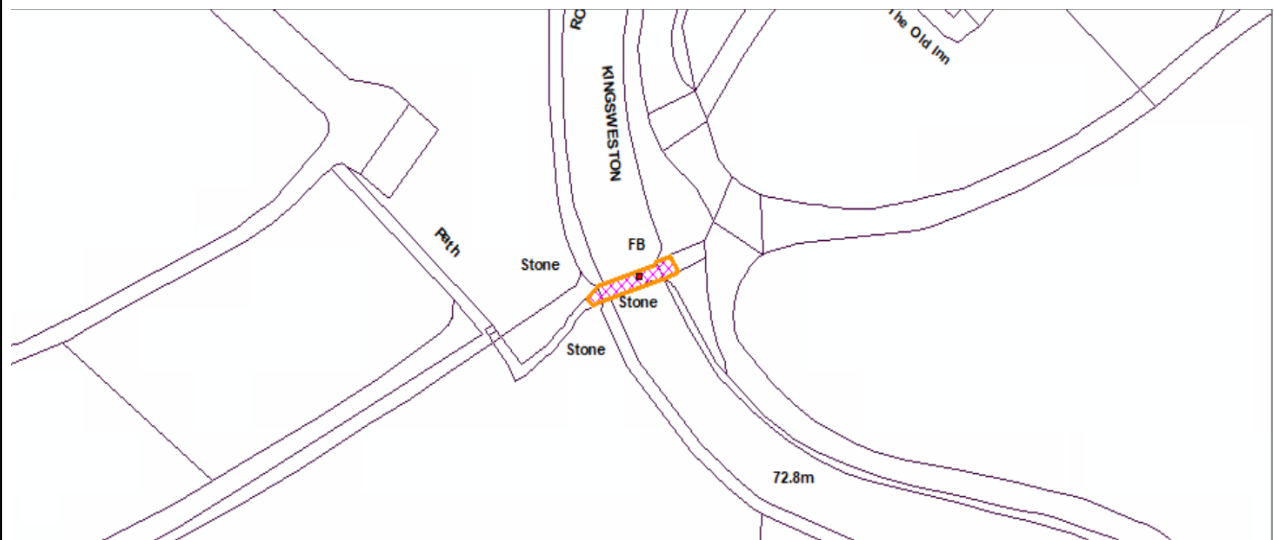
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Development Control Committee A – 21 December 2022**ITEM NO. 2**

WARD: Avonmouth & Lawrence Weston**SITE ADDRESS:** Footway Bridge Over Kings Weston Road Bristol**APPLICATION NO:** 22/02249/FB & 22/01149/LA Full Planning (Regulation 3)**DETERMINATION** 30 June 2022**DEADLINE:*****Removal and reinstatement of Kingsweston Road Footbridge.***

RECOMMENDATION: Grant subject to Condition(s)

APPLICANT: Bristol City Council
100 Temple Street
Redcliffe
BS1 6AG
Bristol
BS1 6AG

The following plan is for illustrative purposes only, and cannot be guaranteed to be up to date.**LOCATION PLAN:****DO NOT SCALE**

Development Control Committee A – 21 December 2022**Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road****BACKGROUND**

These applications are brought to Committee on account of the significance to the entire city.

The purpose of these applications is to secure the repair and reinstatement of the iron Kings Weston footbridge at, and reduce the risk of vehicle traffic damage to the listed structure in the future.

The footbridge was struck by an HGV in 2015, resulting in a section of the bottom rib on the north-east side being damaged. The bridge was closed to the public and a scaffold was erected to support the bridge.

In 2017, BCC commissioned CH2M to conduct a Principal Inspection Report and identify a solution to prevent future structure strikes. In April 2018, the bridge was again struck by an HGV, destroying both spandrels on the western side of the bridge and detaching the south-eastern spandrel from the abutment.

Funding

It is noted that £1 million was allocated at the Budget meeting in March 2022.

SITE DESCRIPTION

The application site comprises the Kings Weston footbridge which is a Grade II listed structure from circa 1820.

The bridge spans over Kings Weston Road (B4057), northwest of Bristol and south east of Avonmouth. It is an 8.0m long cast iron arch bridge and is intended for pedestrian use providing a footpath link between the heritage estates of Kings Weston and Blaise.

The application site is located within the Grade II registered park of Kings Weston House, and the Kingsweston and Trym Valley Conservation Area. It forms part of the designated Public Right of Way between Shirehampton Road car park and the boundary of the Blaise Castle Estate.

The footpath on the eastern side of the bridge follows a stone track past the listed Inn Cottages before climbing to the summit of Kingsweston Hill. A tarmac path from the bridge follows the road south-east, descending to an informal, dropped kerb road crossing point on Kings Weston Road. On the western side of the bridge an unmade footpath follows the grade II listed terrace wall heading 460m west through rough meadow grassland towards Shirehampton Road carpark.

APPLICATION DETAILS

These applications for full planning permission and listed building consent have been submitted by Bristol City Council.

Application 22/02249/F – Full planning for removal and reinstatement of Kingsweston Road Footbridge.

Application 22/01149/LA – Listed Building Consent for works include the removal and reinstatement of Kingsweston Footbridge.

The proposal is to dismantle the damaged bridge in accordance with a provisional submitted method site that has been submitted in support of the application.

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Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road

Repair of the Bridge

The repair of the bridge will be undertaken off-site.

The repairs will require recasting of three of the four main structural elements, the cast iron quadrants, prior to reassembly and reinstatement.

Reinstatement of the Bridge and addition of steps

The bridge will be reinstalled 1.074m higher than its current level. The required safe headroom for an existing structure, adjusted for the curve of the carriageway and the deflection on the bridge, is 5.49m. Currently, the bridge has a headroom of 4.416m. Accordingly by raising the bridge by 1.074m it will be brought up to the required standard.

New concealed foundations will be installed which will be dressed in coursed rubble stonework to match adjacent road cutting walls.

Steps would be added, 12 on the west side and 9 on the east side. Anti slip resin step treads would be added to the front of each step.

No alterations would be made to the highway itself and the bridge would be reinstated as a footpath.

The width of the bridge will not be altered. It will remain a footbridge. It is not wide enough to comfortably accommodate both pedestrians and cyclists.

RELEVANT PLANNING APPLICATIONS

18/00507/CPLB - Application for a Lawful Development Certificate for proposed works to a Listed Building - Investigation assessment and detailed inspection to help assess design/feasibility of future remedial works following damage to the bridge. Certificate issued on 22nd February 2018.

19/01368/LA - Proposed removal and reinstatement of Kingsweston Footbridge, (replaced with increased headroom). Submitted by Bristol City Council. Withdrawn on the 8th October 2021.

Two applications for the bridge are pending consideration:

21/02294/LA and 21/02295/F – Footway Bridge Over Kings Weston Road

In April 2021, Iron Bridge Alliance submitted applications for full planning permission and listed building consent for the removal, restoration, and replacement of Grade II Listed iron bridge and the erection of protective height restrictors. These applications are pending. They cannot be supported on account of an objection from Transport Development Management objection to various alterations to the highway associated with the proposal.

In the event that these applications are approved, Iron Bridge Alliance would be requested to withdraw these two applications.

RESPONSE TO PUBLICITY AND CONSULTATION

Site and Press Notices were posted, and 97 neighbouring properties were consulted.

As a result, 49 comments were received in support of the application:

- Proposal will improve highway safety for pedestrians – particularly for people walking with

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Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road

children to school.

- The work should be carried out without delay.
- Sick of seeing "our beautiful bridge" covered in scaffolding.

Four neutral comments were received with the following questions:

- Support, but has consideration been given to CCTV?
- Question whether ramps could be included?
- Support but note that it would be impossible on the proposed design for someone to wheel their bicycle across the bridge. I propose that at the edge of the steps a bicycle ramp rail is added.
- Consideration needs to be given to the locations of the height warning signage. Kingsweston lane has HGV's and double decker PSV's travelling up the hill towards the bridge on a frequent basis, despite the weight restrictions.

One objection has received:

HGV vehicles would be encouraged to continue using the very small road leading under the bridge if bridge is raised. This makes it very dangerous for other road users especially cyclists.

Alternative solutions are available, without having to raise the bridge, raising the bridge will incur excessive additional costs with Bristol City council can ill afford.

COUNCILLOR JOHN GEATER

"I am in full support of this application to reinstate the bridge"

COUNCILLOR JAMES SCOTT

"I fully support the proposal to restore the Iron Bridge. The local community have been campaigning for years to get it re-instated and the work should therefore progress without further delay. So many walkers and school children will benefit from having it open again as it will offer save passage for those wishing to cross this very busy road. I would also like to see HGVs to somehow be discouraged from driving anywhere near the bridge as we can't allow it to be damaged again."

HISTORIC ENGLAND

Historic England comment as follows:

"These proposals are to dismantle the bridge, restore the component parts, and re-erect it at a higher level to allow passage beneath by high-sided vehicles. Steps would be required either side of the bridge span. Historic England generally only comments on proposals affecting grade II listed assets where substantial demolition is proposed. Our involvement here is triggered by the need to dismantle the listed structure prior to restoration and re-erection.

We commented on similar proposals to these in 2019 (your reference 19/01368/LA). At that time, we expressed concern that there was no evidence of funding in place for the restoration of the bridge, and that if it were dismantled there was a danger it may never be reinstated. We also suggested that alternative approaches to preventing vehicle strikes (such as height restrictors set over the carriageway ahead of the bridge) might be a cheaper, and less harmful, alternative.

Subsequent to this, a local amenity society submitted a listed building consent application (your reference 21/02294/LA) for the construction of height restrictors as suggested above. However as set out in the documentation supporting this application, Bristol City Council do not consider these to be a viable solution and suggest that they would harm visual amenity. In our view, ruling out height

Development Control Committee A – 21 December 2022**Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road**

restrictors is regrettable; this would remove the need for the bridge to be raised, negating the need to introduce steps and thus allowing the bridge to remain more accessible. It would also, probably, be cheaper.

Unlike the 2019 application, it is no longer proposed to construct ramps to allow access to the bridge at its new, raised, level. The information supporting the application demonstrates that ramps would require a large amount of land-take either side of the bridge, which would likely cause harm to the registered park and garden. Instead, it is proposed to add two short flights of stairs either side of the bridge. Step-free access would be via the existing road crossing to the east.

Your authority has a clear preference for the submitted solution of raising the bridge. This solution will cause a degree of harm to the bridge, the registered park, and the viewing terrace. Rather than reading as a level continuation of the viewing terrace as at present, the raised level of the bridge will disrupt the visual connection between the two parts of the registered landscape, either side of Kingsweston Lane.

While Historic England would prefer the bridge to remain at its current level and height restrictors be erected either side, we concede that height restrictors would likely have a harmful effect on visual amenity. Both our preferred solution of height restrictors and Bristol city Council's preferred solution of raising the bridge would have harmful impacts, in different ways.

We understand that funding is now in place for the proposed restoration and reinstatement of the bridge, although evidence of this is not supplied in the documentation accompanying these applications. If your authority is convinced that the raising of the bridge is the optimum solution for its conservation, we think that evidence is needed to provide a guarantee of its reinstatement.

Historic England have seen other examples of structures being 'temporarily' dismantled for repair, only for their reinstatement to be abandoned for financial or operational reasons. This scenario should obviously be avoided here. In order to guarantee the re-erection of the structure, we suggest you either require the applicant to enter into a Section 106 agreement to secure its re-erection, or impose planning conditions worded along the lines of the following suggestions:

1. Notwithstanding the information shown in the accompanying documentation, the bridge will not be removed from site until funds are in place for its repair and re-erection. Evidence of funding will be given in writing to the local planning authority and Historic England.
2. The development to which this consent relates shall be completed no later than three years beginning with the date on which this consent is granted."

Recommendation: Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

CONSERVATION ADVISORY PANEL (CAP)

The Panel welcomes the proposals which are an acceptable compromise between retaining the bridge and risking damage from lorries.

HISTORIC BUILDING AND PLACES

Comment that:

"It is essential that details of the dismantling and safe storage of the bridge are secured by condition as part of any consent. It should include regular storage, condition and progress reports and establish

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a firm time frame for reinstatement of the bridge.”

THE SHIREHAMPTON PLANNING GROUP (SPG)

SPG comment as follows:

“Whilst the majority of our group support this application, the following areas of concern were raised:

- "My personal view is that the solution to the bridge problem is not the bridge itself but what happens underneath. There should be a single traffic lane, governed by traffic lights and alternating from one direction to the other. This would steer traffic into the middle of the road where it is less likely to go too fast and lean over to damage the bridge supports. A traffic height and a speed restriction would also make such a collision with the supports impossible"

- "One of the main factors of the Campaigners has been the safety of those who have to cross it to get across that busy junction. Viewed in this light to raise it is not acceptable with steps. As it is in the current plans the steps are not accessible to those that are Disabled, in a wheelchair or pushing a pram or child's pushchair? Therefore despite the Bridge being taken down, repaired & reinstated with steps it still won't be Usable and Vulnerable people will still have to cross at their own risk (also taking into account the land at one side is not user friendly to elderly or those with Disabilities anyway!)"

- "For starters this not a planning application for works surrounding the Iron bridge, but only a Listed Application to do work on the bridge. Also, HGV traffic will be encouraged on the very small roads in the area, if the bridge is raised. This is not desirable for residents living in the area, other road users, especially cyclists . Very dangerous with HGVs on this little road and blind corners. Other options are available that do not require such extensive works and raising the bridge. HGVs would be discouraged from the area, with adequate and comprehensive warning."

- "The heritage statement mentions under (The Proposal" - /page 6), "... New high-quality handrail railings will be mounted at each side for safety. These will be painted a dark grey colour to appear distinct and secondary to the green coloured iron bridge as the principal historic asset.". I do not view grey as an appropriate colour. Are the applicants trying the handrails distinct for a sensible reason? I feel a matching green (if maintained) would be far better. When leaves have fallen after autumn, grey would not be as distinct. A maintained green would and blend into the surrounding environment (grassland) throughout the year, naturally".

- "Real need for a safe pedestrian road crossing at this busy junction"

INTERNAL CONSULTATIONS

BCC CONSERVATION OFFICER

Support the comments from Historic England (set out above).

EQUALITIES ASSESSMENT

The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.

S149 of the Equalities Act 2010 provides that a public authority must in the exercise of its functions have due regard to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act

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- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

During the determination of this application due regard has been given to the impact of the scheme upon people who share the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We have had due regard to the Public Sector Equality Duty contained in the Equality Act 2010 when making the assessment set out in this report.

Accessibility for All

Historic England's Document – "Easy Access to Historic Buildings" (June 2015) states:

"The need to conserve the special characteristics of historic buildings is recognised in Approved Document M. The guidance states that the aim should be to improve accessibility where practically possible, provided that the work does not prejudice the character of the building to increase the risk of long-term deterioration to the building fabric or fittings. Consultation with conservation and access officers is recommended, as well as taking into account the views of Historic England and local access groups in order to make the building as accessible as possible." (p.10)

RELEVANT POLICIES

National Planning Policy Framework – July 2021

Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocations and Development Management Policies (Adopted July 2014) and (as appropriate) the Bristol Central Area Plan (Adopted March 2015) and (as appropriate) the Old Market Quarter Neighbourhood Development Plan 2016 and Lawrence Weston Neighbourhood Development Plan 2017 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

KEY ISSUES

ARE THE REPAIRS ACCEPTABLE IN HERITAGE TERMS?

In determining this application, there is a requirement set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses". Section 72 of the Act refers to the need for the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in the exercise of their duties.

When considering the current proposals, in line with Paragraph 195 of the NPPF (2021), the significance of the asset's setting requires consideration. Paragraph 195 states:

"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."

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Paragraph 199 states that in considering the impact of proposed development on significance great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be.

Paragraph 200 states:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

(a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

(b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”

Therefore clear and convincing justification is needed if there is loss of or harm to the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting).

Development Management Policies DM26 and DM31 are designed to parallel and complement those of the NPPF. These policies are the implementation of Bristol Development Framework Core Strategy BCS22. This requires development proposals to: “safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including:

- Scheduled ancient monuments;
- Historic buildings both nationally and locally listed;
- Historic parks and gardens both nationally and locally listed;
- Conservation areas;
- Archaeological remains Three of these classifications relate to the assets in this document, with the potential for archaeological remains to be affected depending on the chosen course of action.

Development Management policy DM26 requires all new development to contribute positively to an areas character and identity, creating or reinforcing local distinctiveness.

This general design policy is specifically relevant in the current application where proposals might impact upon the special character of the Conservation Area. This is further elaborated upon in the 2014 Conservation Management Plan for the Kingsweston Estate.

Policy DM26 states “Development will not be permitted where it would be harmful to local character and distinctiveness” Heritage Assets have specific protection in Policy DM31, the introduction of which explains:

“Heritage assets, which can range from whole landscapes to individual items of street furniture, are a finite non-renewable resource that can often be irreparably damaged by insensitive development.

Great weight is given to the conservation of designated heritage assets.”

With specific reference for the Kings Weston assets the following policies apply:

Development Control Committee A – 21 December 2022

Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road

- Listed Buildings: Alterations, extensions or changes of use to listed buildings, or development in their vicinity, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.
- Conservation Areas: Development within or which would affect the setting of a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to their special character or appearance.
- Registered Historic Parks and Gardens:

Development will be expected to have no adverse impact on the design, character, appearance or settings of registered historic parks and gardens and to safeguard those features which form an integral part of their character and appearance.

It is important to note in the above that proposals are expected to have no adverse impact on a Registered Historic Landscape such as that at Kings Weston

The Heritage Assets

The following Heritage Assets have been identified:

- a. The Iron Bridge (Grade II Listed)
- b. Kings Weston Inn (Grade II Listed)
- c. The Echo, (Grade I Listed)
- d. Georgian Viewing Terrace (Grade II Listed)
- e. Park Lodge (Grade II Listed)

The whole area is covered by the Kingsweston and Trym Valley Conservation Area.

Is there harm posed by the development? (NPPF para 200):

The NPPF requires the Local Authority to place “great weight” in conservation of the historic environment, defining the historic environment as an irreplaceable resource. This additional weighting in comparison to other planning considerations means it is of fundamental importance in determining development proposals that would affect it.

In assessing the degree of harm, the Local Planning Authority agree with the assessment of harm produced by the Applicants in support of their application. This heritage impact assessment demonstrates that this proposal will cause significant harm to the assets and in the case of the bridge itself potentially substantial harm.

The application proposal will cause less than significant harm to the other heritage assets identified. Historic England comment that there will be a:

“... degree of harm to the bridge, the registered park, and the viewing terrace. Rather than reading as a level continuation of the viewing terrace as at present, the raised level of the bridge will disrupt the visual connection between the two parts of the registered landscape, either side of Kingsweston Lane.”

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It is noted by Historic England that any solution to bring this footbridge back into use would cause significant harm.

Has clear and convincing justification been given for the harm? (NPPF para 200) and what are the purported public benefits? (NPPF para 202)

Clear and convincing justification has been provided for the harm, consistent with the requirements of NPPF paragraph 200.

Consistent with the requirements of NPPF Paragraph 195, it has been assessed that the substantial harm to the bridge can be justified to achieve substantial public benefits of bringing the bridge back into use. This outweighs the harm caused by raising the height of the bridge.

There is a need to put preventative measures in place to prevent a future collision causing damage to the bridge in the future. There is therefore considered to be sufficient justification to raise the height of the footbridge. The public benefits of doing this are assessed to outweigh the harm that would be caused, particularly during repair and replacement.

Your Officers are satisfied that the removal and repair is necessary to conserve the footbridge and that the reinstatement would balance the conservation of the footbridge and the continued safe use of the highway.

ARE THE ALTERATIONS ACCEPTABLE IN TRANSPORT TERMS?

Transport Officers have considered the impact of the proposed repairs to a highway structure crossing the highway. The structure is under the ownership of Bristol City Council's Highway Authority (Highway Structures). It forms part of a Public Right of Way (PROW) ref BCC/70/10.

It is noted that the footbridge has been hit several times by high sided vehicles and is considered unsafe structurally.

The Highway Authority welcome the applications, as this would again provide for a pedestrian route, and a segregated crossing facility away from vehicular traffic.

The impact of this is that steps will be required on each side to access the bridge. This will mean that the bridge will be inaccessible to those with limited mobility such as users of wheelchairs, mobility scooters, pushchairs or bicycles. It is regrettable that access will be reduced. However, access to the bridge on the approaches is currently limited for those with mobility impairments, as the ground is steep, uneven and there is an existing step.

An uncontrolled alternative crossing point in Kings Weston Road exists, which was installed as an alternative to the bridge when it closed originally. There have been no recorded injury collisions directly related to this crossing, and is considered a reasonable safe alternative by the Highway Authority's Road Safety and Local Engineering Team.

It is considered that the applicants have shown that all reasonable endeavours have been made to consider an accessible route, as the alternatives are prohibitive. A reasonable alternative route is available for users with mobility impairments.

The steps are to be constructed so as to allow for access with reduced mobility, with appropriate width and provision of handrails.

The PROW is designated as a footpath, so only has rights for pedestrians, so there is no obligation to provide for cycles. Access for cyclists over and above the PROW is for the landowner to

Development Control Committee A – 21 December 2022**Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road**

decide. The bridge is not a suitable width to allow for shared use walking and cycling. Access on the approaches is outside of the scope of the application.

In view of the above, it is considered that the inclusion of steps would not be unacceptable in this instance, and the application is acceptable.

In respect of conditions, there is no requirement to add a condition for details on the highway structure, as the Council is obliged to undertake its own quality assurance in these regards. Because of the probably need for road closures, it will be necessary to consider the impact on the highway network prior to any works taking place so further details of this will be required.

It is therefore recommended that conditions requiring a construction management plan is added.

IMPACT ON NEARBY TREES

Policy DM17 states that all new development should integrate important existing trees. Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted. Where tree loss or damage is essential to allow for appropriate development, replacement trees of an appropriate species should be provided, in accordance with the tree compensation standard.

In support of their application, the Applicants have submitted an Arboricultural Impact Assessment and Tree Protection Plan.

This details that two individual trees will need to be removed in order to construct the proposed development, this includes one C-grade tree and one tree in very poor condition (category U trees). A group of four self-sown sycamore trees is also recommended in order to prevent long-term damage to adjacent infrastructure as they grow.

Consistent with the requirements of Policy DM17, a sum of £2,295.63 will need to be paid for new tree planting in the local area. As this application has been submitted by Bristol City Council, it is not possible for this sum to be secured by a Legal Agreement. It is therefore recommended that conditions be added to both secure a Memorandum of Understanding for the sum quoted and details of all tree protection measures.

CONCLUSION

These applications are both supported. They will facilitate the vital repair of an important listed structure and will bring a public right of way back into use.

APPLICATION 22/02249/FB

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development**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.

Development Control Committee A – 21 December 2022**Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road****Pre commencement condition(s)**

2. Construction Management Plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- A programme for the construction work including timings for commencement and completion.
- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

3. Prior to the commencement of development, a final method statement consistent with the submitted Method Statement (Rev2) shall be submitted to and approved in writing to the Local Planning Authority. The works shall thereafter strictly comply with the approved Method Statement.

Reason: In the interests of securing the completion of the restoration of the footbridge.

4. Prior to any works commencing on site, a plan for the protection of trees during construction together with Memorandum of Understanding for the replacement of trees, shall be submitted to and approved in writing by the Local Planning Authority.

The tree protection works shall be in place prior to works commencing on site.

Reason: To ensure that replacement trees are secured and to ensure that existing trees near the site are protected during construction.

Pre occupation condition(s)

5. Prior to bringing the bridge back into use, written confirmation shall be supplied to the Local Planning Authority to demonstrate that the renovation works have been completed in accordance with the approved method statement.

Reason: In order to confirm that the works to the footbridge have been completed strictly in accordance with the approved Method Statement.

Development Control Committee A – 21 December 2022**Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road****List of approved plans**

6. 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.

Arboricultural Impact Assessment and tree protection plan., received 5 May 2022
 20/005-0006 Bridge details, received 5 May 2022
 20/005-0002 Existing site layout, received 5 May 2022
 20/005-0001 Site location plan, received 5 May 2022
 20/005-0003 Proposed site layout, received 5 May 2022
 20/005-0004 Existing elevations, received 5 May 2022
 20/005-0005 Proposed elevations, received 5 May 2022
 Heritage Statement and Impact Assessment, received 5 May 2022
 673846.CT.71.01.008 P1 Bridge Removal, received 5 May 2022
 Design, Access and Heritage Statement, received 5 May 2022
 Method Statement, received 5 May 2022

Reason: For the avoidance of doubt.

Advices

1 Public Right of Way

The property boundary of the development hereby approved abuts a Public Right of Way PROW 70. You are advised that before undertaking any work you must contact the Highway Authority's Public Rights Of Way Team at rightsofway@bristol.gov.uk Whilst it may be unlikely that the Public Right Of Way will be affected by the proposed development (PROW 70).

- Should remain open, unobstructed and safe for public use at all times;
- No materials are to be stored or spilled on the surface of the PROW;
- There must be no encroachment onto the width of the PROW;
- No vehicles are to use the PROW without lawful authority of the landowner(s), unless a private right of way is shown on property deeds. It is the applicant's responsibility to ensure that the appropriate private right exists or has been acquired from the landowner.
- Any scaffolding and/or skips placed over or adjacent to the PROW must not obstruct public access or inconvenience the public in their use of the way and must be properly licensed. Licences are available at www.bristol.gov.uk/highwaylicences
- Any interference of the PROW either whilst demolition/construction is in progress or on completion, may well constitute a criminal offence.

If construction works are likely to temporarily affect the right of way, a Temporary Traffic Regulation Order (TTRO) may be required to close or divert the PROW for the duration of the works on the grounds of safety of the public. To discuss and/or apply for a TTRO contact the Highway Authority's Network Management Team at traffic@bristol.gov.uk

N.B. Any damage caused to the surface of the PROW during development works must be made good to the satisfaction of the Local Highway Authority.

2 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are

Development Control Committee A – 21 December 2022

Application No's. 22/02249/FB & 22/01149/LA : Footway Bridge Over Kings Weston Road

advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

APPLICATION 22/01149/LA

RECOMMENDED GRANT subject to condition(s)

Time limit for commencement of development

1. Listed Building Consent or Conservation Area Consent

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

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

List of approved plans

2. 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.

20/005-0001A Site location plan, received 7 March 2022
20/005-0002 T1 A Existing site plan, received 7 March 2022
20/005-0003 T1 B Proposed site plan, received 7 March 2022
20/005-0004 T1 A Existing elevations, received 7 March 2022
20/005-0005 T1 B Proposed elevations, received 7 March 2022
20/005-0006 T1 A Step & handrail details, received 7 March 2022
673846.CT.71.01.008 P1 Bridge removal, received 7 March 2022
Arboricultural impact assessment with tree protection plan, received 7 March 2022
Method statement, received 7 March 2022
Design, access & heritage statement, received 7 March 2022
Heritage statement & impact assessment, received 7 March 2022

Reason: For the avoidance of doubt.

Advices

- 1 Reference should be paid to the Conditions attached to Application 22/02249/FB.

Supporting Documents

2. Footway Bridge Over Kings Weston Road.

1. Photo of application site
2. Proposals
3. Existing and proposed plans
4. Photo of footbridge prior to closure
5. Photomontage of side view following repair and reinstatement
6. Photo of Footbridge prior to closure
7. Photomontage of raised bridge
8. Typical step detail
9. Representations

Removal and reinstatement of Kingsweston Road Footbridge

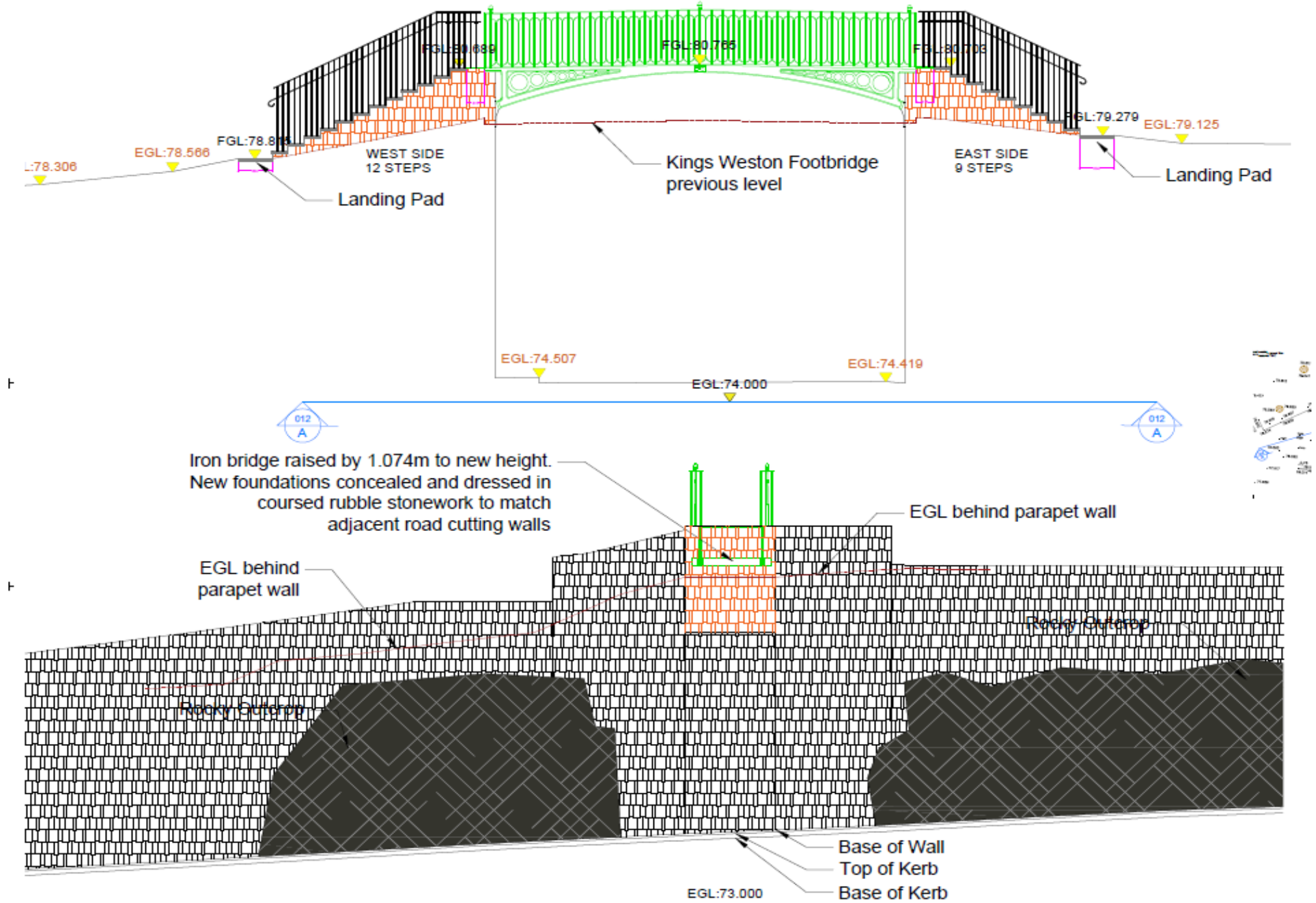
Applications 22/02249/FB & 22/01149/LA

Application Site



Proposals

- Application submitted by Bristol City Council.
- Dismantle the damaged footbridge in accordance with the provisional submitted method site. This will enable repair off-site.
- The footbridge will then be reinstalled 1.074m higher than its current level. There is a requirement for headroom for 5.49m.
- Steps would be added.



Footbridge prior to closure



Photomontage of side view following repair and reinstatement



Footbridge prior to closure

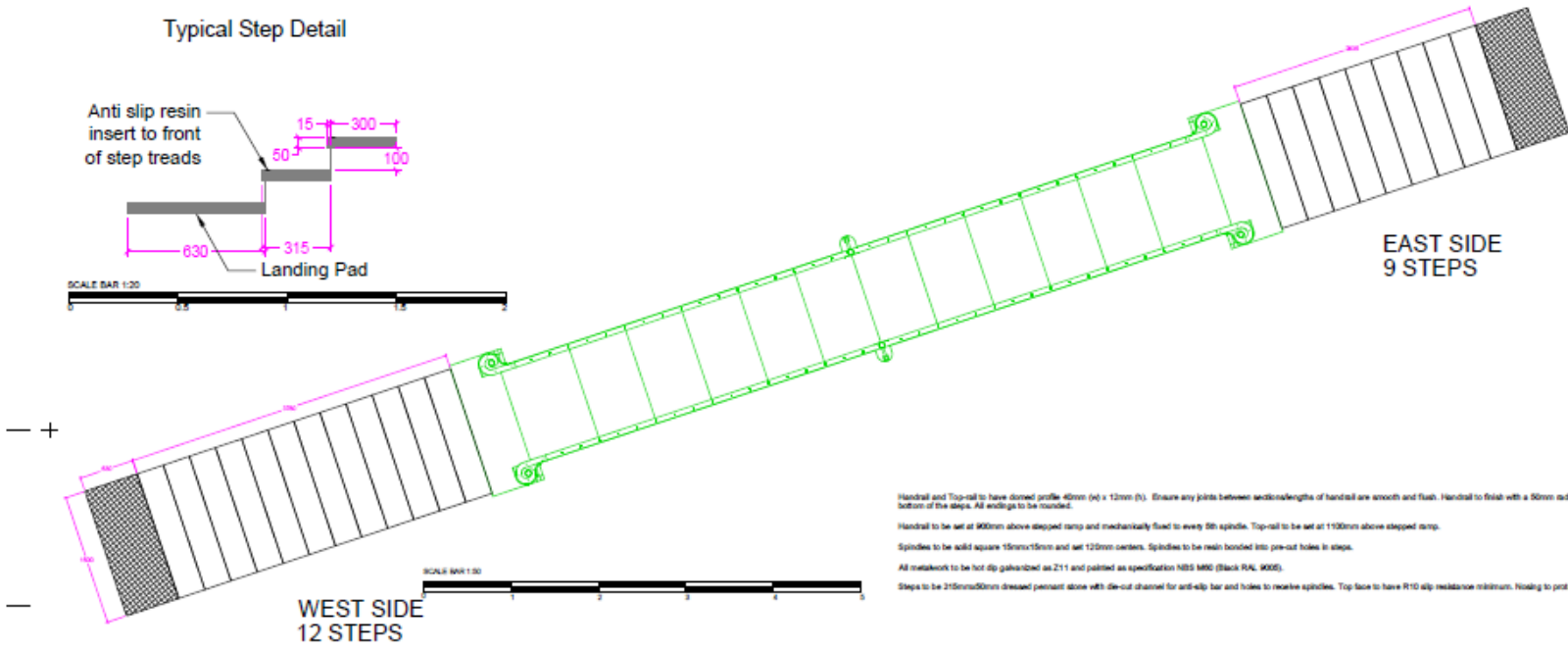
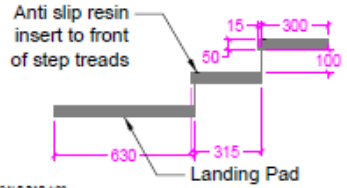
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Photomontage of raised bridge



Typical Step Detail



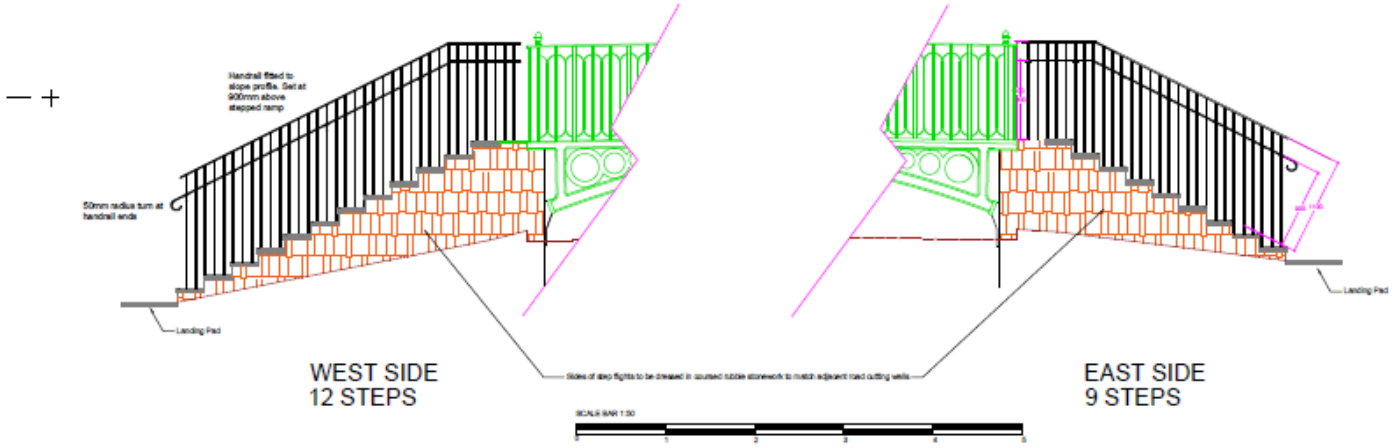
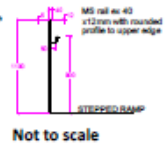
Handrail and Top-rail to have dished profile 40mm (ø) x 12mm (t). Ensure any joints between sections/lengths of handrail are smooth and flush. Handrail to finish with a 50mm radius turn at the bottom of the steps. All welds to be rounded.

Handrail to be set at 900mm above stepped ramp and mechanically fixed to every 5th spindle. Top-rail to be set at 1100mm above stepped ramp.

Spindles to be solid square 15mmx15mm and set 120mm centers. Spindles to be resin bonded into pre-cut holes in steps.

All metalwork to be hot dip galvanized to Z11 and painted as specification NBS M90 (Black RAL 9005).

Steps to be 215mmx300mm dressed pavement stone with 40x40mm channel for anti-slip bar and holes to receive spindles. Top face to have R10 slip resistance minimum. Nosing to protrude 15mm.



Handrail fixed to slope profile. Set at 900mm above stepped ramp.

50mm radius turn at handrail ends.

Landing Pad

Sides of step flights to be dressed in curved rubble stone-work to match adjacent road cutting walls.

A	Updates after Check by RG	13.12.21
Rev	Description	Date
Client CDG		
Project Title Kings Weston Footbridge		
Drawing Title Step and Handrail Details		
Information Status Planning Application		
Project / Dwg No.	Revision	Scale
20/005-0006	T1	As Indicated@A3
Date	Drawn	Checked
30.11.21	CD	RG
City Hall College Green Bristol BS3 9FS	0117 922 3366 www.bristol.gov.uk/citydesigngroup citydesigngroup@bristol.gov.uk	



OS / Photography / ©CDG credits etc goes here



City Design Group

Representations

- 97 neighbouring properties consulted.
- 49 comments received in support – get on with it!
- 1 objection – lorries will still use the road
- Historic England – Would prefer the bridge to stay at its height but don't really raise an objection. Treating the proposal as less than substantial harm.
- The Kingsweston Action Group – Chasing some comments.
- The Shirehampton Planning Group – Generally supportive

Development Control Committee A – 21 December 2022

ITEM NO. 1

WARD: Bedminster

SITE ADDRESS: 155 - 165 West Street Bedminster Bristol BS3 3PN

APPLICATION NO: 22/00805/F Full Planning

DETERMINATION DEADLINE: 19 September 2022

DETERMINATION DEADLINE:
Demolition of existing buildings and construction of student residential accommodation (12 studios flats and 7 cluster flats) and a replacement employment unit (Use Class E(g)), and associated works. (Major application)

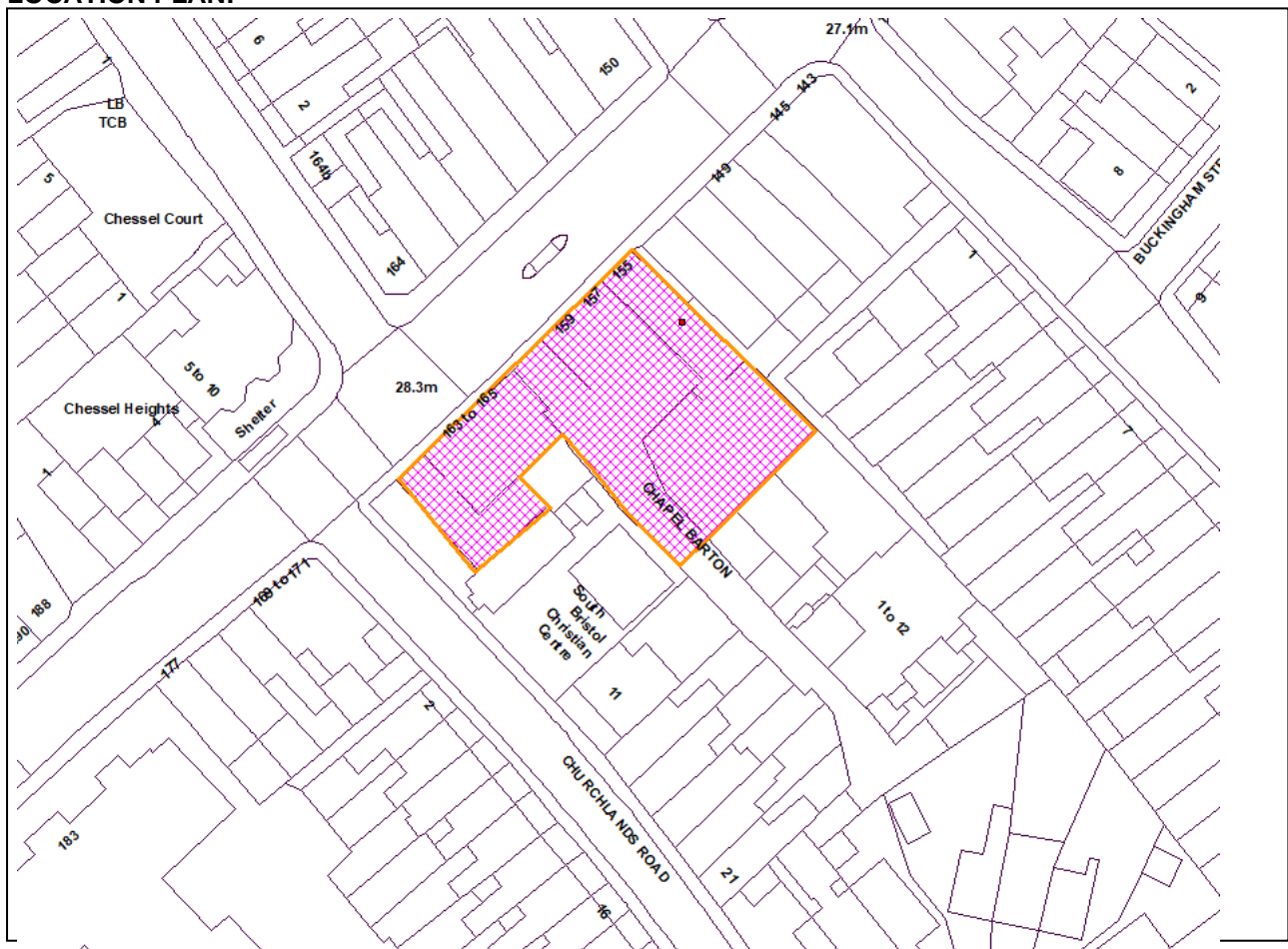
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: CSJ Planning Consultants
 1 Host Street
 Bristol
 BS1 5BU

APPLICANT: Paragon Bristol Developments
 C/O CSJ Planning Consultants
 1 Host Street
 Bristol
 BS1 5BU
 United Kingdom

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

LOCATION PLAN:



Development Control Committee A – 21 December 2022
Application No. 22/00805/F : 155 - 165 West Street Bedminster Bristol BS3 3PN

REASON FOR REFERRAL

This application was referred to Committee due to the significant public interest it received, and then heard at Development Control Committee A on the 16.11.2022. The item was then deferred to this Committee, for Officers to further report on the suitability of student accommodation at the location of the development. The scope of this report is therefore limited to the matter of the location of the development and should be read in conjunction with the Committee Report dated 16.11.2022 (“**the Initial Report**”), which is appended to this report within the Supporting Documents. As with the recommendation made to Members at the previous Committee, the application is recommended for approval subject to a s.106 Agreement and conditions.

SUMMARY

Planning permission is sought to demolish existing buildings at the site, to facilitate the construction of student accommodation (19no. flats: 12no. studios, 7no. cluster flats) and a replacement employment unit Use Class E(g). The existing site is composed of a vehicle repair workshop and a car showroom, which is split by a private access road to Chapel Barton flats.

The development has been questioned on the grounds of student accommodation being located outside of the city centre, in a location perceived by some to be far away from higher education establishments. Moreover, the proposal’s location was a key concern expressed by Members at the November Committee.

Although planning policy generally supports specialist student housing in the city centre, it does not prohibit student housing proposals elsewhere in Bristol, provided they meet the ‘general criteria’ set out in policy DM2. The application complies with the general criteria of policy DM2, as it would not harm the amenity and character of the locality, and nor would it create or contribute to a harmful concentration of student uses within the locality. The redevelopment of the site is encouraged by policy and guidance, as it represents a brownfield site in an accessible location close to good public transport routes, including regular bus services to places students would likely want to go. The sustainable nature of the site’s location is also recognised by the Council’s future plan-making approach for South Bristol, as the site is less than 200 metres from the ‘Central Bedminster’ planning area, which is envisaged as a regeneration area where student accommodation is acceptable in principle.

The benefits of the application have been questioned. To the proposal’s credit, it meets the expectations of policy BCS18, as it would help to: diversify the housing stock in the area, address the demand for specialist student accommodation, and adapt to a changing population where student numbers in Bristol are expected to continue to rise. The proposal would also reduce pressure on existing housing stock, for example from the conversion of family-sized homes to HMOs to be used by students. Substantial weight must be attributed to proposal’s contribution to Bristol’s housing supply, which as well as helping to provide needed student accommodation, also contributes to the Council’s five-year housing land supply. Specifically, this proposal would provide 19.6 homes to the supply, as 2.5 student bedspaces equates to 1 dwelling in the housing supply calculations. Further benefits of the proposal includes the urban design qualities of the proposal that would enhance the character and appearance of the area, and the inclusion of improved employment floorspace. Finally, the application also attracts a significant Community Infrastructure Levy payment of £138,761.27.

Neighbours have understandably expressed concerns that the proposal will result in unacceptable levels of on-street car parking in the locality. In response, Transport Development Management has

Development Control Committee A – 21 December 2022**Application No. 22/00805/F : 155 - 165 West Street Bedminster Bristol BS3 3PN**

reviewed the application, including transport statements and a parking survey, and confirms that there is sufficient capacity in the locality to safely accommodate any car parking associated with this development. The proposal is not expected to unacceptably impact neighbours through noise and disturbance. A management plan has also been provided, which provides further reassurances. The development includes sustainable design measures, provides an acceptable living environment for future residents, and would deliver net gains for biodiversity.

In the planning balance, there is a presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This report demonstrates there are substantial benefits that would flow from this development, against which there are no significant or demonstrable harms associated with approving this development. The application is therefore recommended for approval, subject to a s.106 Agreement and conditions.

SITE DESCRIPTION AND APPLICATION

The location and nature of the existing site has been set out above. The site is bound to the north east by the rear gardens of Bartlett's Road, to the north by properties fronting West Street, and to the south by the South Bristol Christian Centre. This is a major application seeking full planning permission to demolish all the existing buildings at the site in order to facilitate the construction of purpose built student accommodation (PBSA) and a replacement employment unit Use Class E(g). Due to the amount of proposed floorspace, the application is a major planning application. The PBSA includes 19no. flats, of which 12 are studios and 7 are cluster flats, which provides 49 bed spaces in total, with 37 of these in cluster flats. The cluster flats are composed of the following bedroom types: 2no. 4beds, 1no. 5 bed, and 4no. 6 beds. The employment unit includes approximately 82 sq.m of floorspace, and in accordance with Use Class E(g) can be used for the following purposes: an office, a research and development facility, and industrial processes that can be carried out in a residential area without causing detriment to the amenity of the area.

A full description/explanation of the site, application, evolution of the application, community involvement, neighbour response, and comments from statutory and non-statutory contributors can be found within the Initial Report, under the corresponding headings. No further comments from members of the public have been received since the Initial Report was published.

RELEVANT POLICIES AND GUIDANCE

- National Planning Policy Framework, 2021 - referred to hereafter as “**NPPF**”
- Planning Practice Guidance - referred to hereafter as “**PPG**”
- Bristol Core Strategy (Adopted June 2011) – referred to hereafter as “**CS**”, policies starting with “**BCS**” are from this plan
- Site Allocations and Development Management Policies (Adopted July 2014) – referred to hereafter as “**SADMP**”, policies starting with “**DM**” are from this plan
- SPD – Planning Obligations (Adopted September 2012)
- SPD – Urban Living (Adopted November 2018) – referred to as “**UL SPD**”
- SPD7 – Archaeology and Development (Adopted March 2006)
- PAN15 – Responding to Local Character – A Design Guide
- HMO SPD

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In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

KEY ISSUES

For information, any policy containing BCS is from the Core Strategy, and DM is from the Site Allocation and Development Management Plan. Further, the remaining report uses the terms PBSA, specialist student accommodation and student housing interchangeably.

(A) Principle of Development

i. Purpose Built Student Accommodation – Key Policies

The key policy for PBSA is policy DM2, which aims to ensure that specialist student housing proposals preserve the residential amenity and character of an area, and that harmful concentrations do not arise. To achieve this, the policy has two key limbs of assessment (referred to as the ‘general criteria’), stating that development will not be permitted where:

(i). The development would harm the residential amenity or character of the locality as a result of any of the following:

- *Levels of activity that cause excessive noise and disturbance to residents; or*
- *Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or*
- *Cumulative detrimental impact of physical alterations to buildings and structures; or*
- *Inadequate storage for recycling/refuse and cycles.*

(ii). The development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following:

- *Exacerbating existing harmful conditions including those listed at (i) above; or*
- *Reducing the choice of homes in the area by changing the housing mix.*

A key issue raised has been the proposal’s location. Policy DM2 suggests in principle that specialist student housing will be acceptable within the city centre, but it does make clear that the policy does not prohibit student housing proposals outside of the city centre, specifically the policy states:

“Specialist student housing schemes will be acceptable within the city centre. Other locations may be suitable subject to the general criteria set out above”.

The general criteria referred to in this quote is set out above, criteria i and ii of policy DM2.

Policy BCS18 should also be considered, as the policy expects developments to maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. To achieve an appropriate tenure, type and size mix, policy BCS18 advises that the developments should aim to:

- *Address affordable housing need and housing demand;*
- *Contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists;*
- *Respond to the requirements of a changing population;*

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- *Employ imaginative design solutions*

Both policies BCS18 and DM2 expects development to provide a good standard of accommodation for future residents.

It is therefore clear that in principle, student accommodation is acceptable in this location, subject to the development meeting the expectations of policy DM2 and BCS18 in relation to its impact on the residential amenity and character of the locality (criteria i), and whether the proposal would create or contribute to a harmful concentration of student uses within the locality (criteria ii).

The Council has consulted on a draft SPD for PBSA and shared living, however initial consultation raised significant issues, and hence the draft SPD attracts limited weight in planning assessments at this time.

ii. Criteria i of Policy DM2 – Impact on the residential amenity and character of the locality

The site is constrained due to its shape and proximity to many neighbouring residential buildings, as well as the South Bristol Christian Centre. Subject to details of management, travel planning and on-street parking, and suitable design solutions, the proposal is expected to meet criteria i of policy DM2 in principle. A detailed assessment of the proposal's impact on residential amenity and the character of the locality is included in the remaining report:

- Key Issue B considers the proposal's quality of design and standard of amenity of future residents;
- Key Issue C considers the proposal's impact on neighbours; and
- Key Issue D considers the proposal's impact on highway in the locality, including levels of on-street parking.

iii. Criteria ii of Policy DM2 – would the proposal create or contribute to a harmful concentration of student uses within the locality?

Policy DM2 advises that assessments should consider the relative impacts at street, neighbourhood and ward levels. While a significant PBSA development has been permitted to the north east in the Southville Ward (Dalby Av/Whitehouse Lane, ref. 20/05811/F), at street, neighbourhood, and ward level local to the site, Council records suggests there is limited PBSA, as do the records for the Bedminster Ward. Not all students live in PBSA, many live in HMOs, hence officers have also reviewed the number of HMOs in the area, finding there to be low numbers of multiple occupancy dwellings in the vicinity (2.09% within 100 metres of the site). The 2021 Census did find higher number of multiple-family households within the Ward and Lower Super Output Area (12.3% and 14% respectively), which although includes HMOs where students could live, also includes other types of living arrangements, as it is a measure of all households that are not either 'One person households' or 'One family households', hence caution should be exercised when considering these figures. Accordingly, the proposal would not create or contribute to a harmful concentration of student accommodation within the locality, due to reducing the choice of homes by changing the housing mix (policy DM2ii). Rather, the proposal would contribute to the mix and diversity of housing types in the area, as expected by policy BCS18.

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Indeed, amongst other things, policy BCS18 expects developments to address housing demand, contribute to the diversity of housing in the locality, and respond to the requirements of a changing population. The submitted report prepared by Carter Jonas in support of this application suggests there is a demand for PBSA, as only 35.5% of full time students can access purpose-built university or private sector accommodation, with the remaining 64.5% full time students having to either obtain accommodation elsewhere, often in HMOs or parental homes. Some comments have suggested that the Council has already approved a large amount of student accommodation, the submitted report addresses this, suggesting that if all permitted student accommodation is built out in Bristol, a total of 53.7% of full time students would not have access to university or private sector PBSA, and hence would have to rely on HMOs and parental accommodation. The development would therefore help address a demand for specialist student accommodation, as expected by policy BCS18.

The report also highlights that the number of students in higher education facilities in Bristol is likely to continue to increase in future, and hence the accommodation proposed would help to respond to the requirements of a changing population, in accordance with policy BCS18. Further, as has been discussed, there is limited PBSA in the locality or Ward, which does suggest the proposal would contribute to the mix and diversity of housing types in the area. Finally, it is important to acknowledge the role that PBSA plays in housing Bristol's student population, including reducing pressure on existing housing stock from, for example, HMO conversions.

The development would not create or contribute to a harmful concentration of student uses within the locality, and therefore meets criteria ii of policy DM2. Finally, in accordance with policy BCS18, the proposal would help to address a need for student housing in Bristol, which weighs favourably in the planning balance.

iv. The location of Purpose-Built Student Accommodation

The development has been criticised on the grounds of the proposal being located outside of the city centre, in a location perceived by some to be far away from higher education establishments. As has been discussed, there is limited policy-basis to resist the application on these grounds. As the Initial Report demonstrated, the development meets the general criteria of policy DM2, meaning the proposal's location is suitable.

It is also necessary to consider the regeneration goals for South Bristol, specifically policy BCS1 encourages the comprehensive redevelopment of South Bristol, expecting development to occur on previously developed land. Further, policy BCS20 expects new development to re-use previously developed sites, achieving higher densities near centres, and/or close to main public transport routes. The development meets these expectations, as the site represents previously developed land and is within walking distance to main public transport routes, including bus stops on Chessel Street and West Street with regular services to locations where students would want or need to visit.

Chessel Street has a regular bus service to the city centre, which aside from providing access to the centre's amenities and higher education establishments, would also allow access to the University of Bristol's bus services (U1). Further, Chessel Street has a bus service to Frenchay, providing access to the University of the West of England's main campus. There is also a Metrobus service to UWE's Frenchay Campus which is within a 10 minute walk from the site. Also within walking distance to the site is Parson Street railway station, which has a regular service to Bristol Temple Meads, adjacent to the University of Bristol's planned Temple Quarter Campus. A range of amenities are also available at the nearby centres of North Street and East Street, both of which are approximately a 600-700 metres walk from the site. Further, West Street itself has a range of shops, pubs, restaurants and takeaways, all of which could serve and benefit from the development's future residents.

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To further illustrate the site's accessibility credentials, the Applicant's Planning Agent has provided the following table, which includes estimated travel times to higher education facilities based on Google Maps:

University / College	Walking	Cycling	Public Transport
UOB Temple Quarter	1.7 miles (35 mins)	1.9 miles (11 mins)	Bus (76) - 21 mins
UWE Bower Ashton	1.5 miles (32 mins)	1.7 miles (9 mins)	
UOB Woodland Road	2.3 miles (50 mins)	2.5 miles (18 mins)	Bus (76) - 24 mins
BIMM	2.1 miles (44 mins)	2.5 miles (13 mins)	Bus (76) - 16 min
University of Law	1.6 miles (32 mins)	1.8 miles (9mins)	Bus (76) – 13 mins
City of Bristol College	1.7 miles (36 mins)	2.1 miles (11 mins)	Bus (76) – 17 mins
Boomsatsuma	1.6 miles (32 mins)	1.6 miles (9 mins)	Bus (76) - 12 mins

The sustainable nature of this site for student accommodation is also recognised Council's future plan-making approach for South Bristol, considering the site is less than 200 metres from the 'Central Bedminster' planning area, which is envisaged as a regeneration area by draft policy DS8 of the Local Plan Review where student accommodation is suggested to be acceptable in principle. Further, the Local Plan Review includes a policy focussing on specialist student accommodation (draft policy H7), which amongst other things tries to direct student accommodation to defined areas including Central Bedminster, but importantly the draft policy does allow for the student accommodation in other areas subject to an assessment against criteria.

Members of the public have suggested that the area would benefit from typical residential accommodation (Use Class C3). The Local Plan Review did earmark the site for residential uses, but limited weight can be attributed to these emerging policies at this time, as the adoption of the Local Plan Review is expected in Autumn 2024. Further, there have been suggestions that student accommodation is only being proposed at this site as it is perceived to be a lower cost development type than, for example, typical residential accommodation (Use Class C3), where affordable housing contributions would be required. The financial contribution students make to Bristol has also been unfavourably compared to typical residential accommodation, on the grounds that student accommodation is generally not subject to Council Tax. Officers advise against comparing the proposal to typical residential accommodation, as the assessment should be limited to the development's merits against the Development Plan, and any other relevant material considerations, which in this case indicates that the application should be approved.

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Accordingly, there is no adopted policy expectation for this site to be developed for C3 residential accommodation, and no policy expectation that in principle prevents the site's use as student accommodation.

v. Employment Use

The car showroom is not an employment use as defined by policy DM12, unlike the former car repair shop (Use Class B2). Officers acknowledge the quality of the car repair shop, but still consider that policy DM12 applies. While the proposed replacement employment use will provide less floorspace than the current B2 unit, the replacement E(g) unit will be of higher quality, and hence officers find the proposal to be consistent with policy DM12 iii.

Use Class E(g) represents uses that can be carried out in a residential area without detriment to its amenity, including:

- E(g)(i) Offices to carry out any operational or administrative functions,
- E(g)(ii) Research and development of products or processes
- E(g)(iii) Industrial processes

While these uses must be appropriate for residential areas, there is nevertheless a risk that uses including research and development and industrial process could negatively impact future residents of the proposal, as well as existing neighbours. As such, a range of conditions will be applied, as is discussed within Key Issue C.

vi. Housing Supply

Student accommodation contributes the equivalent of 19.6 homes towards the Council's housing supply. Material to the determination of this application is the fact that the Council does not have a 5 Year Housing Land Supply and has failed its most recent Housing Delivery Tests, meaning the tilted test under paragraph 11 d) ii. of the NPPF applies. Given the proposal meets the relevant policies that are considered 'out-of-date', the repercussions of the Council's housing supply has limited impact on the determination of the application, other than to reiterate the presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. With regard to considering its benefits, to which substantial weight should be afforded, as the proposal would develop a brownfield site for student homes (paragraph 120c of the NPPF).

vii. Summary

The proposed development is acceptable in principle. Members are reminded that the location of the development is not a reason to refuse the application, as in this circumstance, there is no sound policy-basis to do so. Rather, substantial weight must be attributed to proposal, which will deliver needed student accommodation that also counts towards the Council's five year housing land supply.

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(B) Other Matters

Urban Design and Residential Amenity for Future Occupiers - The development represents an improvement to the visual appearance of the site when compared to the existing buildings at the site. Further, the proposal will deliver a high-quality living environment for future residents. The development largely complies with the Urban Living SPD's guidance and all relevant urban design-related planning policies. Overall, officers advise that the proposal's quality of urban design should attract positive weight in favour of approving the planning application. A full assessment of the proposal's urban design credentials and living environment is provided within Key Issue B of the Initial Report.

Impact on Neighbouring Properties - In relation to policy DM2 and neighbour's residential amenity, the key question is whether levels of activity related to the development will cause or contribute to excessive noise and disturbance to residents. Other policies also require an assessment of the proposal's impact on the levels of neighbour's privacy, outlook and light. The proposal is not expected to result in unacceptable levels of noise or disturbance that would materially harm the residential amenity of neighbours, the submitted management plan is advised to be secured by condition. Further, the proposal will not give rise to unacceptable loss of light, overlooking, or outlook. Conditions are recommended to manage the employment floorspace in order to reduce the potential for disturbance to neighbours. Please see Key Issue C 'Impact on Neighbouring Properties' of the Initial Report for a full explanation of the proposal's impact on neighbour residents.

Highway Safety and Transportation - The development is not expected to have a harmful impact on the amenity of the highway in the area, including the development's highway safety impact. Officers understand neighbours' concerns relating to the proposal's car parking provision but planning policy does not expect proposals to provide a minimum number of car parking spaces. Further, the development includes a car club space in the locality that will help reduce reliance on personal car ownership. Finally, as Transport Development Management has confirmed, there is capacity in the locality to address car ownership/use related to this development. Please see Key Issue D 'Highway Safety and Transportation' of the Initial Report for a full explanation of this matter.

Sustainability - The proposal is supported by an Energy and Sustainability Statement that demonstrates the proposal's compliance with policies BCS13, BCS14, and BCS15. Of note and to the scheme's benefit, the proposed Photovoltaic Panels and Air Source Heat Pumps cumulatively better policy BCS14's expectation, by providing a 38.4% reduction in emissions. In accordance with the Sustainability Team's comments who support the application, conditions are recommended. Please see Key Issue E 'Sustainability' of the Initial Report for a full explanation.

Planning Obligations - Officers recommend that should the application be approved, a s106 Agreement (Unilateral Undertaking) is drafted and agreed with the applicant to secure a financial contribution of £6,310 in pay for a Traffic Regulation Order to facilitate the car club space in the highway. Finally, if the application is approved, the development would be liable for a Community Infrastructure Levy payment of £138,761.27. Please see Key Issue G 'Planning Obligations' of the Initial Report for full explanation if this matter.

Equalities Impact Assessment - during the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key

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equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

Other Matters - Various matters materially relevant to the consideration of this application were reviewed and considered to be acceptable. These are discussed under the heading Key Issue F 'Other Matters' of the Initial Report, and include matters relating to air quality, land contamination, arboriculture, nature conservation and site drainage.

(C) Planning Balance

As the Council does not have a 5 Year Housing Land Supply and has failed its most recent Housing Delivery Tests, there is a presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This report demonstrates there are no significant or demonstrable harms associated with approving this development. The proposal complies with policy DM2, which sets out the general criteria that PDSA must meet, meaning the development's location is appropriate. Importantly, there are significant benefits that would flow from approving this application. Perhaps most significantly, the proposal would deliver the redevelopment of brownfield land to deliver needed student accommodation, that would help meet demand and diversify the housing mix, as well as contributing to the Council's 5 Year Housing Land Supply. When compared to the existing building quality at the site, the proposal would enhance the character of the area, which must attract positive weight in favour of approving the planning application. Further, the proposal incorporates photovoltaic panels, which together with the air source heat pump system equates to a 38.4% reduction in emissions through renewables, which exceeds policy BCS14's expectations. The development is expected to deliver a biodiversity net gain. The proposal would also deliver improved employment floorspace at the site, and be liable to pay Community Infrastructure Levy (£138,761.27).

The application is therefore recommended for approval subject to conditions and a s.106 Agreement.

(D) Recommendation

It is recommended that the application is granted planning permission, subject to a Planning Agreement and conditions, as per the instructions listed below:

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

TRO Contribution - the contribution in the sum of six thousand three hundred and ten pounds (£6,310) Indexed Linked payable to the Council by the Owner prior to the commencement of development. This is for the car club space that will be located in the local vicinity to the application site.

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

RECOMMENDED GRANT subject to Planning Agreement**Time limit for commencement of development**

1. Full Planning Permission

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre commencement condition(s)

2. Construction Management Plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

3. Highway Condition Survey

No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

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- A plan to a scale of 1:1000 showing the location of all defects identified;
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

4. Protection of Retained Trees during the Construction Period

No work of any kind shall take place on the site until the protective fences have been erected around the retained trees in the position and to the specification shown on the Bosky Trees Tree Constraints Plan Dwg TCP-1. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed. Landscaping works within protected areas is to be agreed with the Local Planning Authority and carried out when all other construction and landscaping works are complete.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area in line with Policy DM17.

5. Arboricultural method statement - During construction

The applicant/developer shall ensure that all works within the root protection area of retained trees, must follow the detailed methodology with the approved Arboricultural Method Statement (Bosky trees). In the instance that major roots are found then further consultation with an arboriculturist will be required, any changes to the specified methodology must be agreed in writing by the local planning authority.

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

6. Arboricultural Supervision

No development shall take place until a pre-commencement site meeting has been held and attended by the developer's project arboricultural consultant and the designated site manager to discuss details of the working procedures set out in the approved Arboricultural Method Statement. A schedule of visits shall be agreed to ensure the project arboriculturist is present

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during key stages of the development which include, but not limited to the installation of scaffolding and low level scaffolding ground protection deck. Site visits by the project arboriculturist must be carried out during the key stages identified above.

In the event remedial works are considered necessary, copies of the required remedial works shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation of the development hereby approved. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant immediately following that approval.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice

7. Intrusive site investigation

No development shall commence on site (except demolition) until a report detailing the results from a site specific risk assessment and intrusive investigation has been submitted to and approved in writing by the Local Planning Authority. The investigations shall assess the nature and extent of any site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The results of this investigation shall be considered along with the reports submitted with the original application. This must be conducted in accordance with the Environment Agency's 'Land Contamination: risk management' and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.

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.

8. Submission of Remediation Scheme

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

Reason: To ensure that risks from land contamination 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.

9. Implementation of Approved Remediation Scheme

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

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

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. Unexploded Ordnance

No development shall take place until an unexploded ordnance survey, along with the results, has been submitted to and approved in writing by the Local Planning Authority. The survey shall 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. The development shall be undertaken in full accordance with any approved mitigation measures.

Reason: To ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO.

11. Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The approved plan/statement shall be adhered to throughout the demolition/construction period.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

Advice: See Informative Notes/Advice Notes for guidance.

12. Public Art

Prior to the commencement of above ground construction, a Public Art Plan indicating the public art to be installed on the north east elevation (Churchlands Road) shall be submitted to and approved in writing by the Local Planning Authority. In addition to details of the public art installation(s), the Public Art Plan shall contain a timetable for delivery, details of the Public Art commission, and details of future maintenance responsibilities and requirements. All public art works shall be completed in accordance with the agreed scheme and thereafter retained as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that public art is integrated into the design and build of the development.

13. Design of New Building

Detailed drawings including plans, sections and elevations at a relevant scale between 1:5 and 1:20 of the following shall be submitted to and be approved in writing by the Local Planning

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Authority before the relevant part of work is begun. The works shall be carried out in accordance with the approved details.

- a. Typical details of all types of doors and window opening including sills, lintels, surrounds, reveals and design of external doors and windows.
- b. Typical details of the roof, including key junctions with the elevation and the parapet wall
- c. Typical details of the office frontages.
- d. Typical details of eaves, soffits, overhangs, ridge, parapets, stone coping.
- e. Typical details of rainwater goods.

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

14. Materials

A materials schedule for all external facing elements of the development hereby approved, shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The schedule shall include specification, location, and a visual impression of all external facing materials to be used in the development hereby approved. The works shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the building itself and the wider appearance of the area.

15. Renewable energy - Air source heat pumps

Prior to the relevant stage of the development hereby approved, details of the air source heat pumps (including the exact location and design/ technical specification) together with calculation of energy generation and associated CO₂ emissions to achieve a reduction on residual emissions from renewable energy in line with the approved energy statement should be submitted to the Local Planning Authority and approved in writing. The system shall be installed prior to occupation of the dwellings and thereafter retained.

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

16. Photovoltaic Panels

Prior to the relevant stage of the development hereby approved, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO₂ emissions shall be provided within the Energy Statement. Prior to occupation the following information shall be provided:

- Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO₂ emissions by the percentage shown in the approved Energy Statement.

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

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17. Employment Floorspace - Class E(g)(ii) & (iii) Uses Only

Prior to the commencement of any uses defined as Class E(g)(ii) and (iii) within office floorspace (as labelled on the approved plans) hereby approved, an assessment for the potential for noise from those uses affecting residential properties in the area shall be submitted to and approved in writing by the Local Planning Authority.

If the assessment indicates that noise from the development is likely to affect neighbouring affecting residential or commercial properties, a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use.

The approved scheme of noise mitigation shall then be installed prior to the first use of the Class E(g)(ii) and (iii) floorspace and maintained thereafter for the lifetime of the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound and BS 8233: 2014 Guidance on sound insulation and noise reduction for Buildings.

Reason: In the interests of the amenity of neighbours and future occupiers of the development.

18. Noise from Plant & Equipment to be installed , including air source heat pumps

Prior to the installation of any external plant or equipment associated with the development hereby approved, an assessment to show that the rating level of any plant and equipment will be at least 5 dB below the background level shall be submitted to and approved in writing by the Local Planning Authority. The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound. The plant or equipment shall then be installed and maintained thereafter for the lifetime of the development in accordance with the approved details.

Reason: In the interests of the amenity of neighbours and future occupiers of the development.

19. Biodiversity Net Gain

Prior to the relevant stage of the development hereby approved, a Biodiversity Net Gain Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Assessment shall:

Employ the latest version of the Defra / Natural England Biodiversity Metric to demonstrate a biodiversity net gain;

Include full details of the data, measurements and workings used to calculate the percentage BNG must be provided, including habitat condition assessments; and

Include a 30-year Landscape and Ecological Management Plan (LEMP). This should address retained features of ecological interest, together with mitigation and enhancements to be provided, including those included within the approved landscape plan. The LEMP must set out management compartments, objectives, and prescriptions. It must also show how management of the site will be resourced and monitored.

The development shall then be implemented and maintained thereafter for the lifetime of the development in accordance with the approved Biodiversity Net Gain Assessment (and LEMP).

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Reason: Ecological enhancement is needed to meet the requirements of the revised National Planning Policy Framework (NPPF, 2021). The NPPF states in paragraph 174 (d) on page 50 that "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity...".

20. Ecological Enhancement

An Ecological Mitigation & Enhancement Strategy (EMES) shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of work is begun. This must include details and plans of the provision of integrated (built-in) boxes for birds (2no.), bats (1no.), insects(1no.), and hedgehogs (1no.), as well as the location, specification, height and orientation of these features. The approved enhancement measures shall be implemented prior to the first occupation of the development hereby approved.

Reason: (1) The Natural Environment and Rural Communities (NERC) Act 2006 (Section 40) obliges the LPA '... in exercising its functions, [to] have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. In order to discharge its biodiversity duty, the LPA must satisfy itself that all developments deliver ecological enhancement wherever reasonably possible; (2) Ecological enhancement is a requirement of the revised National Planning Policy Framework (2021) which states (in paragraph 174) that 'Planning policies and decisions should contribute to and enhance the natural and local environment...'.

21. Sustainable Drainage System (SuDS)

No development shall take place 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.

Pre occupation condition(s)

22. Scheme of External Lighting

Prior to the first occupation of the development hereby approved, a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, type, expected lux levels, and design of the external lights. The scheme of external lighting shall then be implemented in accordance with the approved details prior to the first occupation of the approved development.

Reason: In the interests of amenity of future residents accessing the building safely, and the general amenity of Chapel Barton.

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23. Broadband

In accordance with the approved Broadband Connectivity Statement, The homes and workplaces within the development hereby approved will include the provision of high-speed broadband access, that enables the provision of Next Generation broadband, prior to the first occupation of the development hereby approved.

Reasons: In the interests of the amenity of future occupiers, including the enhancing digital inclusion.

24. Energy and Sustainability in accordance with statement

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the sustainability statement and energy strategy (JMDC SERVICES LTD, Rev A, 21 Sept 2022). A total 46% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 38% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BC14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings)

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

No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

26. Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and turning space) 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. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

27. Completion and Maintenance of Cycle Provision - Shown on approved plans

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.

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28. Travel Plan Statement - Not Submitted

No building or use hereby permitted shall be occupied or use commenced until a Travel Plan Statement comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The Approved Travel Plan Statement shall be implemented in accordance with the measures set out in therein.

Within three months of occupation, evidence of the implementation of the measures set out in the Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority unless alternative timescales are agreed in writing.

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

29. Delivery & Servicing Plan

No building or use hereby permitted shall be occupied or use commenced until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development. The delivery and servicing plan shall include:

- a) The contact details of a suitably qualified co-ordinator;
- b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;
- c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion

30. Car Park Management Plan

No building or use hereby permitted shall be occupied or use commenced until a car park management plan setting out how the car park will be managed has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.

Reason: To ensure the safe operation of approved car park(s).

31. Waste Management Plan

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

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32. Reporting of Unexpected Contamination

In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the Environment Agency's 'Land Contamination: risk management' guidance and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice. Where remediation is necessary a remediation scheme must be prepared which ensures 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.

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. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason (for all conditions) : 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.

Post occupation management

33. Restriction of parking level on site

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

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

34. Protection of parking and servicing provision

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.

Reason: To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the development.

35. Single Occupancy - Student Accommodation Only

The development hereby approved shall be limited to single occupancy per room/studio flat.

Reason: In the interests of the residential amenity of future occupiers of the development hereby approved.

36. Employment Floorspace - Operating Hours, Class E(g)(ii) & (iii) Uses Only

Any use of the office floor space as a use defined as Class E(g)(ii) and (iii) shall not be carried out outside the hours of 08:00 to 18:00, Monday to Saturday. The building shall not be used on Sundays and Bank Holidays.

Reason: To safeguard the residential amenity of nearby occupiers.

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37. Employment Floorspace - Operating Hours, Class E(g)(i)

Any use of the office floor space as a use defined as Class E(g)(i) shall not be carried out outside the hours of 07:00 to 21:00 Monday to Friday and 08:00 to 18:00 on Saturdays. The building shall not be used on Sundays and Bank Holidays.

Reason: To safeguard the residential amenity of nearby occupiers.

38. Use Restriction - Ground floor Office (E(g)(i,ii,iii) unit

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the hereby approved Class E(g) unit shall only be used for uses permitted by their respective Use Class (E(g)) as defined by 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: The employment floorspace is required to mitigate the loss of existing floorspace at the site, hence the unit must be retained as an Use Class E(g) use to meet relevant local plan policy.

39. Management Plan

The development hereby approved will be managed in strict accordance with the following section of the approved Premises Management Plan (Paragon Accommodation): 24 Hour Accommodation Management.

Reason: in the interests of amenity of neighbours.

40. Obscure Windows - North East Elevation, as labelled on plan

In accordance with the approved plans, those windows labelled as obscure fixed glazing will be retained as such for the lifetime of the development hereby approved.

Reason: In the interests of the privacy of neighbours.

List of approved plans

41. 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:

- BC00720, Drainage Strategy Report, rev. A, dated 21.09.2022, received 27.09.2022;
- 220922 - 157 West Street, Overheating Risk Assessment, R02, Mach Group energy, dated 22.09.2022, received 22.09.2022;
- Sustainability Statement and Energy Statement, rev. A, JMDC Services Ltd, dated 21.09.2022;
- 736351-1 (00) rev. 2, Desk Study and Preliminary Risk Assessment, Structural Soils Ltd, dated 07.02.2022, received 15.02.2022;
- Premises Management Plan (Paragon Accommodation), received 15.02.2022;
- 01, Travel Plan Statement, Transport Planning Associates, dated 09.02.2021, received 15.02.2022;

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- Broadband Connectivity Assessment, date February 2022, CSJ Planning, received 25.02.2022;
- Arboricultural Method Statement, Bosky Trees, dated 24.05.2022, received 26.05.2022;
- 100 P1, Location and Block Plan, received 15.02.2022;
- 736351, Desk Study and Preliminary Risk Assessment
- 111 P6, Proposed Site and Roof Plan, received 16.09.2022;
- 112 P6, Proposed Elevations Sheet 1 of 2, received 16.09.2022
- 113 P6, Proposed Elevations Sheet 2 of 2, received 15.11.2022;
- 114 P7, Proposed Ground Floor Plan, received 16.09.2022;
- 115 P6, Proposed First Floor Plan, received 16.09.2022;
- 116 P6, Proposed Second Floor Plan, received 16.09.2022;
- 119 P1, Proposed Sections Sheet 2, received 16.09.2022;
- 2112-030/TN/01, Technical Note 01: Response to Transport Development Management (BCC), July 2022, received 18.07.2022;
- 117 P2, Proposed Landscaping Plan, received 06.09.2022;
- 118 P1 Proposed Sections Sheet, received 02.11.2022.

Reason: For the avoidance of doubt.

Advices

1 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

2 Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections.

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has

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been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Transport Development Management Team at transportdm@bristol.gov.uk

N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

3 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

4 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority that on the creation of any Controlled Parking Zone/Residents Parking Scheme area which includes the development, that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

5 Highway Condition Survey

The development hereby approved includes the carrying out of a Highway Condition Survey. To agree the extent of the area to be surveyed contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

6 Excavation Works on the Adopted Highway

The development hereby approved includes the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at www.bristol.gov.uk/highwaylicences

7 Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public

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Health Act 1925 (Section 17, 18 & 19). Please see www.bristol.gov.uk/registeraddress

8 Travel Plan Statement / Travel Plan - Not Submitted

You are advised that a Travel Plan Statement / Travel Plan is required to be prepared and submitted using the Travel Plan Guide for New Developments and the associated templates at www.bristol.gov.uk/travelplans

9 The Construction Environmental Management Plan should also include but is not limited to reference to the following:

- o All works and ancillary operations which are audible at the site boundary, or at such other place

as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.

- o 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.

- o Procedures for emergency deviation of the agreed working hours.

- o Control measures for dust and other air-borne pollutants .

- o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

10 Sustainable Drainage System (SUDS)

The development hereby approved includes the construction/provision of a sustainable drainage system. You are advised to contact the Highway Authority's Flood Risk Management Team at flood.data@bristol.gov.uk before any works commence.

Supporting Documents

1. 155-165 West Street, Bedminster, BS3 3PN.
 1. Initial Report – Committee Report, 16.11.2022
 2. Site Location & Block Plan
 3. Proposed Elevations Sheet 1
 4. Proposed Elevations Sheet 2
 5. Proposed Ground Floor Plan
 6. Proposed First Floor Plan
 7. Proposed Second Floor Plan
 8. Proposed Landscaping
 9. Proposed Site & Roof Plan

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REASON FOR REFERRAL

In response to the significant public interest the application has received, it is referred to Committee for determination.

SUMMARY

Planning permission is sought to demolish existing buildings at the site, to facilitate the construction of student accommodation (19no. flats: 12no. studios, 7no. cluster flats) and a replacement employment unit Use Class E(g). The existing site is composed of a vehicle repair workshop and a car showroom, which is split by a private access road to Chapel Barton flats.

The development has been questioned on the grounds of the proposal being located outside of the city centre, in a location perceived by some to be far away from higher education establishments. Although planning policy generally supports specialist student housing in the city centre, it does not prohibit student housing proposals elsewhere in Bristol, provided they meet the 'general criteria' set out in policy DM2. The application complies with the general criteria of policy DM2, as it would not harm the amenity and character of the locality, and nor would it create or contribute to a harmful concentration of student uses within the locality. The redevelopment of the site is encouraged by policy and guidance, as it represents a brownfield site in an accessible location close to good public transport routes, including regular bus services to places students would likely want to go.

To the proposal's credit, it has been demonstrated that it meets the expectations of policy BCS18, as it would help to: diversify the housing stock in the area, address the demand for specialist student accommodation, and adapt to a changing population where student numbers in Bristol are expected to continue to rise. The proposal would also reduce pressure on existing housing stock, for example through conversions of family homes to HMOs. Substantial weight must be attributed to proposal's contribution to Bristol's housing supply, which as well as helping to provide needed student accommodation, also counts towards the Council's five year housing land supply.

Neighbours have understandably expressed concerns that the proposal will result in unacceptable levels of on-street car parking in the locality. In response, Transport Development Management has reviewed the application, including transport statements and a parking survey, and confirms that there is sufficient capacity in the locality to safely accommodate any car parking associated with this development. The proposal is not expected to unacceptably impact neighbours through noise and disturbance. A management plan has also been provided, which provides further reassurances. The development includes sustainable design measures and provides an acceptable living environment for future residents.

In the planning balance, there is a presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This report demonstrates there are substantial benefits that would flow from this development, against which there are no significant or demonstrable harms associated with approving this development. The application is therefore recommended for approval, subject to a s.106 Agreement and conditions.

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The application site is known as 155 – 165 West Street in Bedminster. The existing site is composed of a vacant vehicle repair workshop (Use Class B2) (no. 155) and a car showroom (sui generis) (nos. 157 – 159), which is split by a private access road to Chapel Barton flats and the rears of Brighton Terrace. The site is bound to the north east by the rear gardens of Bartlett's Road, to the north by properties fronting West Street, and to the south by the South Bristol Christian Centre.

The site is not within a Conservation Area or the setting of a heritage asset. The section of West Street adjacent to the site is not a designated shopping area or frontage, and the site is not within a designated centre, the nearest being Bedminster Town Centre and Primary Shopping Area (East Street) - approximately 600 metres walk from the site. West Street is a safeguarded transport link (Hengrove to the City Centre), and the site is within an Air Quality Management Area. The site is within a South Bristol Article 4, which removed permitted development rights for changes of use from C3 to C4.

APPLICATION

Full planning permission is sought to demolish all the existing buildings at the site in order to facilitate the construction of purpose built student accommodation (PBSA) and a replacement employment unit Use Class E(g). Due to the amount of proposed floorspace, the application is a major planning application.

The PBSA includes 19no. flats, of which 12 are studios and 7 are cluster flats, which provides 49 bed spaces in total, with 37 of these in cluster flats. The cluster flats are composed of the following bedroom types: 2no. 4beds, 1no. 5 bed, and 4no. 6 beds.

The employment unit includes approximately 82 sq.m of floorspace, and in accordance with Use Class E(g) can be used for the following purposes: an office, a research and development facility, and industrial processes that can be carried out in a residential area without causing detriment to the amenity of the area.

The proposal forms two blocks, both of which address West Street at a 2.5 to 3 storey scale and stretch to the rear at 2.5 to 3 storeys. Block A is located on the north-eastern side of the site and hosts the employment unit that addresses West Street, with student accommodation and garden space to the rear. Block B is located on the north-western side of the site and includes student accommodation, with a lobby space and other ancillary uses adjacent to Chapel Barton and West Street.

- Two car parking spaces are proposed on site, including a wheelchair accessible space. Further, a car club space is proposed to be provided in the locality;
- 19no. cycle parking spaces are proposed within a ground floor store in Block A, accessed from Chapel Barton;
- A refuse store is proposed within Block B on the ground floor, with direct access onto West Street;
- A lobby is proposed on the ground floor of Block B on the western side of Chapel Barton facing West Street, which includes a reception area for the management staff, post/parcel boxes, and TV/lounge area for residents;
- Two garden areas are proposed to the rears of both blocks of accommodation;
- Access to the Chapel Barton flats will not be materially restricted by the development.

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EVOLUTION OF APPLICATION

Over the course of the application the applicant has worked to address concerns raised by officers, and others, and has submitted revised plans, as well as a further transport statement, and other reports. Further neighbour notification was issued following the receipt of such plans. The revised plans largely addressed concerns raised by officers, including the impact of the proposal on neighbours; the proposal's appearance and impact on the character of the area; and the layout of the proposal at ground floor level.

RELEVANT PLANNING HISTORY

155 West Street

12/02213/F - Increase height of the roof to create space for additional storage and height on ground floor for a 4 post ramp. - Refused due to design and sustainability

163 - 165 West St

05/01803/F - Construction of single storey office extension to rear.- Granted 2005

157-159 West Street

11/02190/F - Retrospective change of use of premises for car storage, car sales, offices and associated external alterations. - Granted 2011

153 West St

08/04346/F – Change of ground floor from shop (Use Class A1) to 1 no. residential unit with alteration to the front elevation. - Granted 2008

1 Bartletts Rd

19/01459/CP - Application for a Lawful Development Certificate for a Proposed use or development - Proposed loft conversion with rear dormer roof extension and 2no roof lights to front elevation. New patio door and hallway window to rear elevation and replacement SVP. – Issued (approved) 2019

COMMUNITY INVOLVEMENT

Avril Baker Consultancy prepared a Report of Community Involvement, which sets out the community involvement the applicant engaged in prior to submitting this application. Stakeholders were notified by letter and email, which included an overview of the proposal and a link to website to enable feedback. Ward councillors were offered a briefing, which resulted in a meeting/site visit. Details of the application were also shared in posts on Southville, Ashton and Bedminster Information Board, BS3 Connect, and WHaM (Windmill Hill and Malago) and Way Out West. The Bristol Post also published an article regarding the development.

Comments received in response to the development concerned three main themes, largely matching those submitted as comments during the application: insufficient car parking in an area that suffers from existing car parking issues; concerns regarding the type of development for students; and concerns regarding antisocial behaviour, including refuse and noise. Concerns were also expressed

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regarding overlooking/privacy, overcrowding, levels of light, and construction. Page 9 – 11 sets out concerns expressed by stakeholder in detail, along with the Applicant's Team Response.

The breadth of community engagement is proportionate to the scale and nature of the development. Overall, it is evident that the application has tried to address the concerns raised in a positive manner, albeit not to the degree that some stakeholders envisaged.

RESPONSE TO PUBLICITY – MEMBERS OF THE PUBLIC

The application was advertised by site and press notice, and neighbours were notified of the application by letter. Further notification occurred following the submission of revised plans. In response to this publicity and notification, 21 objections and 3 support comments were received from a total of 14 addresses.

Principle:

- There is a need for houses for families and young professionals, not students;
- Universities are in the centre and north, not the south;
- The development is out of scale with the neighbourhood;
- Insufficient services in the area to support the development;
- The plans should be rejected in favour of affordable housing;
- Student housing is not appropriate for the area, suggestion that students will not contribute to the community;
- Volume of the development is excessive;
- Support for the development as it will increase business on West Street

Urban Design

- Insufficient planting;
- Acknowledgement that the revised design improves the development's appearance;
- Support for the style of architecture.

Impact on neighbours:

- Noise and other activities from the development will impact detrimentally neighbours.

Amenity of Future Residents:

- The proposal suggests future residents will be mistreated.

Highway Safety and Transport:

- Concerns that no car ownership will not be able to be enforced and monitored;
- Existing car parking pressures in the area;
- Illegal / poor car parking could result in difficulties for disabled residents;
- Insufficient refuse storage, will result in a mess on the highway;
- Parking survey should consider Bristol, not Bath;
- The area needs an RPZ;

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- Insufficient cycle storage;
- The Transport Statement includes many inaccuracies.

Windmill Hill & Malago Community Planning Group – support comment:

- The height and building form is consistent with the local neighbourhood, as is the choice of materials and finishes;
- Concerns with regard to the number of flats.

West Street Neighbourhood Group, Way Out West – objection comment:

- The location is unsuitable for student accommodation, this is a long-established family area;
- The development will result in late night noise and parking issues.

RESPONSE TO PUBLICITY – STATUTORY AND NON-STATUTORY CONTRIBUTORS

Transport Development Management (BCC) has commented as follows:-

No objection, subject to conditions and a financial contribution being secured by s.106 Agreement to secure a car club space in the highway (TRO).

- Highway safety: the principle of the development is acceptable.
- Car parking: Given the submission of a parking survey, which demonstrates there is parking availability within the area, as well as the introduction of a car club space, Transport Development Management raise no further concerns regarding parking accommodation.
- Storage: sufficient cycle and refuse storage is proposed.
- Construction management: a construction management plan should be secured by condition.

Urban Design Team (BCC) has commented as follows:-

No objection.

Sustainable City Team (BCC) has commented as follows:-

No objection subject to conditions.

- The proposed gas boilers are now replaced with ASHP system for the full heating and hot water load - this is compliant with the heat hierarchy and is supported.
- Heat pumps plus PV array achieve a 38.4% reduction in emissions through renewables - this exceeds policy requirements
- An overheating assessment has been provided covering current and future weather scenarios
- All assessed spaces are compliant with both CIBSE TM52 and CIBSE TM59 for the current weather file
- For 2050 risk can be mitigated with increased natural ventilation - this is acceptable.
- For 2080 risk is present but potential mitigations are proposed including increased mechanical ventilation and replacement glazing - this is acceptable.

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Air Quality Team (BCC) has commented as follows:-

No objection, the Team do not have any concerns about air quality for this development.

Pollution Control (BCC) has commented as follows:-

No objection to the proposal subject to conditions.

- If the ground floor employment use is not restricted to E(g)(i), conditions are required to ensure acceptability, such as noise controls.
- Further conditions are required to ensure noise levels from air source heat pumps do not harm neighbours, and a construction environmental management plan is required.

Arboricultural Team (BCC) has commented as follows:-

No objection, subject to conditions.

Nature Conservation Officer (BCC) has commented as follows:-

The Preliminary Ecology Assessment for this proposal is acceptable and informs the application of any nature conservation issues. The site is located in an urbanised area and is not within or directly adjacent to any designated wildlife sites. There is no objection from Nature Conservation for this application, with the following conditions.

- A condition to secure a soft landscape plan,
- An ecological mitigation and enhancement strategy,
- To secure living roofs within the development.

The Public Protection (Land Contamination) Team (BCC) has commented as follows:-

The proposed development is sensitive to contamination and is situated on or adjacent to land which has been subject to land uses which could be a potential source of contamination. The submitted Desk Study is generally acceptable although we have a number of detailed comments about land uses on site which will be provided via email. This must be provided to their environmental consultants before any site investigation takes place. As the site was subject to bombing in World War Two the applicants must undertake a unexploded ordnance risk assessment prior to intrusive investigation or construction. We welcome submission of any additional information prior to determination, if not available standard planning conditions are recommended.

Lead Local Flood Authority (BCC) has commented as follows:-

Concerns expressed in relation to the drainage proposals, largely as it is a pump-based system and not a gravity-based system. A condition has been agreed.

Crime Reduction Unit has commented as follows:-

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No objection subject to conditions. Concerns expressed to final build details in relation to: access control/visitor entry, window and door design, mail and parcel security, lighting to external areas, and CCTV coverage.

The Conservation Advisory Panel has commented as follows:-

Final Comments:

This is a simple application in design terms. Whilst the render is accepted, anti graffiti measures need to be incorporated. This should be conditioned. Keep an eye out for heritage walls on and adjacent Chapel Barton, including older foundations inside this site boundary.

Original Comments:

The Panel welcomes the replacement of the single storey building by buildings of a more appropriate scale which repair the lost streetscape.

The deep panels above the first floor windows together with the mansard style roof would give a top heavy appearance, which could be improved by the top floor being in the form of set-back pavilions.

Bristol Waste has commented as follows:-

Support for the position of the bin store. In a general manner, the comments also reiterated their expectations for the number of waste receptacles needed to be housed within the store.

RELEVANT POLICIES AND GUIDANCE

- National Planning Policy Framework, 2021 - referred to hereafter as “**NPPF**”
- Planning Practice Guidance - referred to hereafter as “**PPG**”
- Bristol Core Strategy (Adopted June 2011) – referred to hereafter as “**CS**”, policies starting with “**BCS**” are from this plan
- Site Allocations and Development Management Policies (Adopted July 2014) – referred to hereafter as “**SADMP**”, policies starting with “**DM**” are from this plan
- SPD – Planning Obligations (Adopted September 2012)
- SPD – Urban Living (Adopted November 2018) – referred to as “**UL SPD**”
- SPD7 – Archaeology and Development (Adopted March 2006)
- PAN15 – Responding to Local Character – A Design Guide
- HMO SPD

In determining this application, the Local Planning Authority has had regard to all relevant policies of the Bristol Local Plan and relevant guidance.

KEY ISSUES

For information, any policy containing BCS is from the Core Strategy, and DM is from the Site Allocation and Development Management Plan. Further, the remaining report uses the terms PBSA, specialist student accommodation and student housing interchangeably.

(A) Principle of Development

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i. Purpose Built Student Accommodation – Key Policies

The key policy for PBSA is policy DM2, which aims to ensure that specialist student housing proposals preserve the residential amenity and character of an area, and that harmful concentrations do not arise. To achieve this, the policy has two key limbs of assessment (referred to as the 'general criteria'), stating that development will not be permitted where:

(i). The development would harm the residential amenity or character of the locality as a result of any of the following:

- *Levels of activity that cause excessive noise and disturbance to residents; or*
- *Levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures; or*
- *Cumulative detrimental impact of physical alterations to buildings and structures; or*
- *Inadequate storage for recycling/refuse and cycles.*

(ii). The development would create or contribute to a harmful concentration of such uses within a locality as a result of any of the following:

- *Exacerbating existing harmful conditions including those listed at (i) above; or*
- *Reducing the choice of homes in the area by changing the housing mix.*

A key issue raised has been the proposal's location. Policy DM2 suggests in principle that specialist student housing will be acceptable within the city centre, but it does make clear that the policy does not prohibit student housing proposals outside of the city centre, specifically the policy states:

"Specialist student housing schemes will be acceptable within the city centre. Other locations may be suitable subject to the general criteria set out above".

The general criteria referred to in this quote is set out above, criteria i and ii of policy DM2.

Policy BCS18 should also be considered, as the policy expects developments to maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. To achieve an appropriate tenure, type and size mix, policy BCS18 advises that the developments should aim to:

- *Address affordable housing need and housing demand;*
- *Contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists;*
- *Respond to the requirements of a changing population;*
- *Employ imaginative design solutions*

Both policies BCS18 and DM2 expects development to provide a good standard of accommodation for future residents.

It is therefore clear that in principle, student accommodation is acceptable in this location, subject to the development meeting the expectations of policy DM2 and BCS18 in relation to its impact on the residential amenity and character of the locality (criteria i), and whether the proposal would create or contribute to a harmful concentration of student uses within the locality (criteria ii).

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ii. Criteria i of Policy DM2 – Impact on the residential amenity and character of the locality

The site is constrained due to its shape and proximity to many neighbouring residential buildings, as well as the South Bristol Christian Centre. Subject to details of management, travel planning and on-street parking, and suitable design solutions, the proposal is expected to meet criteria i of policy DM2 in principle. A detailed assessment of the proposal's impact on residential amenity and the character of the locality is included in the remaining report:

- Key Issue B considers the proposal's quality of design and standard of amenity of future residents;
- Key Issue C considers the proposal's impact on neighbours; and
- Key Issue D considers the proposal's impact on highway in the locality, including levels of on-street parking.

iii. Criteria ii of Policy DM2 – would the proposal create or contribute to a harmful concentration of student uses within the locality?

Policy DM2 advises that assessments should consider the relative impacts at street, neighbourhood and ward levels. While a significant PBSA development has been permitted to the north east in the Southville Ward (Dalby Av/Whitehouse Lane, ref. 20/05811/F), at street, neighbourhood, and ward level local to the site, Council records suggests there is limited PBSA, as do the records for the Bedminster Ward. Not all students live in PBSA, many live in HMOs, hence officers have also reviewed the number of HMOs in the area, finding there to be low numbers of multiple occupancy dwellings in the vicinity (HMOs as a percentage of housing stock: 0.93% of in the ward, and 2.09% within 100 metres of the site). Accordingly, the proposal would not create or contribute to a harmful concentration of student accommodation within the locality, due to reducing the choice of homes by changing the housing mix (policy DM2ii). Rather, the proposal would contribute to the mix and diversity of housing types in the area, as expected by policy BCS18.

Indeed, amongst other things, policy BCS18 expects developments to address housing demand, contribute to the diversity of housing in the locality, and respond to the requirements of a changing population. The submitted report prepared by Carter Jonas in support of this application suggests there is a demand for PBSA, as only 35.5% of full time students can access purpose-built university or private sector accommodation, with the remaining 64.5% full time students having to either obtain accommodation elsewhere, often in HMOs or parental homes. Some comments have suggested that the Council has already approved a large amount of student accommodation, the submitted report addresses this, suggesting that if all permitted student accommodation is built out in Bristol, a total of 53.7% of full time students would not have access to university or private sector PBSA, and hence would have to rely on HMOs and parental accommodation. The development would therefore help address a demand for specialist student accommodation, as expected by policy BCS18.

The report also highlights that the number of students in higher education facilities in Bristol is likely to continue to increase in future, and hence the accommodation proposed would help to respond to the requirements of a changing population, in accordance with policy BCS18. Further, as has been discussed, there is limited PBSA in the locality or Ward, which does suggest the proposal would contribute to the mix and diversity of housing types in the area. Finally, it is important to acknowledge the role that PBSA plays in housing Bristol's student population, including reducing pressure on existing housing stock from, for example, HMO conversions.

The development would not create or contribute to a harmful concentration of student uses within the locality, and therefore meets criteria ii of policy DM2. Finally, in accordance with policy BCS18, the

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proposal would help to address a need for student housing in Bristol, which weighs favourably in the planning balance.

iv. The location of Purpose-Built Student Accommodation

The development has been criticised on the grounds of the proposal being located outside of the city centre, in a location perceived by some to be far away from higher education establishments. As has been discussed, there is limited policy-basis to resist the application on these grounds. As this report will demonstrate, the development meets the general criteria of policy DM2, meaning the proposal's location is suitable.

It is also necessary to consider the regeneration goals for South Bristol, specifically policy BCS1 encourages the comprehensive redevelopment of South Bristol, expecting development to occur on previously developed land. Further, policy BCS20 expects new development to re-use previously developed sites, achieving higher densities near centres, and/or close to main public transport routes. The development meets these expectations, as the site represents previously developed land and is within walking distance to main public transport routes, including bus stops on Chessel Street and West Street with regular services to locations where students would want or need to visit.

Chessel Street has a regular bus service to the city centre, which aside from providing access to the centre's amenities and higher education establishments, would also allow access to the University of Bristol's bus services (U1). Further, Chessel Street has a bus service to Frenchay, providing access to the University of the West of England's main campus. There is also a Metrobus service to UWE's Frenchay Campus which is within a 10 minute walk from the site. Also within walking distance to the site is Parson Street railway station, which has a regular service to Bristol Temple Meads, adjacent to the University of Bristol's planned Temple Quarter Campus. A range of amenities are also available at the nearby centres of North Street and East Street, both of which are approximately a 600-700 metres walk from the site. Further, West Street itself has a range of shops, pubs, restaurants and takeaways, all of which could serve and benefit from the development's future residents.

To further illustrate the site's accessibility credentials, the Applicant's Planning Agent has provided the following table, which includes estimated travel times to higher education facilities based on Google Maps:

University / College	Walking	Cycling	Public Transport
UOB Temple Quarter	1.7 miles (35 mins)	1.9 miles (11 mins)	Bus (76) - 21 mins
UWE Bower Ashton	1.5 miles (32 mins)	1.7 miles (9 mins)	
UOB Woodland Road	2.3 miles (50 mins)	2.5 miles (18 mins)	Bus (76) - 24 mins
BIMM	2.1 miles (44 mins)	2.5 miles (13 mins)	Bus (76) - 16 min
University of Law	1.6 miles (32 mins)	1.8 miles (9mins)	Bus (76) – 13 mins
City of Bristol College	1.7 miles (36 mins)	2.1 miles (11 mins)	Bus (76) – 17 mins

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Boomsatsuma	1.6 miles (32 mins)	1.6 miles (9 mins)	Bus (76) - 12 mins
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Members of the public have suggested that the area would benefit from typical residential accommodation (Use Class C3). The Local Plan Review did earmark the site for residential uses. The Local Plan Review also included a policy focussing on specialist student accommodation (draft policy H7), which amongst other things tries to direct student accommodation to defined areas like the city centre or central Bedminster, but importantly the draft policy does allow for the student accommodation in other areas subject to an assessment against criteria. Nevertheless, limited weight can be attributed to this, as the adoption of the Local Plan Review is expected in Autumn 2024. The Council has consulted on a draft SPD for PBSA and shared living, however initial consultation raised a number of significant issues, and hence the draft SPD attracts limited weight in planning assessments at this time. Accordingly, there is no adopted policy expectation for this site to be developed for C3 residential accommodation, and no policy expectation that in principle prevents the site's use as student accommodation.

v. Employment Use

The car showroom is not an employment use as defined by policy DM12, unlike the former car repair shop (Use Class B2). Officers acknowledge the quality of the car repair shop, but still consider that policy DM12 applies. While the proposed replacement employment use will provide less floorspace than the current B2 unit, the replacement E(g) unit will be of higher quality, and hence officers find the proposal to be consistent with policy DM12 iii.

Use Class E(g) represents uses that can be carried out in a residential area without detriment to its amenity, including:

- E(g)(i) Offices to carry out any operational or administrative functions,
- E(g)(ii) Research and development of products or processes
- E(g)(iii) Industrial processes

While these uses must be appropriate for residential areas, there is nevertheless a risk that uses including research and development and industrial process could negatively impact future residents of the proposal, as well as existing neighbours. As such, a range of conditions will be applied, as is discussed within Key Issue C.

vi. Housing Supply

Student accommodation contributes towards the Council's housing supply. Material to the determination of this application is the fact that the Council does not have a 5 Year Housing Land Supply and has failed its most recent Housing Delivery Tests, meaning the tilted test under paragraph 11 d) ii. of the NPPF applies. Given the proposal meets the relevant policies that are considered 'out-of-date', the repercussions of the Council's housing supply has limited impact on the determination of the application, other than to reiterate the presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. With regard to considering its benefits, to which substantial weight should be afforded, as the proposal would develop a brownfield site for student homes (paragraph 120c of the NPPF).

vii. Summary

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The proposed development is acceptable in principle. Members are reminded that the location of the development is not a reason to refuse the application, as in this circumstance, there is no sound policy-basis to do so. Rather, substantial weight must be attributed to proposal, which will deliver needed student accommodation that also counts towards the Council's five year housing land supply.

(B) Urban Design and Residential Amenity for Future Occupiers

i. Relevant Policy, Guidance and Material Considerations

Relevant planning urban design policies include: BCS18 'Mix and Balance', BCS20 'Effective and Efficient Use of Land', BCS21 'Quality Urban Design', BCS22 'Conservation and the Historic Environment', BCS23 'Noise / Pollution', DM2 'Specialist Accommodation', DM26 'Local Character and Distinctiveness', DM27 'Layout and Form', DM28 'Public Realm', DM29 'Design of New Buildings', DM35 'Noise / Pollution', and the UL SPD.

ii. UL SPD

The UL SPD includes questions regarding development quality that are designed for applicants, local authority planners and other stakeholders to use throughout the design development of a scheme. Accordingly, the UL SPD represents guidance as to how to assess developments against Development Plan policies. Officers will therefore consider the guidance (and questions) included within the UL SPD within this section as an aid to assess the quality of the development regarding relevant design policies.

iii. UL SPD Assessment – Part 1: Guidance for all major developments - City

Question 1.1 asks if the scheme adopts an approach to urban intensification which is broadly consistent with its setting. The proposal's design approach is successful in repairing the street scene and restoring coherent built form that appropriately addresses the existing buildings on West Street, including the block of flats in Chapel Barton. This is evident in the development's height, scale, and massing, which is consistent with the buildings in West Street. The rear element of Block A has a lower height than the Chapel Barton flats, which justifies its scale and height, particularly with regard to the expectations of policy DM26's guidance for backland development.

A significant number of bedspaces are proposed by the development, but it is considered to represent an appropriate density for this site, as is evident in its appearance. The remaining report assesses the other aspects of the development, some of which are relevant to the density of the proposal, such as the residential amenity of future residents.

iv. UL SPD Assessment – Part 1: Guidance for all major developments - Neighbourhood

Question 1.2 considers a development's impacts on the neighbourhood and asks if a development would contribute positively towards creating a vibrant and equitable neighbourhood. The application was supported by a statement of community involvement that has already been discussed. Further, it has been established within Key Issue A that the site is in a sustainable location with good access to public transport and amenities. Further, Key Issue A discusses the proposal's potential to help to contribute to vibrant, mixed and balanced neighbourhoods. The proposals are also adaptable, some

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would lend themselves to conversions in future to other residential uses (subject to planning permission). As is encouraged by the UL SPD, the proposal vertically stacked uses, including an employment use on the ground floor of Block A.

Question 1.3 asks if the scheme responds positively to either the existing context, or in areas undergoing significant change, an emerging context. This has been discussed under Q 1.1 of the UL SPD, nevertheless the proposal respects the existing context through its appropriate scale and mass, and use of materials and detailing that are consistent with the prevailing character of the area.

v. UL SPD Assessment – Part 1: Guidance for all major developments - Block and Street

Question 1.4 concerns how buildings relate to streets, asking if a scheme would provide people-friendly streets and spaces. The development responds well to the existing street layout, and would increase the passive surveillance of West Street. The ground floor employment unit and lobby will help provide a suitable active street scene, and generally the front elevation includes sufficient visual interest to engage well with the street scene.

In accordance with Question 1.5, the proposal would deliver a comfortable micro-climate for its occupants, neighbours and passers-by. Key Issue D is relevant to Question 1.6, which concerns access, car parking and servicing, including cycle parking.

vi. UL SPD Assessment – Part 2: Guidance for all major developments - Shared Access and Internal Spaces

Question 2.1 concerns how attractive and welcoming development's accesses. Question 2.2 asks whether schemes will provide internal spaces that are convivial, comfortable and user-friendly.

The proposal includes a lobby area on the ground floor that would welcome residents to Block B, and also provide space for residents of Block A (as well as Block B) to speak with the management of the development, collect post, and meet with other residents. Block A's main access for residents is from Chapel Barton. The access is well-lit by natural light and directly leads to the rear garden, whilst also providing access to the main core of the building. The accesses are understood to be wheelchair accessible and user friendly. Each cluster flat includes adequate communal space for residents, and the TV room within the lobby will provide a communal area for residents of the studio flats to meet with others, albeit the studio flats are sufficiently sized to accommodate visitors. Overall, the development meets the expectations of the UL SPD with regard to questions 2.1 and 2.2.

vii. UL SPD Assessment – Part 2: Guidance for all major developments - Outdoor Spaces

Questions 2.3 and 2.4 concern outdoor space, and whether it's sufficient in size and quality.

The UL SPD advises that proposals should provide 5sq.m of private outdoor space for a 1-2 person unit and an extra 1sq.m for each additional occupant. The outdoor space should be provided as private balconies or gardens, or as communal gardens and roof terraces. Applying this guidance to the development, the proposal should provide a minimum 118sq.m of external amenity space, which the proposal exceeds through its two garden areas that cumulatively provides approximately 160 sq.m of gross external amenity space and 120sq.m of net external amenity space (i.e. taking into account purely landscaped spaces). Comprehensive landscape plans have been provided for the external spaces, which are considered to represent attractive, well designed and easily managed outdoor

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spaces. The development therefore meets the UL SPD's expectations for outdoor spaces. Officers realise some other PBSA proposals in the city have benefited from greater levels of external amenity space, but as the proposal meets the UL SPD's guidance, and there are other opportunities for outdoor amenity space within walking distance of the site (e.g. South Street Park), officers are confident that residents will benefit from sufficient levels external amenity space.

Question 2.5 concerns children's play and is therefore not relevant to this development.

viii. UL SPD Assessment – Part 2: Guidance for all major developments - Individual Homes

Policy BCS18 expects residential development to provide sufficient space for everyday activities and enable flexibility and adaptability by meeting appropriate space standards. Policy BCS21 expects development to create a high quality environment for future occupiers while safeguarding existing surrounding development. Policy DM2 also requires developments to provide acceptable living environments. The Urban Living SPD sets out requirements for achieving good quality residential developments at higher densities. The questions associated with 'Individual Homes' in the UL SPD concerns:

- Question 2.6 - Whether the proposal's internal layouts are ergonomic and adaptable.
- Question 2.7 – Does the scheme safeguard privacy and minimise noise transfer between homes?
- Question 2.8 – Does the scheme maximise opportunities for natural illumination of internal spaces avoiding single aspect homes?

Although policy DM4 is not applicable to this development, the proposal includes 2no. wheelchair accessible units (M4(3)), these units are Flats 1 and 2 in Block A. Question 2.6 of the UL SPD recommends that 90 per cent of new build housing meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulation M4(3) 'wheelchair user dwellings'. 10.5% of the homes will be M4(3) compliant, meeting the UL SPD's expectations, the applicant has not confirmed the number of M4(2) compliant flats. The proposal would exceed the principle policy requirement (Policy DM4), and the UL SPD's expectations for M4(3) flats, but falls short of the guidance issued within the UL SPD in relation to M4(2) provision. Whilst this is disappointing with regard to M4(2) units, the development meets policy and guidance expectations with regard to M4(3) compatibility, which is arguably more valuable and in demand. Further, Members will be aware of the emerging policies in this regard, which will address this discrepancy between planning policy and guidance.

A single car parking space for disabled people is provided, which meets the policy expectations set out in Appendix 2 of the Site Allocations and Development Management Plan. Officers raise no objection to accessibility and this development and consider that the local planning authority has suitably discharged its duty under the Equalities Act 2010 to not discriminate when exercising its public function.

The Council does not have space standards for student accommodation, but the proposal compares favourably against previously approved PBSA in Bristol. Further, the proposed flats would likely meet the HMO SPD's space standards, which although are not applicable to the development, do provide helpful guide. In accordance with the Urban Design Team's comments, the proposal has been amended so the cluster flats include no more 6 rooms per flat. Rooms are proposed for single

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occupancy, including studio flats, a condition is recommended to ensure that flats are let as such, if flats/rooms were occupied by more than one resident, the sizes of the flats/rooms would be insufficient.

The majority of the flats are dual aspect (10), and of the single aspect second floor flats, all of have rooflights as well as windows to maximise levels of natural light. Most rooms would benefit from acceptable levels of outlook. Officers acknowledge that a small minority of the flats have angled or oriel windows to prevent overlooking, but in each case acceptable standards of outlook would be gained from the respective flats. Each flat would benefit from appropriate levels of privacy. The impact of the development on neighbour's amenity is addressed in Key Issue C. Triple glazed windows are proposed, and the Pollution Control Team has raised no objection with regard to noise from the road detrimentally impacting the amenity of future residents. The development is considered to provide acceptable living environments for future residents.

The Crime Reduction Advisor offers no objections to the development, but has raised some limited concerns in relation to building standards, most of which will be addressed by Building Regulations. In accordance with the Crime Reduction Advisor's comments, it is recommended that a scheme of external lighting is secured by condition.

Overall, the proposal would provide an acceptable standard of internal amenity for future residents of the development hereby approved.

ix. General Appearance Assessment

The scale, height and massing of the development have been assessed and found acceptable. The principal elevation of the development takes inspiration from existing characterful buildings in West Street. The predominant material is red brick, with a stone coping detail framing windows and doors. A pleasing chamfered corner approach is taken on the corners of Blocks A and B where they meet Chapel Barton. The proposal's scale between 2.5 to 3 storeys is suitably treated with the mansard roof behind a parapet wall detail. The rear of Block A has two distinct phases, the first follows the same detailing approach to the principal elevation, and the second introduces different materials (standing seam metal roof, different window framings, and distinct brick features). The rear elevations of the buildings largely follow the same approach as rear section of Block A, which is appropriate. The rear elevation of Block B also incorporates green infrastructure to soften the appearance. Further, the side elevation of the proposal facing Churchlands Road is proposed to incorporate artwork, which is recommended to be secured by condition. Overall, the proposal's general appearance is appropriate and will enhance the character of the area.

x. Landscape and Green Infrastructure

In accordance with policies BCS9 and DM29, the proposal delivers green infrastructure of an appropriate type, standard and size. The existing site has very limited green infrastructure, albeit there are a small number of trees adjacent to the site that will not be harmed by the proposal. The proposal incorporates 6 new trees to be planted within the rear gardens. Further, the rear elevation of Block B, which is visible from Churchlands Road, will incorporate planted climbers that will be supported by a Jakob Green Wall system.

xi. Impact on Future Development

Development should not prejudice the future development of adjacent sites. In this case, it is reasonable to expect the Christian Centre to be redeveloped at some point in the future, albeit officers

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are not aware of any current plans. Specifically, the Churchlands Road side elevation does not include any side-facing windows meaning it could be extended in future toward the corner of the site and to the rear, in a similar way to existing terraced streets that meet West Street. Officers do realise that this would require the removal of the public art, but this is not an insurmountable hurdle for future development. Further, the future redevelopment of the Christian Centre along the line nos. 11-21 Churchlands Roads would be possible in principle, subject to suitable distancing between the proposed rear elevation and the potential future development.

xii. Summary

The development represents an improvement to the visual appearance of the site when compared to the existing buildings at the site. Further, the proposal will deliver a high-quality living environment for future residents. The development largely complies with the Urban Living SPD's guidance and all relevant urban design-related planning policies. Overall, officers advise that the proposal's quality of urban design should attract positive weight in favour of approving the planning application.

(C) Impact on Neighbouring Properties

In relation to policy DM2 and neighbour's residential amenity, the key question is whether levels of activity related to the development will cause or contribute to excessive noise and disturbance to residents. Other policies also require an assessment of the proposal's impact on the levels of neighbour's privacy, outlook and light.

i. Noise and Disturbance

The Pollution Control Team has raised no objection to the development in relation to noise or disturbance, and according to the planning register, there are no existing nearby student residents, hence the proposal is unlikely to contribute to a harmful concentration of student uses. It is important to not discriminate against the future residents of the development based on assumptions concerning age or the nature of students. Each flat has access to internal communal amenity areas that will help focus activities within the development, rather than externally. Whilst garden areas are proposed, the landscape design will limit the potential for large congregations of residents that could potentially result in excessive levels of noise. Importantly, the application is supported by a management plan, which includes measures that will help limit the potential for disturbance to neighbours through noise and other activities, these are listed below and are advised to be secured by condition:

- An on-site accommodation manager who will be on-site 09:00-17:00 (Monday to Friday), with 24/7 supervision provided by support staff;
- CCTV and audio detection with alarms for support staff if excessive levels of noise are detected;
- Site access 24/7 for serious issues;
- Visible staff presence through the management office near the entrance;

The proposal also include air source heat pumps that do generate noise, and as such a condition is recommended to ensure an acceptable impact on existing and future residents.

ii. Overlooking / Privacy

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The proposed development is carefully designed to avoid harmful impacts to neighbour's privacy, outlook or levels of light. The proposal would not result in any harmful overlooking to the homes to north east in Bartlett's Road, as any direct window-to-window distances are in excess of 21 metres. Further, the windows within the north-eastern elevation of Block A would not harmfully overlook the rear gardens in Bartlett Road, due to the intervening distances. The very rear of no. 1 Bartlett Road's rear garden would experience overlooking as a result of the development, but not in an unacceptable manner, largely as any views of the most sensitive part of no. 1 Bartlett's Road's rear garden adjacent to its rear elevation would mostly be blocked by the existing garage. It also material that this overlooking is seen elsewhere in the locality, namely from the rear elevation of the block of flats in Chapel Barton. The proposal would not result in harmful overlooking to the rear of no. 153 West Street, as proposed windows are sensitively located to avoid direct views into the garden area.

The rear windows of Block B would look toward the single storey Christian Centre building, which has windows facing the development. Unacceptable overlooking will not occur, as the Christian Centre's windows are obscure and are understood to only provide light to a corridor.

iii. Levels of Light / Overshadowing

The rear elevations and gardens of the homes in Bartlett's Road currently experience overshadowing from the Chapel Barton flats. According to the submitted overshadowing assessment, the proposal would not materially increase the amount overshadowing these properties would experience. The development is to the north of the Christian Centre meaning overshadowing will not occur.

iv. Overbearing and Outlook

The Christian Centre does have a small patch of garden immediately to the rear of Block B, but the amenity value of this garden space to the Christian Centre does not render the proposal's impact unacceptable. Further, the mass and height of the proposal would not harm the outlook of the Centre, or the result in an overbearing impact. Due to the distance between Block A and the rear elevations of the houses in Bartlett's Road, the proposal would not have an overbearing impact, and nor would it harm the neighbours outlook.

v. Management of the Employment Use

As per the Pollution Control Team's comments, there are some concerns that the employment floorspace, which could be used for appropriate industrial processes, could materially harm the amenity of existing and future residents. It would be inappropriate for any planning permission to restrict the use of industrial or research uses allowed under Use Class E(g), as the only permitted uses are those that are appropriate for residential areas. Further, the employment unit is of a modest size, meaning the scope of disturbance from, for example large industrial uses, is low. Conditions however are needed to manage the employment floorspace to reduce the potential for disturbance to neighbours, and as such are advised.

vi. Summary

The proposal is not expected to unacceptably harm the residential amenity of neighbours.

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(D) Highway Safety and Transportation

Policy DM2 resists development that would harm the character of the locality as a result of levels of on-street parking that cannot be reasonably accommodated or regulated through parking control measures. The policy also resists proposals where inadequate storage for recycling/refuse and cycles is provided. Policy DM23 resists developments that would give rise to unacceptable traffic conditions.

In support of the application, a Transport Statement and Travel Plan were initially provided, and in response to Transport Development Management's concerns, a Technical Note was provided by Transport Planning Associates.

Transport Development Management (TDM) support the principle of development, and following the submission of the Technical Note and revised plans raise no objection to the application.

i. Car Parking

Neighbours have raised concern relating to a perceived under provision of on-site car parking for future residents of the development, and an existing under provision of on-street car parking within the locality that will be exacerbated by this development. The proposal includes two car parking spaces, one of which is a wheelchair accessible space. A car club space will also be provided in the locality.

In relation to car parking, policy DM23 expects developments to: "Provide an appropriate level of safe, secure, accessible and usable parking provision having regard to the parking standards, the parking management regime and the level of accessibility by walking, cycling and public transport".

The locality is not subject to a parking management regime, such as an RPZ, meaning future residents of the site would be able to park a car in the vicinity. However, officers do understand that car ownership is generally lower amongst students than the general population, and as Key Issue A established, the site benefits from a good level of accessibility by public transport, and many amenities are within walking distance. The Council does not have minimum car parking standards for most accommodation types, apart from in relation to spaces accessible to disabled people, which this development meets through the provision of a single wheelchair accessible space. Taking this into account, it is only reasonable to refuse planning permission on the basis of insufficient car parking spaces, if it can be demonstrated that car parking associated with the proposal would harm the character of the locality as a result of levels of on-street parking, including highway safety.

TDM initially raised concerns regarding a lack of an acceptable parking survey. Following these concerns, the applicant provided a parking survey, revised car ownership data and provision for a car club in the locality. Although TDM criticised the method used to calculate the likely car ownership resulting from this development within the Technical Note and Transport Statement, TDM advised that the parking survey provided by the applicant suitably evidenced that there is parking availability within the area (at least 21 spaces). Based on census data and experience of student developments in Bristol, TDM expect car ownership associated with this development to be more than 15 cars, albeit TDM stress this an upper estimate. This assessment, together with the provision of a car club space, demonstrated to TDM that the development would not give rise to unacceptable levels of on-street parking in the vicinity. With this in mind, officers advise that the development provides sufficient car parking spaces.

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To secure the car club space, the applicant will be required to pay a contribution of £6,310 towards a Traffic Regulation Order associated with the car club space e.g. lining and signage. This will be secured by s.106 Agreement. Furthermore, the applicant will be required to procure the car club operator and as should be set out within the travel plan statement provide car club memberships to residents of the development.

ii. Cycle Storage

19 cycle space are proposed within the ground floor bike store, accessed from Chapel Barton. As per TDM's comments, this provision exceeds the minimum standards set out in Appendix 2 to the SADMP.

iii. Servicing and Waste

TDM has confirmed that the refuse and recycling store located at the front of the building on the ground floor is sufficient in size to meet the needs of the development.

iv. Highway works

Should a permission be granted, highway works are required to be implemented such as the resurfacing of the footway, upgrade (or relocation) to the street lighting given the difference in scales between the existing and proposed buildings and the refresh of street lining where necessary. A condition is recommended in this respect.

v. Construction Management

A construction management plan condition is advised to ensure an acceptable highway safety and transport impact during construction.

vi. Summary.

In summary, the development is not expected to have a harmful impact on the amenity of the highway in the area, including the development's highway safety impact. Officers understand neighbours' concerns relating to the proposal's car parking provision, but as discussed, planning policy does not expect proposal's to provide a minimum number of car parking spaces. Further, the development includes a car club space in the locality that will help reduce reliance on personal car ownership. Finally, as TDM has confirmed, there is capacity in the locality to address car ownership/use related to this development.

(E) Sustainability

The proposal is supported by an Energy and Sustainability Statement to address how the proposal will comply with relevant planning policies.

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The proposal includes air source heat pumps for space and water heating within the development, which is compliant with policy BCS14's energy hierarchy. The proposal also incorporates photovoltaic panels, which together with the air source heat pump system equates to a 38.4% reduction in emissions through renewables, which exceeds policy BCS14's expectations.

In accordance with policy BCS13, the proposal is supported by an overheating assessment, which demonstrates that with mitigation measures (natural ventilation), the proposal meets the relevant guidance.

Further sustainability measures are proposed, including building construction using the Green Life Buildings (GLB) SIP system, which achieves extremely low U Values, low thermal mass and improved psi values and air tightness. Windows will be triple glazed with low U Values and MVHR will be installed as well as 100% low energy lighting.

In accordance with the Sustainability Team's comments who support the application, conditions are recommended.

(F) Other Matters

- i. **Air Quality** – the Air Quality Team raises no objection to the development.
- ii. **Land Contamination** - the Council's Land Contamination Officer raises no objection to the development, but has recommended a number of standard conditions to address any contamination and unexploded ordnance at the site that may be present. Such conditions are recommended to be applied if the application is approved.
- iii. **Arboriculture** – outside of the site adjacent to Churchlands Road is patch of land understood to form part of the Christian Centre. The land hosts a number of trees that could be impacted by the development. To assess the impact, an arboricultural method statement was submitted by the applicant. The Council's Arboricultural Officer assessed the statement, concluding it includes sufficient measures to appropriately protect the trees. Appropriate conditions are advised to secure the tree protection measures.
- iv. **Nature Conservation** - the application is supported by a preliminary ecological assessment that considers the existing site to have a low ecological value, including limited habitats. The Nature Conservation Officer raises no issue with the submitted ecological assessment and generally no objection to the development subject to conditions. The development is excepted to deliver a net gain for biodiversity in accordance with the NPPF. This is because the existing site does include limited habitats and the proposal include sufficient landscaping. A condition is recommended to secure this. Further, it is recommended that further ecological enhancement measures are secured via condition, including facilities (nests/roosts) for bats, birds, insects, and hedgehogs. Finally, the Nature Conservation Officer recommend a condition to secure living roofs, however officers do not find such a condition to be necessary to meet relevant policies, given the proposal's inclusion of sufficient green infrastructure elsewhere in the proposal.
- v. **Site Drainage** - concerns have been expressed by the Lead Local Flood Authority (LLFA) in relation to the drainage proposals, largely as it is a pump-based system and not a gravity-based

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system. The LLFA agree their concerns can be addressed by a condition requiring a revised scheme of drainage, and hence such a condition is recommended.

- vi. **Equalities Impact Assessment** - during the determination of this application due regard has been given to the impact of this scheme in relation to the Equalities Act 2010 in terms of its impact upon key equalities protected characteristics. These characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Overall, it is considered that the approval of this application would not have any significant adverse impact upon different groups or implications for the Equalities Act 2010.

(G) Planning Obligations

Planning obligations must accord with section 122 of the Community Infrastructure Levy Regulations 2010 and paragraphs 55 and 57 of the NPPF, in that a planning obligation may only constitute a reason for granting planning permission for a development if the obligation is:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Further, policy BCS11 expects developments to provide or contribute towards the provision of measures to directly mitigate its impact, either geographically or functionally, which will be secured through the use of planning obligations.

Officers advise that the recommended planning obligations discussed in Key Issue D meets the requirements set out above. As such, officers recommend that should the application be approved, a s106 Agreement (Unilateral Undertaking) is drafted and agreed with the applicant to secure the following planning obligation:

- TRO Contribution - the contribution in the sum of six thousand three hundred and ten pounds (£6,310) Indexed Linked payable to the Council by the Owner prior to the commencement of development. This is to secure a car club space within the highway.

The applicant has agreed in principle to this contribution.

Community Infrastructure Levy (CIL) – the development will be liable to pay £138,761.27.

(H) Planning Balance

As the Council does not have a 5 Year Housing Land Supply and has failed its most recent Housing Delivery Tests, there is a presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrable outweigh the benefits. This report demonstrates there are no significant or demonstrable harms associated with approving this development. The proposal complies with policy DM2, which sets out the general criteria that PBSA must meet. Importantly, there are significant benefits that would flow from approving this application.

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Perhaps most significantly, the proposal would deliver the redevelopment of brownfield land to deliver needed student accommodation, that would help meet demand and diversify the housing mix, as well as contributing to the Council's 5 Year Housing Land Supply. When compared to the existing building quality at the site, the proposal would enhance the character of the area, which must attract positive weight in favour of approving the planning application. Further, the proposal incorporates photovoltaic panels, which together with the air source heat pump system equates to a 38.4% reduction in emissions through renewables, which exceeds policy BCS14's expectations. The development is expected to deliver a biodiversity net gain. The proposal would also deliver improved employment floorspace at the site.

The application is therefore recommended for approval subject to conditions and a s.106 Agreement, in accordance with Key Issue I.

(I) Recommendation

It is recommended that the application is granted planning permission, subject to a Planning Agreement and conditions, as per the instructions listed below:

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

TRO Contribution - the contribution in the sum of six thousand three hundred and ten pounds (£6,310) Indexed Linked payable to the Council by the Owner prior to the commencement of development. This is for the car club space that will be located in the local vicinity to the application site.

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

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)

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2. Construction Management Plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

3. Highway Condition Survey

No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

- A plan to a scale of 1:1000 showing the location of all defects identified;
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.

4. Protection of Retained Trees during the Construction Period

No work of any kind shall take place on the site until the protective fences have been erected around the retained trees in the position and to the specification shown on the Bosky Trees Tree Constraints Plan Dwg TCP-1. The approved fence(s) shall be in place before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area(s) there shall be no scaffolding, no

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stockpiling of any materials or soil, no machinery or other equipment parked or operated, no traffic over the root system, no changes to the soil level, no excavation of trenches, no site huts, no fires lit, no dumping of toxic chemicals and no retained trees shall be used for winching purposes. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the council.

Under no circumstances should the tree protection be moved during the period of the development and until all works are completed and all materials and machinery are removed. Landscaping works within protected areas is to be agreed with the Local Planning Authority and carried out when all other construction and landscaping works are complete.

Reason: To protect the retained trees from damage during construction, including all ground works and works that may be required by other conditions, and in recognition of the contribution which the retained tree(s) give(s) and will continue to give to the amenity of the area in line with Policy DM17.

5. Arboricultural method statement - During construction

The applicant/developer shall ensure that all works within the root protection area of retained trees, must follow the detailed methodology with the approved Arboricultural Method Statement (Bosky trees). In the instance that major roots are found then further consultation with an arboriculturist will be required, any changes to the specified methodology must be agreed in writing by the local planning authority.

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

6. Arboricultural Supervision

No development shall take place until a pre-commencement site meeting has been held and attended by the developer's project arboricultural consultant and the designated site manager to discuss details of the working procedures set out in the approved Arboricultural Method Statement. A schedule of visits shall be agreed to ensure the project arboriculturist is present during key stages of the development which include, but not limited to the installation of scaffolding and low level scaffolding ground protection deck. Site visits by the project arboriculturist must be carried out during the key stages identified above.

In the event remedial works are considered necessary, copies of the required remedial works shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation of the development hereby approved. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant immediately following that approval.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice

7. Intrusive site investigation

No development shall commence on site (except demolition) until a report detailing the results from a site specific risk assessment and intrusive investigation has been submitted to and approved in writing by the Local Planning Authority. The investigations shall assess the nature and extent of any site contamination and whether or not it originates from the site. The investigation and risk assessment must be undertaken by competent persons and a written

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report of the findings must be produced. The results of this investigation shall be considered along with the reports submitted with the original application. This must be conducted in accordance with the Environment Agency's 'Land Contamination: risk management' and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.

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.

8. Submission of Remediation Scheme

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

Reason: To ensure that risks from land contamination 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.

9. Implementation of Approved Remediation Scheme

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

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

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. Unexploded Ordnance

No development shall take place until an unexploded ordnance survey, along with the results, has been submitted to and approved in writing by the Local Planning Authority. The survey shall 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. The development shall be undertaken in full accordance with any approved mitigation measures.

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Reason: To ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO.

11. Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The approved plan/statement shall be adhered to throughout the demolition/construction period.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

Advice: See Informative Notes/Advice Notes for guidance.

12. Public Art

Prior to the commencement of above ground construction, a Public Art Plan indicating the public art to be installed on the north east elevation (Churchlands Road) shall be submitted to and approved in writing by the Local Planning Authority. In addition to details of the public art installation(s), the Public Art Plan shall contain a timetable for delivery, details of the Public Art commission, and details of future maintenance responsibilities and requirements. All public art works shall be completed in accordance with the agreed scheme and thereafter retained as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that public art is integrated into the design and build of the development.

13. Design of New Building

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

- a. Typical details of all types of doors and window opening including sills, lintels, surrounds, reveals and design of external doors and windows.
- b. Typical details of the roof, including key junctions with the elevation and the parapet wall
- c. Typical details of the office frontages.
- d. Typical details of eaves, soffits, overhangs, ridge, parapets, stone coping.
- e. Typical details of rainwater goods.

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

14. Materials

A materials schedule for all external facing elements of the development hereby approved, shall be submitted to and be approved in writing by the Local Planning Authority before the relevant part of work is begun. The schedule shall include specification, location, and a visual impression of all external facing materials to be used in the development hereby approved. The works shall be carried out in accordance with the approved details.

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Reason: In the interests of the appearance of the building itself and the wider appearance of the area.

15. Renewable energy - Air source heat pumps

Prior to the relevant stage of the development hereby approved, details of the air source heat pumps (including the exact location and design/ technical specification) together with calculation of energy generation and associated CO₂ emissions to achieve a reduction on residual emissions from renewable energy in line with the approved energy statement should be submitted to the Local Planning Authority and approved in writing. The system shall be installed prior to occupation of the dwellings and thereafter retained.

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

16. Photovoltaic Panels

Prior to the relevant stage of the development hereby approved, details of the proposed PV system including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO₂ emissions shall be provided within the Energy Statement. Prior to occupation the following information shall be provided:

- o Evidence of the PV system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate.
- o A calculation showing that the projected annual yield of the installed system is sufficient to reduce residual CO₂ emissions by the percentage shown in the approved Energy Statement.

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

17. Employment Floorspace - Class E(g)(ii) & (iii) Uses Only

Prior to the commencement of any uses defined as Class E(g)(ii) and (iii) within office floorspace (as labelled on the approved plans) hereby approved, an assessment for the potential for noise from those uses affecting residential properties in the area shall be submitted to and approved in writing by the Local Planning Authority.

If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties, a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use.

The approved scheme of noise mitigation shall then be installed prior to the first use of the Class E(g)(ii) and (iii) floorspace and maintained thereafter for the lifetime of the development.

The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound and BS 8233: 2014 Guidance on sound insulation and noise reduction for Buildings.

Reason: In the interests of the amenity of neighbours and future occupiers of the development.

18. Noise from Plant & Equipment to be installed , including air source heat pumps

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Prior to the installation of any external plant or equipment associated with the development hereby approved, an assessment to show that the rating level of any plant and equipment will be at least 5 dB below the background level shall be submitted to and approved in writing by the Local Planning Authority. The assessment must be carried out by a suitably qualified acoustic consultant/engineer and be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound. The plant or equipment shall then be installed and maintained thereafter for the lifetime of the development in accordance with the approved details.

Reason: In the interests of the amenity of neighbours and future occupiers of the development.

19. Biodiversity Net Gain

Prior to the relevant stage of the development hereby approved, a Biodiversity Net Gain Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Assessment shall:

Employ the latest version of the Defra / Natural England Biodiversity Metric to demonstrate a biodiversity net gain;

Include full details of the data, measurements and workings used to calculate the percentage BNG must be provided, including habitat condition assessments; and

Include a 30-year Landscape and Ecological Management Plan (LEMP). This should address retained features of ecological interest, together with mitigation and enhancements to be provided, including those included within the approved landscape plan. The LEMP must set out management compartments, objectives, and prescriptions. It must also show how management of the site will be resourced and monitored.

The development shall then be implemented and maintained thereafter for the lifetime of the development in accordance with the approved Biodiversity Net Gain Assessment (and LEMP).

Reason: Ecological enhancement is needed to meet the requirements of the revised National Planning Policy Framework (NPPF, 2021). The NPPF states in paragraph 174 (d) on page 50 that "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity...".

20. Ecological Enhancement

An Ecological Mitigation & Enhancement Strategy (EMES) shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of work is begun. This must include details and plans of the provision of integrated (built-in) boxes for birds (2no.), bats (1no.), insects(1no.), and hedgehogs (1no.), as well as the location, specification, height and orientation of these features. The approved enhancement measures shall be implemented prior to the first occupation of the development hereby approved.

Reason: (1) The Natural Environment and Rural Communities (NERC) Act 2006 (Section 40) obliges the LPA '... in exercising its functions, [to] have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. In order to discharge its biodiversity duty, the LPA must satisfy itself that all developments deliver ecological enhancement wherever reasonably possible; (2) Ecological enhancement is a requirement of the revised National Planning Policy Framework (2021) which states (in paragraph 174) that 'Planning policies and decisions should contribute to and enhance the natural and local environment...'.

21. Sustainable Drainage System (SuDS)

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No development shall take place (with the exception of demolition) 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.

Pre occupation condition(s)

22. Scheme of External Lighting

Prior to the first occupation of the development hereby approved, a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location, type, expected lux levels, and design of the external lights. The scheme of external lighting shall then be implemented in accordance with the approved details prior to the first occupation of the approved development.

Reason: In the interests of amenity of future residents accessing the building safely, and the general amenity of Chapel Barton.

23. Broadband

In accordance with the approved Broadband Connectivity Statement, The homes and workplaces within the development hereby approved will include the provision of high-speed broadband access, that enables the provision of Next Generation broadband, prior to the first occupation of the development hereby approved.

Reasons: In the interests of the amenity of future occupiers, including the enhancing digital inclusion.

24. Energy and Sustainability in accordance with statement

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the sustainability statement and energy strategy (JMDC SERVICES LTD, Rev A, 21 Sept 2022). A total 46% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy shall be achieved, and a 38% reduction in carbon dioxide emissions below residual emissions through renewable technologies shall be achieved.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate Change), BC14 (sustainable energy), BCS15 (Sustainable design and construction), DM29 (Design of new buildings)

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

No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

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Reason: In the interests of highway safety.

26. Completion and Maintenance of Car/Vehicle Parking - Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and turning space) 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. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

27. Completion and Maintenance of Cycle Provision - Shown on approved plans

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.

28. Travel Plan Statement - Not Submitted

No building or use hereby permitted shall be occupied or use commenced until a Travel Plan Statement comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the Local Planning Authority. The Approved Travel Plan Statement shall be implemented in accordance with the measures set out in therein.

Within three months of occupation, evidence of the implementation of the measures set out in the Travel Plan Statement has been submitted to and approved in writing by the Local Planning Authority unless alternative timescales are agreed in writing.

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

29. Delivery & Servicing Plan

No building or use hereby permitted shall be occupied or use commenced until a delivery and servicing plan has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery and servicing plan for the lifetime of the development. The delivery and servicing plan shall include:

- a) The contact details of a suitably qualified co-ordinator;
- b) How vehicle arrivals, departures, parking, stopping and waiting will be controlled to minimise any impact on the adopted highway;
- c) Details of any freight consolidation operation, centre and the delivery and servicing booking and management systems;

Reason: In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion

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30. Car Park Management Plan

No building or use hereby permitted shall be occupied or use commenced until a car park management plan setting out how the car park will be managed has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved car park management plan for the lifetime of the development.

Reason: To ensure the safe operation of approved car park(s).

31. Waste Management Plan

No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

32. Reporting of Unexpected Contamination

In the event that contamination is found at any time that had not previously been identified when carrying out the approved development, it must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the Environment Agency's 'Land Contamination: risk management' guidance and BS 10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice. Where remediation is necessary a remediation scheme must be prepared which ensures 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.

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. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason (for all conditions) : 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.

Post occupation management

33. Restriction of parking level on site

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

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

34. Protection of parking and servicing provision

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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.

Reason: To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the development.

35. Single Occupancy - Student Accommodation Only

The development hereby approved shall be limited to single occupancy per room/studio flat.

Reason: In the interests of the residential amenity of future occupiers of the development hereby approved.

36. Employment Floorspace - Operating Hours, Class E(g)(ii) & (iii) Uses Only

Any use of the office floor space as a use defined as Class E(g)(ii) and (iii) shall not be carried out outside the hours of 08:00 to 18:00, Monday to Saturday. The building shall not be used on Sundays and Bank Holidays.

Reason: To safeguard the residential amenity of nearby occupiers.

37. Employment Floorspace - Operating Hours, Class E(g)(i)

Any use of the office floor space as a use defined as Class E(g)(i) shall not be carried out outside the hours of 07:00 to 21:00 Monday to Friday and 08:00 to 18:00 on Saturdays. The building shall not be used on Sundays and Bank Holidays.

Reason: To safeguard the residential amenity of nearby occupiers.

38. Use Restriction - Ground floor Office (E(g)(i,ii,iii) unit

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the hereby approved Class E(g) unit shall only be used for uses permitted by their respective Use Class (E(g)) as defined by 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: The employment floorspace is required to mitigate the loss of existing floorspace at the site, hence the unit must be retained as an Use Class E(g) use to meet relevant local plan policy.

39. Management Plan

The development hereby approved will be managed in strict accordance with the following section of the approved Premises Management Plan (Paragon Accommodation): 24 Hour Accommodation Management.

Reason: in the interests of amenity of neighbours.

Obscure Windows – North East Elevation, as labelled on plan

In accordance with the approved plans, those windows labelled as obscure fixed glazing will be retained as such for the lifetime of the development hereby approved.

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Reason: In the interests of the privacy of neighbours.

40. Obscure Windows - North East Elevation, as labelled on plan

In accordance with the approved plans, those windows labelled as obscure fixed glazing will be retained as such for the lifetime of the development hereby approved.

Reason: In the interests of the privacy of neighbours.

List of approved plans

41. 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:

- BC00720, Drainage Strategy Report, rev. A, dated 21.09.2022, received 27.09.2022;
- 220922 - 157 West Street, Overheating Risk Assessment, R02, Mach Group energy, dated 22.09.2022, received 22.09.2022;
- Sustainability Statement and Energy Statement, rev. A, JMDC Services Ltd, dated 21.09.2022;
- 736351-1 (00) rev. 2, Desk Study and Preliminary Risk Assessment, Structural Soils Ltd, dated 07.02.2022, received 15.02.2022;
- Premises Management Plan (Paragon Accommodation), received 15.02.2022;
- 01, Travel Plan Statement, Transport Planning Associates, dated 09.02.2021, received 15.02.2022;
- BROADBAND CONNECTIVITY ASSESSMENT, date February 2022, CSJ Planning, received 25.02.2022;
- Arboricultural Method Statement, Bosky Trees, dated 24.05.2022, received 26.05.2022;
- 100 P1, Location and Block Plan, received 15.02.2022;
- 736351, Desk Study and Preliminary Risk Assessment
- 111 P6, Proposed Site and Roof Plan, received 16.09.2022;
- 112 P6, Proposed Elevations Sheet 1 of 2, received 16.09.2022
- 113 P5, Proposed Elevations Sheet 2 Of 2, received 16.09.2022;
- 114 P7, Proposed Ground Floor Plan, received 16.09.2022;
- 115 P6, Proposed First Floor Plan, received 16.09.2022;
- 116 P6, Proposed Second Floor Plan, received 16.09.2022;
- 119 P1, Proposed Sections Sheet 2, received 16.09.2022;
- 2112-030/TN/01, Technical Note 01: Response to Transport Development Management (BCC), July 2022, received 18.07.2022;
- 117 P2, Proposed Landscaping Plan, received 06.09.2022;
- 118 P1 Proposed Sections Sheet, received 02.11.2022

Reason: For the avoidance of doubt

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Advices

1 Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. A Monitoring Fee equivalent to 15% of the planning application fee
- III. Approving the highway details
- IV. Inspecting the highway works

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

2 Traffic Regulation Order (TRO)

You are advised that a Traffic Regulation Order (TRO) is required. You must submit a plan to a scale of 1:1000 of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections.

You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process.

We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Transport Development Management Team at transportdm@bristol.gov.uk

N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

3 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at traffic@bristol.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary

Development Control Committee A – 16 November 2022**Application No. 22/00805/F : 155 - 165 West Street Bedminster Bristol BS3 3PN**

Traffic Management measures to be agreed.

4 Restriction of Parking Permits - Future Controlled Parking Zone/Residents Parking Scheme

You are advised that the Local Planning Authority has recommended to the Highways Authority that on the creation of any Controlled Parking Zone/Residents Parking Scheme area which includes the development, that the development shall be treated as car free / low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a Residents Parking Scheme.

5 Highway Condition Survey

The development hereby approved includes the carrying out of a Highway Condition Survey. To agree the extent of the area to be surveyed contact the Highway Authority's Transport Development Management Team at transportDM@bristol.gov.uk

6 Excavation Works on the Adopted Highway

The development hereby approved includes the carrying out of excavation works on the adopted highway. You are advised that before undertaking any work on the adopted highway you will require a Section 171 (Excavation) Licence from the Highway Authority which is available at www.bristol.gov.uk/highwaylicences

7 Street Name and Numbering

You are advised that to ensure that all new properties and streets are registered with the emergency services, Land Registry, National Street Gazetteer and National Land and Property Gazetteer to enable them to be serviced and allow the occupants access to amenities including but not limited to; listing on the Electoral Register, delivery services, and a registered address on utility companies databases, details of the name and numbering of any new house(s) and/or flats/flat conversion(s) on existing and/or newly constructed streets must be submitted to the Highway Authority.

Any new street(s) and property naming/numbering must be agreed in accordance with the Councils Street Naming and Property Numbering Policy and all address allocations can only be issued under the Town Improvement Clauses Act 1847 (Section 64 & 65) and the Public Health Act 1925 (Section 17, 18 & 19). Please see www.bristol.gov.uk/registeraddress

8 Travel Plan Statement / Travel Plan - Not Submitted

You are advised that a Travel Plan Statement / Travel Plan is required to be prepared and submitted using the Travel Plan Guide for New Developments and the associated templates at www.bristol.gov.uk/travelplans

9 The Construction Environmental Management Plan should also include but is not limited to reference to the following:

- o All works and ancillary operations which are audible at the site boundary, or at such other place

as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and at no time on Sundays and Bank Holidays.

- o 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.

Development Control Committee A – 16 November 2022

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- o Procedures for emergency deviation of the agreed working hours.
- o Control measures for dust and other air-borne pollutants .
- o Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- o Procedures for maintaining good public relations including complaint management, public consultation and liaison.

10. Sustainable Urban Drainage (SUDS)

The development hereby approved includes the construction/provision of a sustainable drainage system. You are advised to contact the Highway Authority's Flood Risk Management Team at flood.data@bristol.gov.uk before any works commence.



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Issued for Planning	11/02/2022	P1
REVISION SUMMARY	DATE	REVISION



First Floor, 43-45 Park Street
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Project number
2060

Project
**155-165 West Street,
BS3 3PN**

Status
PLANNING

Use figured dimensions only. Only build from drawing marked for 'Construction'.

Drawing Title
Location and Block Plan

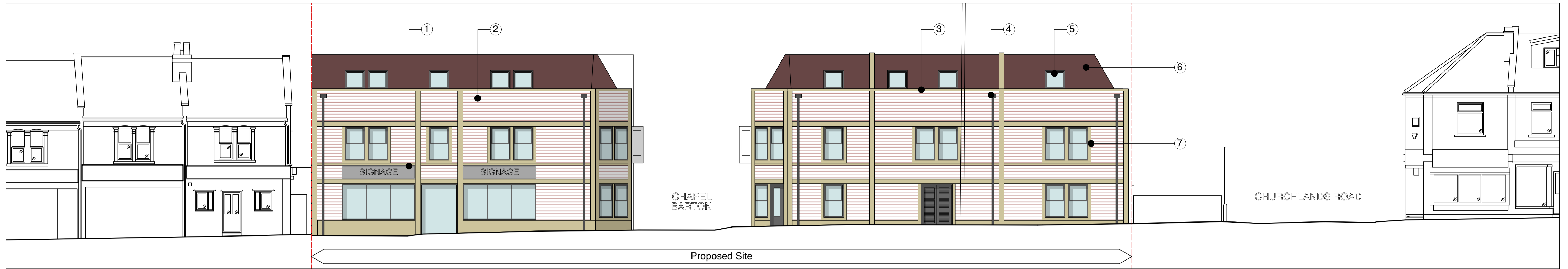
Drawn by
MP

Date
Feb 2022

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Drawing number
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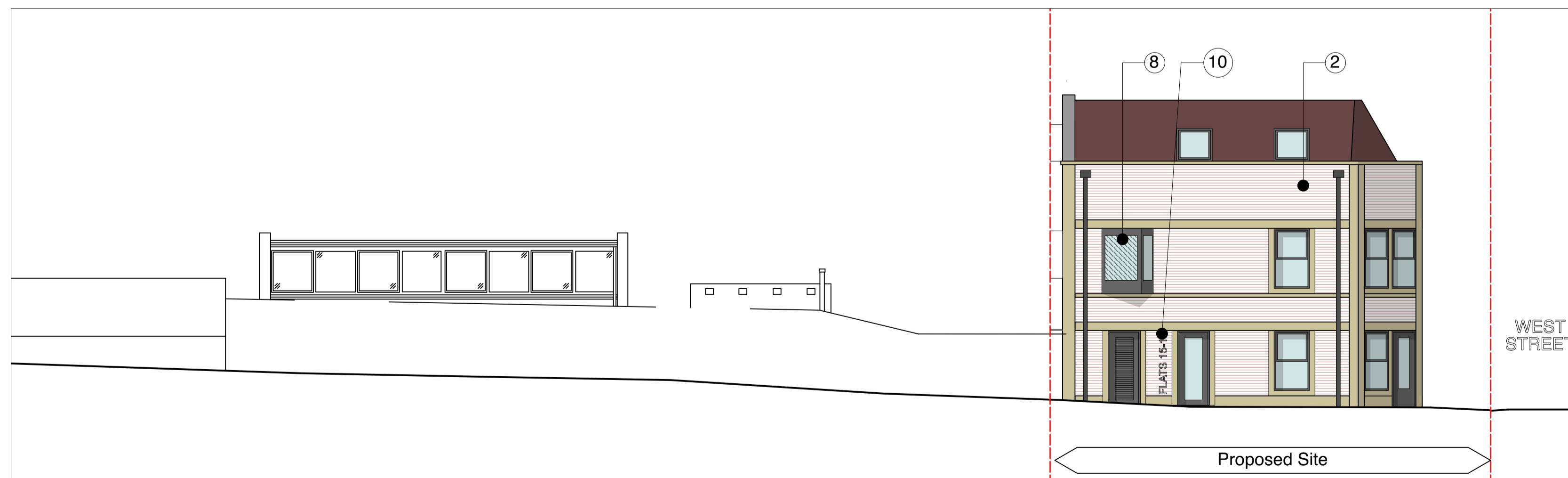
Revision
P1



A - SOUTH EAST ELEVATION : ALONG WEST STREET



B - NORTH EAST ELEVATION : ALONG CHAPEL BARTON

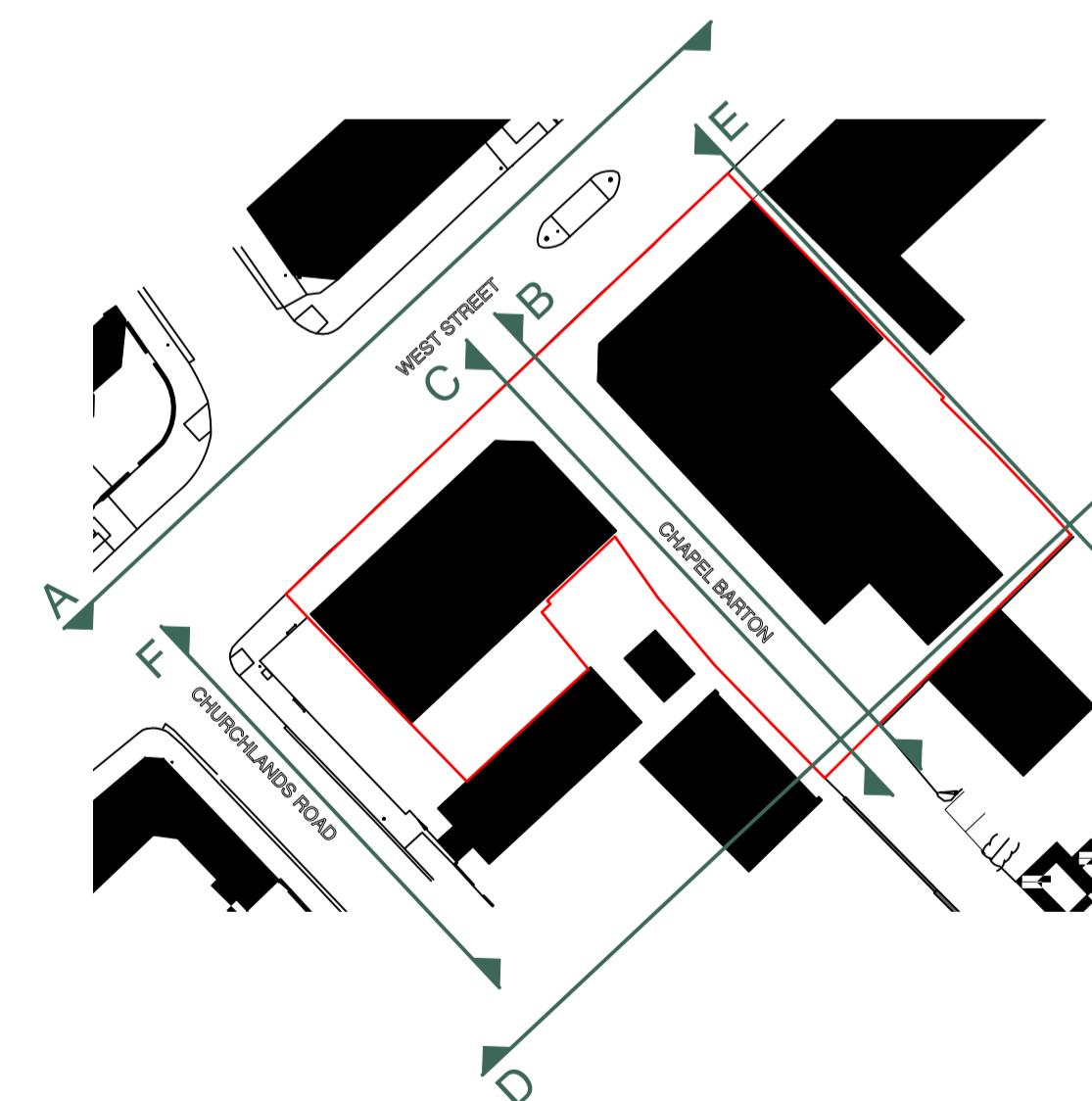


C - SOUTH WEST ELEVATION : ALONG CHAPEL BARTON

0 10.0 15.0 20.0 M

Notes

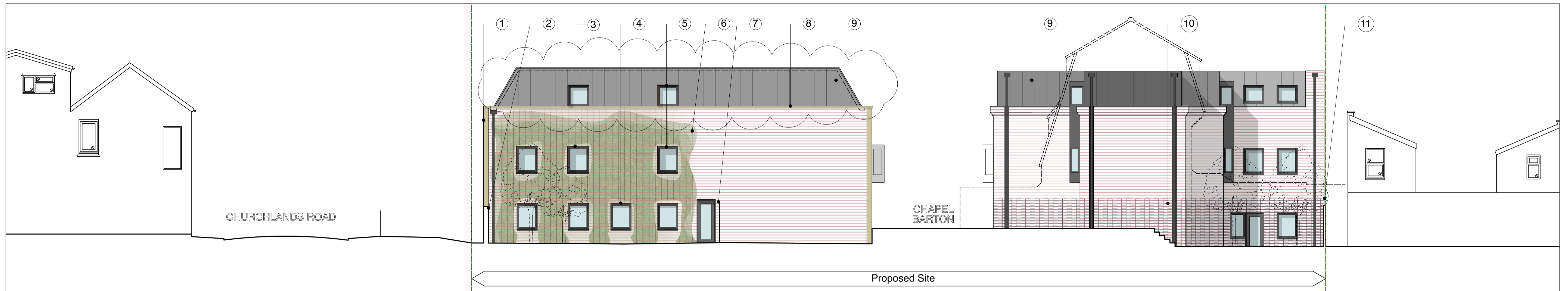
1. New signage for office
2. West Street Elevation: Red brick with coloured render banding, to wrap around elevation to Chapel Barton.
3. Cast stone coping
4. Aluminium hopper and downpipes. Colour: Dark grey
5. Triple glazed, aluminium framed openable rooflights. Colour: Dark grey
6. Red pantile roof
7. Triple glazed, aluminium framed openable window. Colour: Dark grey
8. Projecting slanted windows with opaque glass to front (hatched) and openable window to side.
9. Chapel Barton Elevation: Red brick with red brick corbel and corbeled banding to Ground Floor
10. New signage for student flat entrance
11. Red brick corbeled banding
12. Triple glazed, aluminium framed openable window with horizontal and vertical brise soleil. Colour: Dark grey window, dark red brise soleil
13. Projecting oriel window with opening windows to side. Triple glazed, aluminium framed, colour dark grey.
14. Vertical standing seam metal cladding. Colour: Dark grey
15. Louvred metal door. Colour: Dark grey



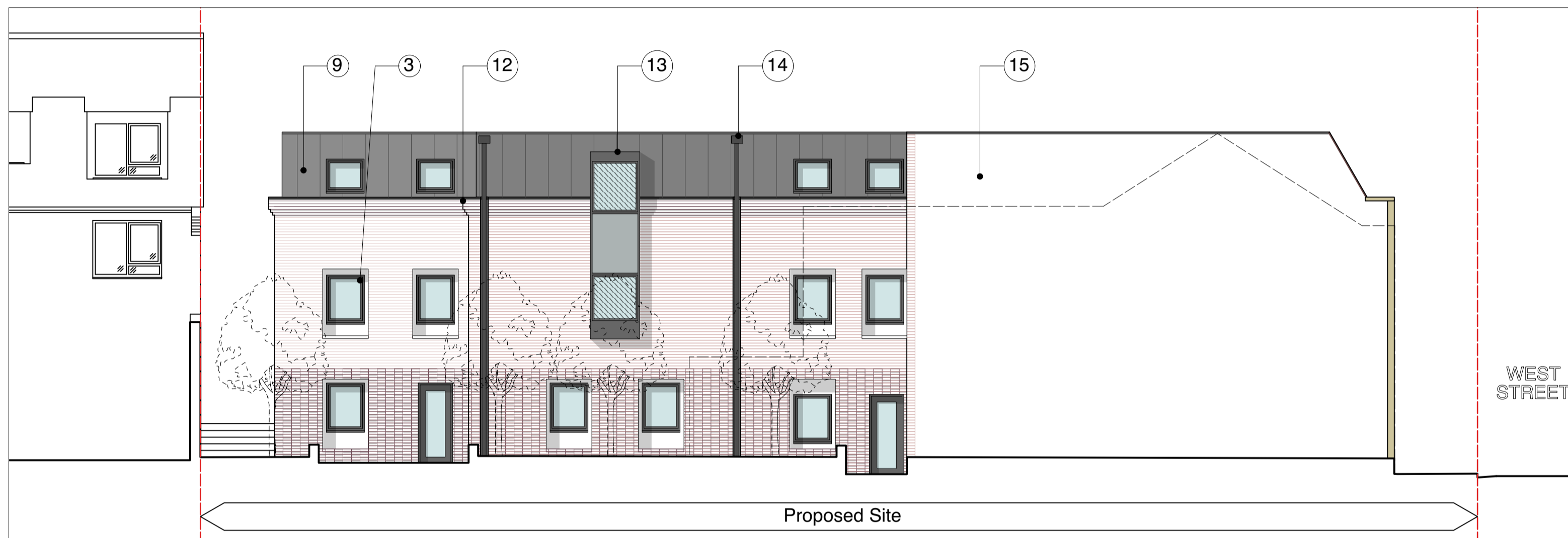
Elevation B - split window added to Block A stairwell. Provides a high level window to the ground-first floor landing and a low level window to the first-second floor landing.

14/09/2022 P6

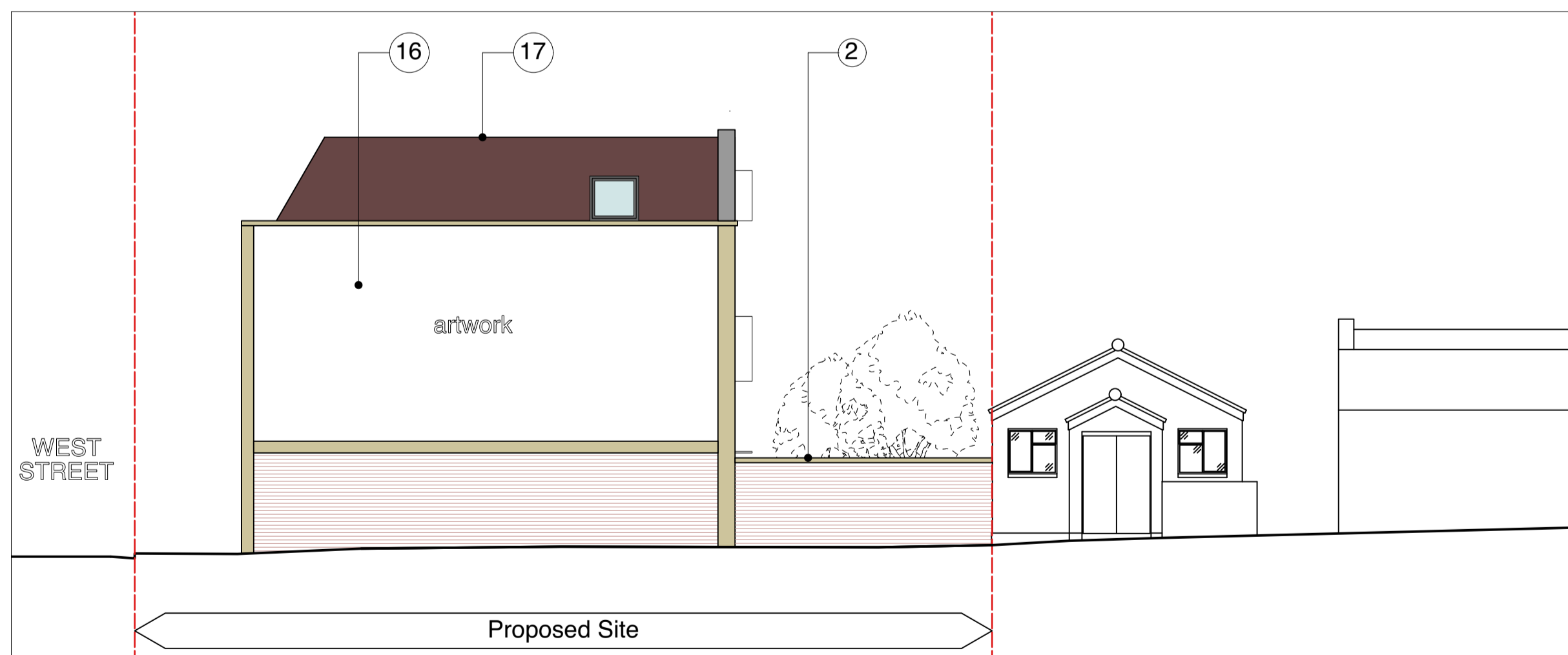
REVISION SUMMARY DATE REVISION



D - NORTH WEST ELEVATION : REAR ELEVATION



E - SOUTH WEST ELEVATION : SIDE ELEVATION

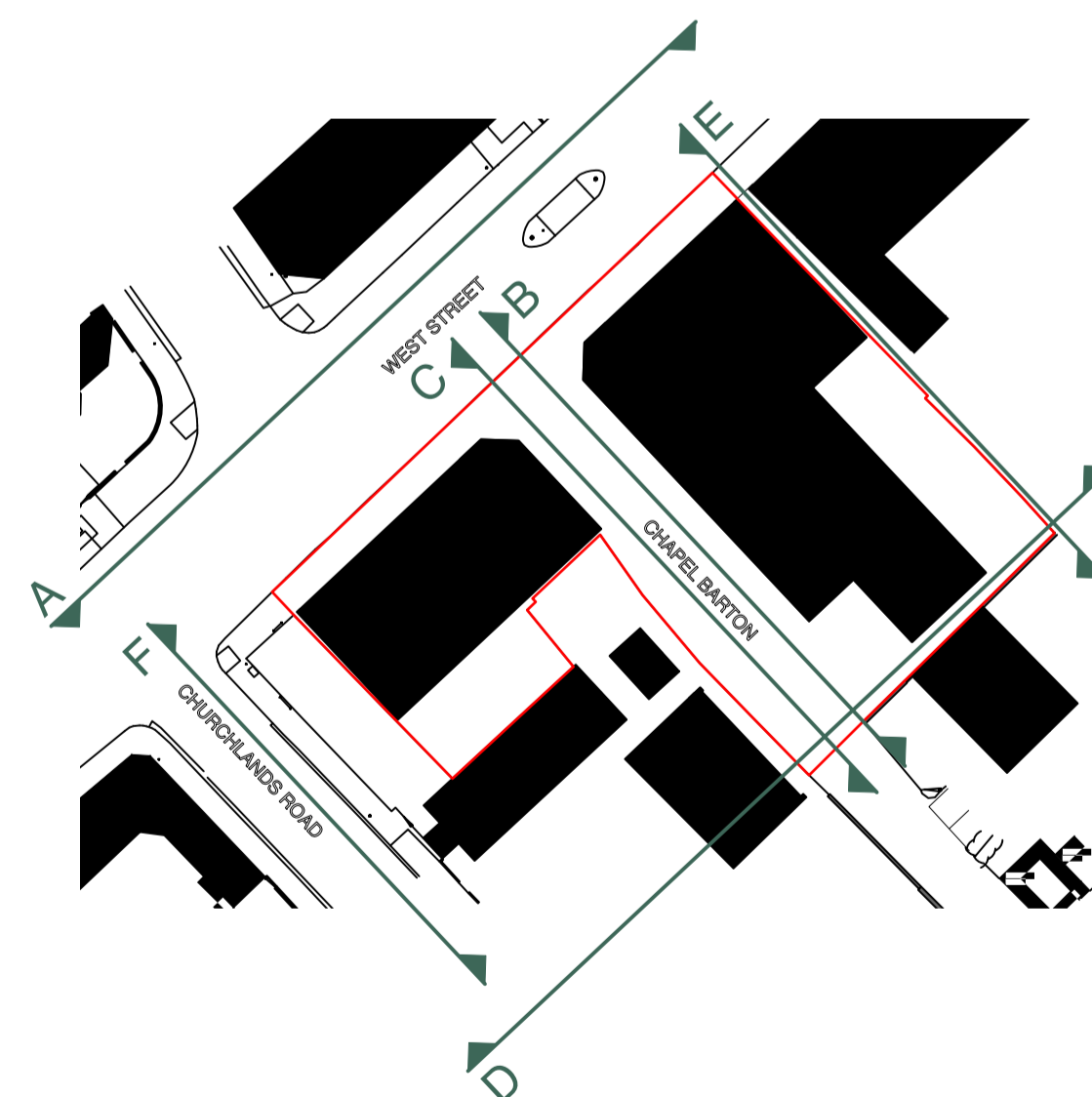


F - NORTH EAST ELEVATION : FROM CHURCHLANDS ROAD

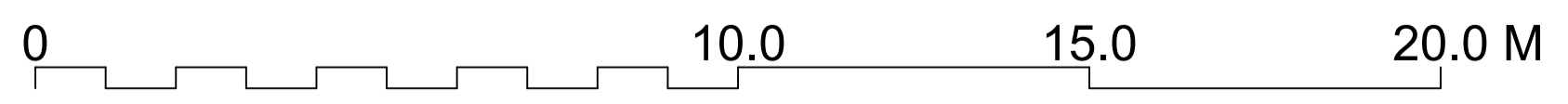
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Notes

1. Coloured render banding
2. 1.8m high red brick wall with cast stone coping
3. Triple glazed, aluminium framed openable window. Colour: Dark grey
4. Horizontal perforated metal brise soleil to top of window. Colour: Dark red
5. Horizontal and vertical perforated metal brise soleil to top and side of window. Colour: Dark red
6. Climbers planted adjacent to building: Trachelospermum Jasminoides. To be supported by a Jakob Green Wall system of stainless steel ropes / mesh fixed to the wall.
7. 1.8m high vertical timber fence
8. Cast stone coping
9. Vertical standing seam metal cladding. Colour: Dark grey
10. Red brick corbeled banding
11. Existing vertical timber fence
12. Red brick corbel
13. Projecting oriel window with opaque glass to front (hatched) and clear, openable windows to side. Triple glazed, aluminium framed, colour dark grey.
14. Aluminium hopper and downpipes. Colour: Dark Grey
15. White render
16. Churchlands Road Elevation: Red brick to ground floor, coloured render banding with white render above. Proposed location for artwork to render.
17. Red pantile roof



Elevation D - Upper section clad in standing seam metal	14/09/2022	P5
REVISION SUMMARY	DATE	REVISION



Block A staircase amended, windows added	14/09/2022	P7
REVISION SUMMARY	DATE	REVISION



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Project number 2060
Project 155-165 West Street,
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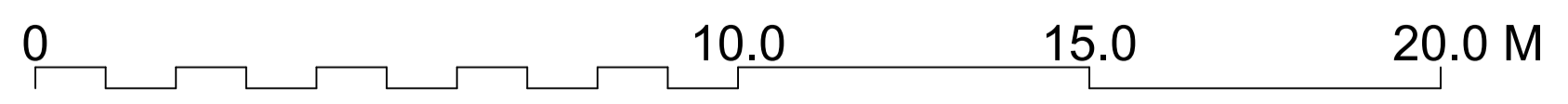
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Drawing Title
Proposed Ground Floor Plan

Drawn by **MP**
Date
Jan 2021

Scale **1:100@A1**
Drawing number **114**

Revision
P7



Block A staircase amended, windows added	14/09/2022	P6
REVISION SUMMARY	DATE	REVISION



First Floor, 43-45 Park Street
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Project number
2060

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155-165 West Street,
BS3 3PN

Status
PLANNING

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Drawing Title
Proposed First Floor Plan

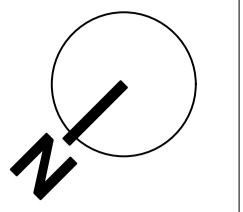
Drawn by
MP

Date
Jan 2021

Scale
1:100@A1

Drawing number
115

Revision
P6



Block A staircase amended, windows added	14/09/2022	P6
REVISION SUMMARY	DATE	REVISION



First Floor, 43-45 Park Street
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Project number 2060
 Project 155-165 West Street,
 BS3 3PN

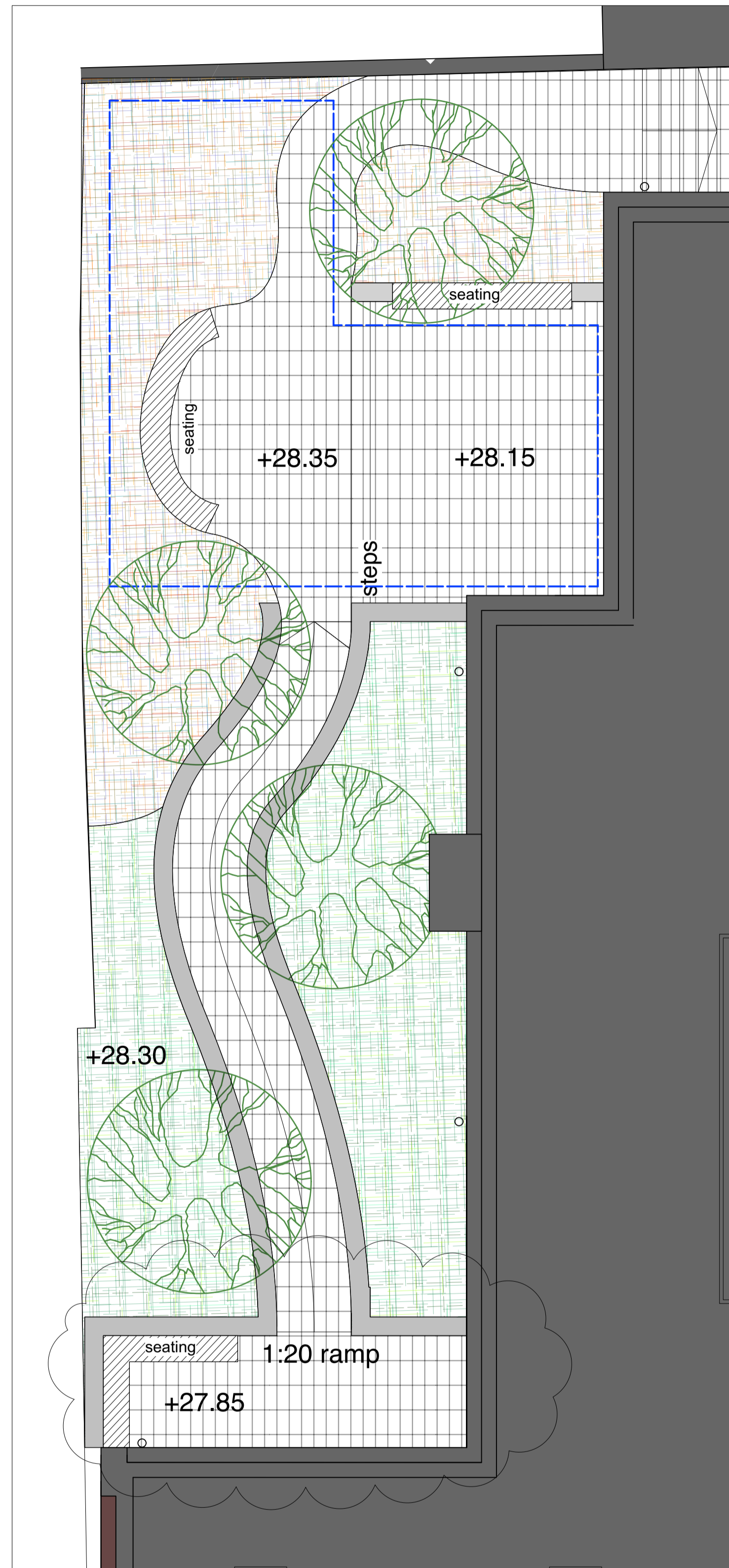
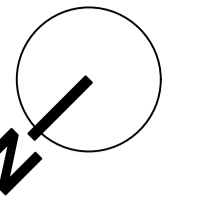
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Drawing Title
Proposed Second Floor Plan


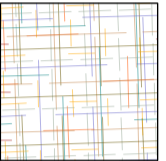
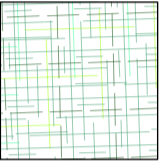
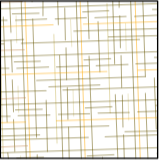
Drawn by
MP
 Date
Jan 2021

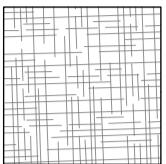
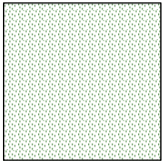
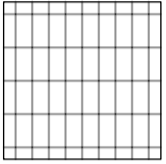
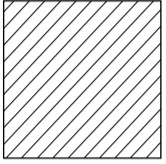
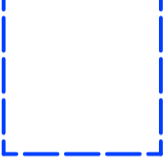
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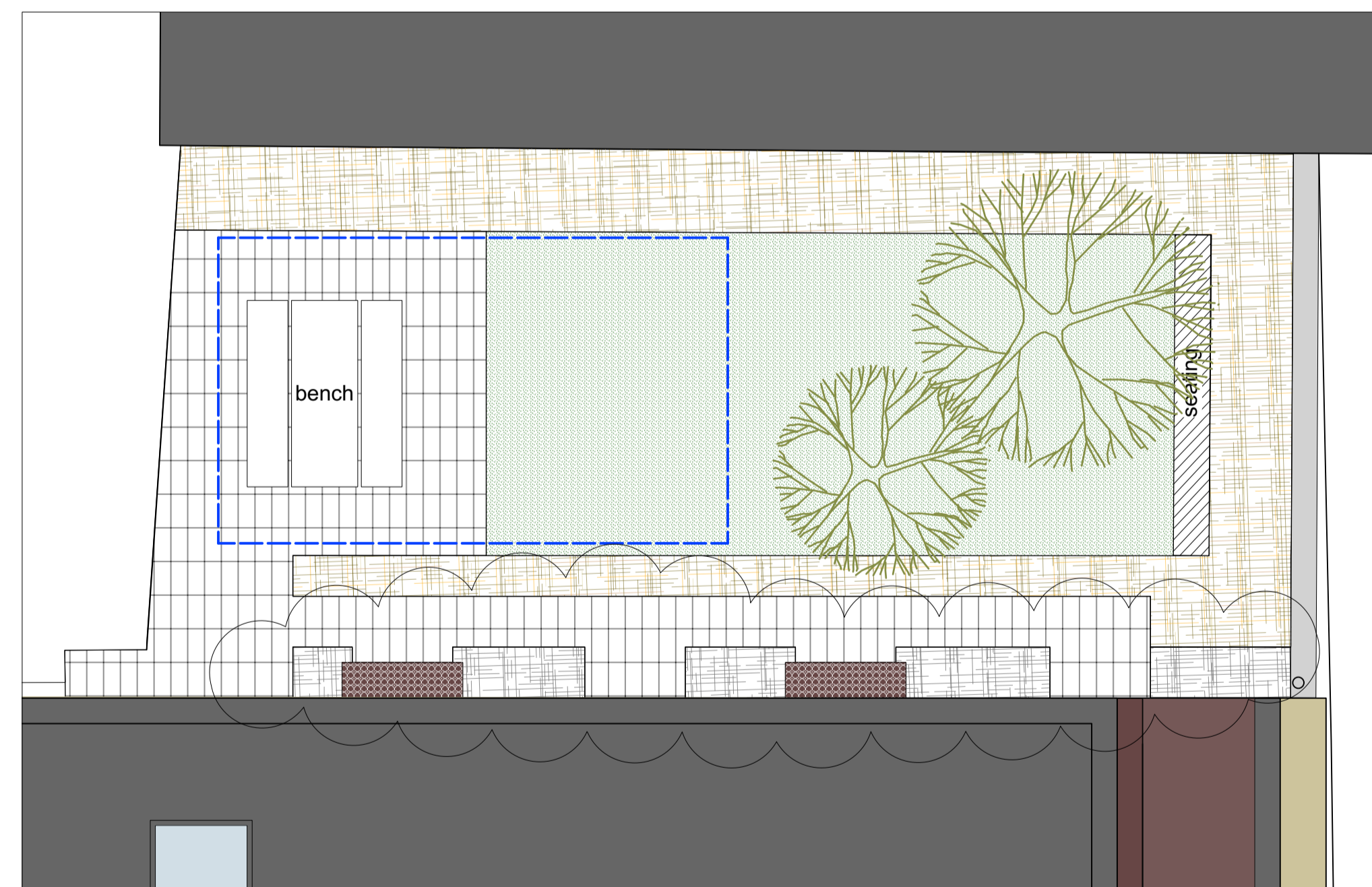
Revision
P6



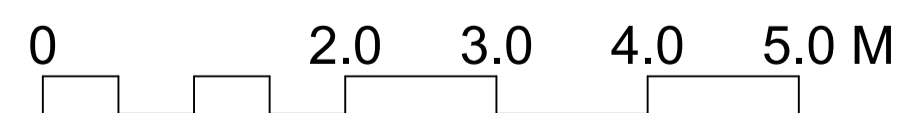
BLOCK A GARDEN

-  Proposed Acer Trees: 2 no. Acer Palmatum 'Sazanami', 2 no. Acer Griseum.
-  Proposed Amelanchier Trees: 1 no. Amelanchier alnifolia 'Northline', 1 no. Amelanchier 'Obelisk'.
-  Grasses border mix: Hakonechloa macra 'Aureola', Hakonechloa macra 'Nicholas', Carex oshimensis 'Evergold', Liriope muscari
-  Fern border mix: Asplenium scolopendrium, Athyrium niponicum var. pictum, Polygonatum odoratum 'Variegatum', Liriope muscari
-  Border mix: Ophiopogon planiscapus 'Nigrescens', Cornus alba 'sibirica', Erica carnea 'Myretoun Ruby'.

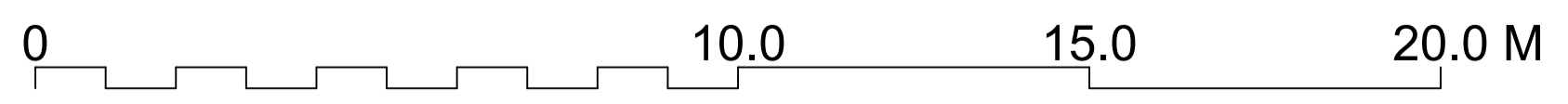
-  Climbers planted adjacent to building: Trachelospermum Jasminoides. To be supported by a Jakob Green Wall system of stainless steel ropes / mesh fixed to the wall.
-  Proposed turfed area
-  Permeable brick pavers laid in a jack-on-jack brick pattern with edging. Colour: Charcoal grey.
-  Integrated timber bench onto low level retaining wall or garden border
-  Cellular storage crates for drainage. Refer to Drainage Strategy Report prepared by Build Collective.



BLOCK B GARDEN



Climbers added. Additional garden seating added. Garden made accessible for wheelchair users.	02/09/2022	P2
REVISION SUMMARY	DATE	REVISION



Rooflight positions adjusted to reflect Block A staircase amendments	14/09/2022	P6
REVISION SUMMARY	DATE	REVISION



First Floor, 43-45 Park Street
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 0117 248 2688

Project number
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Project
 155-165 West Street,
 BS3 3PN

Status
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Drawing Title
Proposed Site and Roof Plan

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Date
 Jan 2021

Scale
 1:100@A1

Drawing number
111

Revision
P6