

# Development Control A Committee

## Agenda – Annual Meeting



**Date:** Wednesday, 31 May 2023

**Time:** 2.00 pm

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

Members of the public attending meetings or taking part in Public Forum are advised that all Development Control meetings are filmed for live or subsequent broadcast via the council's webcasting pages. The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years.

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, Fi Hance, Tom Hathway, Philippa Hulme, Farah Hussain, Chris Jackson, Ed Plowden and Andrew Varney

**Copies to:** Matthew Cockburn, Philippa Howson, Stephen Peacock (Chief Executive), John Smith (Executive Director: Growth & Regeneration), Jonathan Dymond and Peter Westbury

**Issued by:** Jeremy Livitt, Democratic Services  
City Hall, PO Box 3399, Bristol, BS1 9NE  
E-mail: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

**Date:** Monday, 22 May 2023



# Agenda

## 1. Welcome, Introductions and Safety Information

(Pages 6 - 9)

## 2. Confirmation of Chair

To note that Councillor Richard Eddy has been confirmed by 9<sup>th</sup> May 2023 Full Council AGM to act as Chair for the Development Control A Committee for 2023/24 Municipal Year.

## 3. Confirmation of Vice-Chair

To note that Councillor Philippa Hulme was confirmed by Full Council Annual General Meeting on Tuesday 9<sup>th</sup> May 2023 as Vice-Chair for DCA Committee for 2023/24 Municipal Year.

## 4. Membership of Committee

To note the following membership of Development Control A Committee for 2023/24 Municipal Year:

Councillor Richard Eddy (Chair)  
Councillor Philippa Hulme (Vice-Chair)  
Councillor Sarah Classick  
Councillor John Geater  
Councillor Fi Hance  
Councillor Tom Hathway  
Councillor Chris Jackson  
Councillor Steve Pearce  
Councillor Ed Plowden

## 5. Terms of Reference

The Committee is requested to note its Terms of Reference as agreed by Full Council AGM on Tuesday 9<sup>th</sup> May 2023.

(Pages 10 - 12)



## **6. Proposed Dates of Future Meetings**

The Committee is requested to consider the proposed dates for meetings for the remainder of the 2023/24 Municipal Year as follows:

(all on Wednesdays and alternating between 2pm and 6pm as by established convention):

2pm on 31<sup>st</sup> May 2023 – Annual Meeting

6pm on 28<sup>th</sup> June 2023

2pm 9<sup>th</sup> August 2023

6pm 20<sup>th</sup> September 2023

2pm 1<sup>st</sup> November 2023

6pm 13<sup>th</sup> December 2023

2pm 24<sup>th</sup> January 2024

6pm 6<sup>th</sup> March 2024

2pm 24<sup>th</sup> April 2024

## **7. Apologies for Absence and Substitutions**

## **8. 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.

## **9. Minutes of the previous meeting held on 26th April 2023**

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

**(Pages 13 - 20)**

## **10. Action Sheet**

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

**(Page 21)**

## **11. Appeals**

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

**(Pages 22 - 29)**

## **12. Enforcement**

To note recent enforcement notices.

**(Page 30)**



### 13. 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](mailto: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 5pm on Wednesday 24<sup>th</sup> May 2023.**

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 Noon on Tuesday 30<sup>th</sup> May 2023.**

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

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.

### 14. Planning and Development

To consider the following Planning Applications:

**(Page 31)**

- a) **22/03476/F - The Vassal Centre, Gill Avenue, Fishponds** **(Pages 32 - 78)**
- b) **22/03924/P - Broadwalk Shopping Centre** **(Pages 79 - 159)**
- c) **22/01221/F - St Christopher's School, Westbury Park, Bristol BS6 7JE** **(Pages 160 - 235)**

### 15. Date of Next Meeting

Subject to the Committee's decision under Agenda Item 6, the next meeting is scheduled to be held at 6pm on Wednesday 28<sup>th</sup> June 2023 in the Council Chamber, College Green, Bristol.







# 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](http://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 (June 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 (June 2022)

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

- are required to self-isolate from another country
- 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](mailto: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>

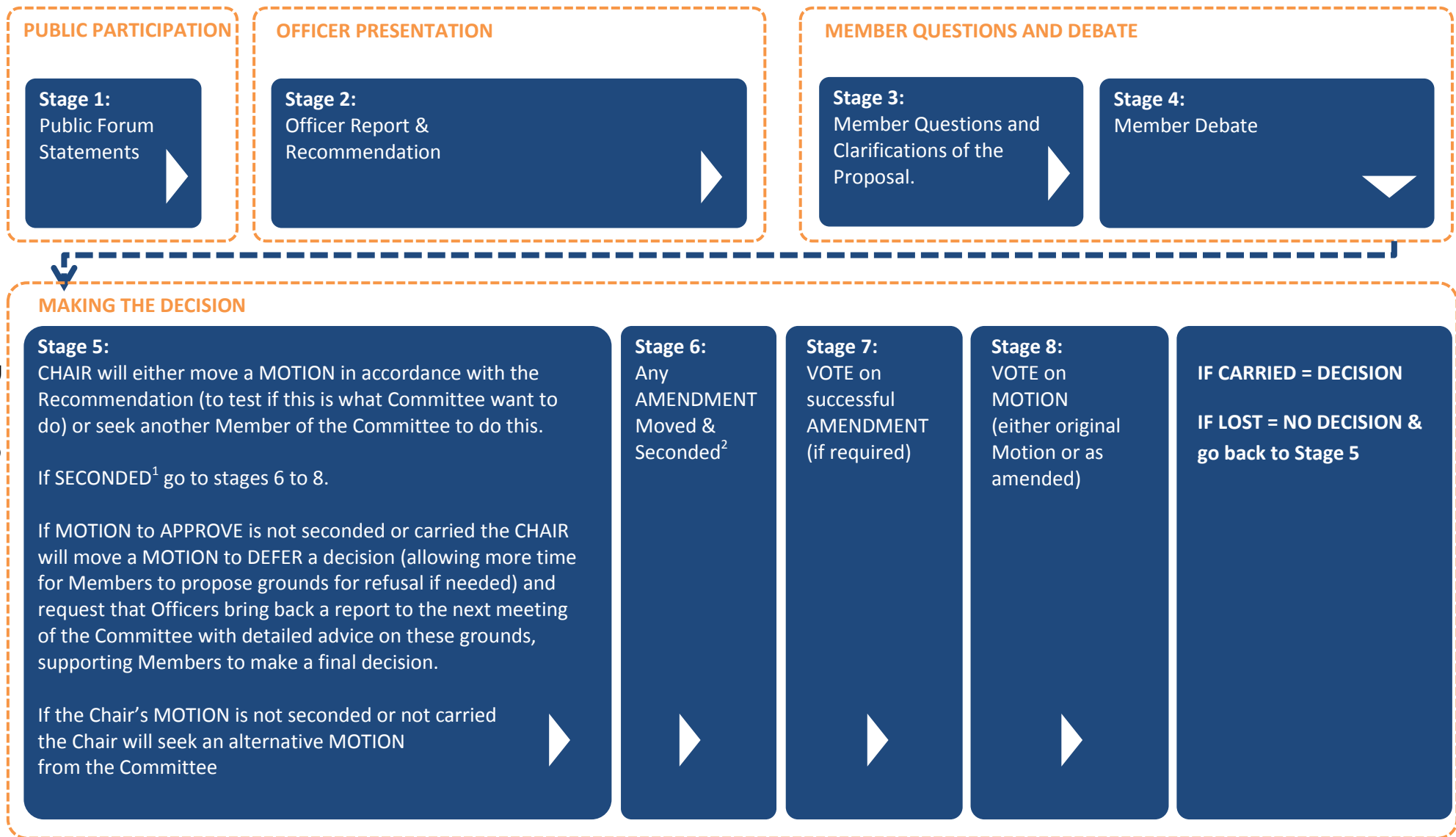
### Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items). 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.

The privacy notice for Democratic Services can be viewed at [www.bristol.gov.uk/about-our-website/privacy-and-processing-notices-for-resource-services](http://www.bristol.gov.uk/about-our-website/privacy-and-processing-notices-for-resource-services)



# Development Control Committee Debate and Decision Process



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

<sup>2</sup> 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



## **DEVELOPMENT CONTROL COMMITTEES**

### **Terms of Reference - Arrangements**

There are two Development Control Committees:

- Development Control Committee “A”
- Development Control Committee “B”

Each Development Control Committee shall have full authority to deal with all development control matters reserved to a Development Control Committee by virtue of this consultation.

### **Functions**

Full Council has delegated to the Development Control Committees all functions relating to town and country planning and development control as specified in Regulation 2 and Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) under the following provisions and any related secondary legislation:

1. Power to determine applications for planning permission (section 70(1) (a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8)).
2. Power to determine applications to develop land without compliance with conditions previously attached (section 73 of the Town and Country Planning Act 1990).
3. Power to grant planning permission for development already carried out (section 73(A) of the Town and Country Planning Act 1990).
4. Power to decline to determine application for planning permission (section 70A of the Town and Country Planning Act 1990).
5. Duties relating to the making of determinations of planning applications (Sections 69, 76 and 92) of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure Order 1995) (S.I. 1995/419 and directions made thereunder).
6. Power to determine application for planning permission made by a local authority, alone, or jointly with another person June (section 316 of the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)).
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights (Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995).
8. Power to enter into agreement regulating development or use of land (Section 106 of the Town and Country Planning Act 1990).
9. Power to issue a certificate of existing or proposed lawful use or development (Section 191(4) and 192(2) of the Town and Country Planning Act 1990).

10. Power to serve a completion notice (Section 94(2) of the Town and Country Planning Act 1990).
11. Power to grant consent for the display of advertisements (Section 220 of the Town and Country Planning (Control of Advertisements) Regulations 1992).
12. Power to authorize entry onto land (Section 196A of the Town and Country Planning Act 1990).
13. Power to require the discontinuance of a use of land (Section 102 of the Town and Country Planning Act 1990).
14. Power to serve a planning contravention notice, breach of condition notice or stop notice (Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990).
15. Power to issue a temporary stop notice (Section 171E of the Town and Country Planning Act 1990).
16. Power to issue an enforcement notice (Section 172 of the Town and Country Planning Act 1990).
17. Power to apply for an injunction restraining a breach of planning control (Section 18 7B of the Town and Country Planning Act 1990).
18. Power to determine applications for hazardous substances consent and related powers (Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10)).
19. Duty to determine conditions of which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites or mineral permissions relating to mining sites, as the case may be, are to be subject (paragraph 2(6) (a) of Schedule 2 of the Planning and Compensation Act 1991, paragraph 9(6) of the Schedule 13 of the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act).
20. Power to require proper maintenance of land (section 215(1) of the Town and Country Planning Act 1990).
21. Power to determine application for listed building consent and related powers (sections 16(1) and (2), 17 and 33(1) of the June 2021 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9).
22. Power to issue Certificate of Lawful Works to listed buildings The Planning (Listed Buildings and Conservation Areas) Act 1990: sections 26H and 26I, as inserted by section 61 of the Enterprise and Regulatory Reform Act 2013. The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014
23. Duties relating to applications for listed building consent and Certificates of Lawful Works and conservation area consent (sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regs 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 S.I. 1990/1519) and paragraphs 8, 15 and 26 of the Department of Environmental, Transport and the Regions circular 01/01).
24. Power to serve a building preservation notice and related powers (sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.
25. Power to issue enforcement notice in relation to demolition of listed building in conservation area (section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

26. Powers to acquire a listed building in need of repair and to serve a repairs notice (section 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
27. Power to apply for an injunction in relation to a listed building (section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990).
28. Power to execute urgent works to unoccupied listed buildings (section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990).
29. Power to authorize stopping up or diversion of highway (section 247 of the Town and Country Planning Act 1990).
30. Power to authorise stopping-up or diversion of footpath, bridleway or restricted byway (section 257 of the Town and Country Planning Act 1990).
31. Power to extinguish public rights of way over land held for planning purposes (Section 258 of the Town and Country Planning Act 1990).
32. Powers relating to the protection of important hedgerows (the Hedgerows Regulations 1997 (S.I. 1997/1160)).
33. Powers relating to the preservation of trees (sections 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1990 (S.I. 1999/1892)).
34. Powers relating to complaints about high hedges (Part 8 of the Anti-Social Behaviour Act 2003).
35. Power to include modifications in other orders (Section 53A of the Wildlife and Countryside Act 1981).
36. Power to revoke or modify planning permission (Section 97 Town and Country Planning Act 1990).
37. Duty to enter land in Part 2 of the brownfield land register (Regulation 3 of the Town and Country Planning (Brownfield Land Register) Regulations 2017).
38. The making of Local Development Orders under Article 5 of the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006.
39. Power to exercise functions relating to Nationally Significant Infrastructure Projects and Development Consent Orders as contained in the Planning Act 2008.

#### **Code of Conduct**

The committee must follow the Council's Code of Conduct for Councillors and Officers dealing with development control and other appropriate planning.



## Public Document Pack

### Bristol City Council Minutes of the Development Control A Committee



26 April 2023 at 2pm

#### **Members Present:-**

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

**Officers in Attendance:-** Gary Collins – Head of Development Management, Allison Taylor – Democratic Services

#### **1. Welcome, Introductions and Safety Information**

All parties were welcomed to the meeting.

#### **2. Apologies for Absence and Substitutions.**

There were no apologies.

#### **3. Declarations of Interest.**

Councillor Varney declared that he was an employee of Clifton College. He had not pre-determined the application and he had no pecuniary interest.

Councillor Hance declared that she, along with the other Green members of the Committee, had attended a briefing with residents. She had not pre-determined the application.

#### **4. Minutes of the previous meeting held on 21 December 2022.**

**Resolved – These minutes were agreed as a correct record of the meeting.**

#### **5. Appeals**



Officers explained the process under which appeals operated and were brought to Development Control Committee meetings for information. In response to questions the Head of Development Management made the following comments:-

1. Brislington Meadows – DC B Committee had been briefed on this appeal. The appeal was for non-determination and an inquiry was held and the decision was to allow the appeal for outline planning consent for 260 dwellings. Weight was given to the allocated adopted Local Plan and that there was not a 5-year housing supply against the harms of the proposal. An expert witness had attended regarding the loss of hedgerows and trees and the Inspector agreed that the trees were not veteran trees;
2. It was noted that the Secretary of State had consulted Local Authorities regarding a relaxation of the 5-year housing supply and had received significant numbers of responses. The 5-year housing supply currently still applied;
3. He confirmed that there had been increase in non-determination appeals in the last 2/3 years and this had spiked recently. The Planning Authority was still able to make a case but in an accelerated way. The backlog was being tackled but there had been a resources and processing issue. Councillor Eddy pointed out that there had been 2 cancelled Committees which would add to delays in the system;
4. The former Wyevale Garden Centre was a high priority and the timeframe would be reported back to the next Committee under the Action Sheet;
5. Councillor Eddy stressed the importance of listening to Officer advice when determining applications, especially defensible grounds for Refusal.

## **6. Enforcement.**

The Head of Development Management reported that there had been an increase in formal notices being served which was a positive sign. It was noted that the national fees regulations were subject to consultation and he hoped that the retrospective planning work was factored into future fees.

## **7. 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.

Councillor Eddy emphasized that Public Forum was limited to 30 minutes and one minute per speaker so it was important that speakers focused on material planning considerations in that limited time.

### **Supplementary Questions.**

David Redgewell – What level of green travel plan is attached to this application?

Officer Response - A travel plan was part of the recommendation.

Andrew Paten – What information was given to the public about the zoo being listed as a Community Asset?

Officer Response – The Officer's original response in the Public Forum Bundle was read out.



Iain Boyd – Had Member Briefings always been informal?

Officer Response – Yes. Members were invited to briefings for major applications with the applicant outlining the application to them. There was no pre-determination and Officers were present and would step in if such comments were made.

## 8. Planning and Development

The Committee considered the following applications below.

### a. Planning Application Numbers 22/02737/F & 22/02889/LA - Bristol Zoo Gardens Guthrie Road Bristol .

The Case Officer summarized the key aspects of the application for the benefit of the Committee and the following points were made from questions and clarifications:-

1. In reference to transport and road safety at the Northcote Road elevation it was stated that Transport Development Management had worked carefully with the applicant since last year and had agreed to extend the Section 278 Agreement and any extra works required by road safety had been included in the agreement. There would be an independent road safety audit during the whole of the project and any extra measures required as a result of it would be agreed. The Travel Plan contributions would focus on road safety and the exact details were dependent on the audit though safety of children and residents would be very important;
2. Angled and obscured windows as well as acceptable distances would ensure safeguarding for Clifton College. The Committee were shown images to demonstrate this;
3. The Committee's Legal Advisor assured the Committee that the S106 Agreement was entirely capable of securing public access to the gardens as it was a statutory measure and such an obligation was enforceable by the courts. Any breach would bring about proceedings;
4. Officers had reached a decision along with the Nature Conservation Officer and in line with guidance that it was disproportionate to ask the applicant to change the metric for biodiversity from the 3.0 metric part way through the application process despite their being 2 updates in April 2022 and March 2023. The Head of Development Management was unable to define the metric of 4.0 as it was an extremely complicated assessment other than to state that it was a different method of calculating future biodiversity net gain;
5. Officers had negotiated greater public access to the gardens but it was not possible to provide 24-hour access because of the concerns of ASB between the homes and open spaces;
6. In response to a question concerning the change of use of the site the Head of Development Management stated that the Committee was being asked to weigh up if the quantum of the development was acceptable. Officers had assessed the viability and believed that it did add up. He noted the special policy that existed for pub closures but that was linked other pubs in the area. A zoo was very specialist and limited in



numbers and no other zoo operator had come forward to express an interest in taking on the zoo site. He added that he had not seen the KPMG with alternative options and noted that alternative options for development were not material, however they were in this case due to the unique nature of a zoo. There had been 2 pre-applications for the site but they had not come forward as full planning applications. Officers advice was based on those facts and the reasonable timescale when no alternative proposal had come forward;

7. Historic England's judgement was not definitive but as a statutory consultee on heritage matters significant weight should be given to their opinions though officers were not bound to align with their assessments;
8. In response to question as to whether a management company was the best body to uphold access and whether a charity could do this best the Committee's Legal Advisor stated that a management company was a recognized approach and the prior approval of a management company was a required aspect of a S106 Agreement. Financial guarantees could be built into a S106 if the company's finances were insufficiently robust. It was standard procedure for the LA to require a certain level of financial background from day one;
9. In response to a question concerning the gates being unwelcoming it was noted that it was possible to secure details of signage and that animal motifs would be a design detail to welcome visitors. He added that there needed to be a balance between welcoming visitors and acknowledging the residential aspect of the site;
10. The heritage benefits were taken into account when assessing the application and were given weight;
11. Distances between nearby buildings should be assessed on a case-by-case basis and not on a held distance;
12. Image S1 showed the worst shadowing impact. The daylight assessment showed a medium adverse impact but officers accepted the justification that the building was not a house or a dormitory. There was a reduction of daylight in Northcote Road but there were justifications for that and it was for the Committee to consider if this was acceptable or not;
13. The framework for the Management Plan would set out how the public access and opening & closing of the gates would be managed;
14. Regarding design, the first question for officers was whether it conformed to the Development Plan and its negatives would have to significantly outweigh its benefits. It was a planning judgement call for officers and for the Committee;
15. It was difficult to state what the bio net gain was in respect of urban trees without the assessments. 10% was the legal target;
16. It was confirmed that if 20% affordable housing was not signed up to by the applicant the decision would be required to come before the Committee again.
17. The need for social housing was a citywide issue and set out in the Local Plan with outer areas requiring 30% and central 40% but was reviewed down some years ago to 20% on basis of at pace delivery.

The following points arose from debate:-

1. Councillor Eddy stated that Bristol Zoo Gardens had been at the heart of Bristol life for 186 years and had been a flagship for education, conservation, tourism and leisure. He acknowledged Bristol Zoological Society's need to align with 21<sup>st</sup> century standards for



animal welfare and that relocating to an appropriately sized site and seeking to utilize the vacated site would achieve this. The application was a significant investment. He accepted the housing use as part of the application and that it would be policy compliant with 20% affordable housing and was lower in density than elsewhere in Clifton. 80% of the site would be for communal use as an open space and would be difficult to find from any other applicant on a redevelopment. He welcomed over 36% biodiversity net gain which was four times what was originally planned. The 470 trees that would be replanted went beyond Bristol's tree standard. He accepted the gated entry. The application was well designed with not excessive scale and massing on the elevation of the Downs side. He would be voting for approval and wished the zoo well for its positive investment;

2. Councillor Hance did not accept aspects of the application namely the management of the public space, the scale and massing which was excessive and made for an indiscreet development, unacceptable design and insufficient level of affordable housing;
3. Councillor Goggin accepted the gated arrangement and the free access in perpetuity as many of the buildings were being retained and restored. He was content with the biodiversity metric retained throughout the course of the application. He also supported the housing which would sit in a beautiful environment, there would be less traffic, the use of air source heat pumps, the provision of toilets and 470 new trees. He would vote for approval;
4. Councillor Plowden commended the free access to the gardens and noted that the applicant had worked hard to embed its principles and values into the application. However, the site was not an allocated site for housing which brought different funding mechanisms and the application did not protect or enhance the heritage of the site. The best value paper failed to address environmental, social and moral aspects of the application. He urged the Committee to refuse the application;
5. Councillor Hathway stated that the application was not acceptable as it failed to use the new biodiversity metric and so he would vote for refusal;
6. Councillor Geater acknowledged the overbearing design and the older biodiversity metric being used but noted all the benefits as listed by Councillor Goggin so he would vote for approval;
7. Councillor Varney acknowledged that attitudes to animal welfare had changed and the numbers visiting the zoo had declined. He was concerned about the scale and massing and the vehicles on site and as a conservation charity carbon neutral housing would have been appropriate. However, on balance he believed the benefits outweighed the harms and he would vote for approval;
8. Councillor Hulme accepted the need for housing in Bristol and that English Heritage had found there was less than substantial harm. She recognized there was a difficult balancing act but would vote for approval;
9. Councillor Hussain accepted the biodiversity metric being retained through the life of the application. She was content with the public access and the S278 and S106 agreements being embedded into the consent and would vote for approval.

There were no further comments and Councillor Eddy moved the officer recommendation in relation to PA No. 22/02737/F and this was seconded by Councillor Goggin. On being put to the vote it was:-

**RESOLVED (6 for, 3 against) That the application be granted subject to a Planning Agreement.**



Councillor Eddy moved the officer recommendation in relation to PA No. 22/02889/LA and this was seconded by Councillor Goggin and on being put to the vote it was:-

**RESOLVED – (6 for, 3 against) That listed building consent be granted subject to Condition(s).**

#### **14. Date of Next Meeting**

31 May 2023 at 2pm

The meeting ended at 4.40pm.

Councillor Eddy took the opportunity to thank the Planning Case Officer for his hard work as he would leave BCC the following day. He wished him well for the future and this was echoed by the Committee.

Councillor Eddy also noted that Councillor Goggin would be leaving the Committee in order to fulfil the role of Lord Mayor and he thanked him for his service on the Committee and this was echoed by the Committee.

Finally, Councillor Eddy stated that Gary Collins, Head of Development Management, who had been in post for 16 years would be leaving BCC. He personally thanked him for all his skills and hard work keeping Committees' on the straight and narrow and wished him well for the future and this was echoed by the Committee.

**CHAIR** \_\_\_\_\_









## Action Sheet – Development Control Committee A

Date of Meeting	Item/report	Action	Responsible officer(s)/Councillor	Action taken / progress
21/12/22	Enforcement	Annual benchmarking report to DC comparing performance with other core cities would be useful. This was agreed.	Head of DM	Report to come to Committee in 2023/24 Municipal Year
Former Wyevale Garden Centre Application	Appeals	To provide timeline for determination	Head of DM	Officers to report progress at 31 <sup>st</sup> May 2023 Meeting

## DEVELOPMENT CONTROL COMMITTEE A

31 May 2023

### REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

#### LIST OF CURRENT APPEALS

##### Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Ashley	The Cottage 28 Ashfield Place Bristol BS6 5BF Retention of enclosed roof terrace. Appeal against refusal Delegated decision	16/02/2023
2	Southmead	37 Ullswater Road Bristol BS10 6DH Single storey rear extension and enlarge the existing garden annex building to use as storage, office and WC space. Appeal against refusal Delegated decision	19/04/2023
3	Clifton	21 Constitution Hill Bristol BS8 1DG Mansard roof extension. Appeal against refusal Delegated decision	25/04/2023
4	Hengrove & Whitchurch Park	127 East Dundry Road Bristol BS14 0LP Two storey rear and single storey side extension. Appeal against non-determination	15/05/2023

##### Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
5	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	19/04/2023

## Written representation

Item	Ward	Address, description and appeal type	Date lodged
6	Brislington West	Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD Enforcement notice appeal for hardstanding. (C/22/3306445). Appeal against an enforcement notice	04/10/2022
7	Brislington West	Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD Enforcement notice appeal for builders yard. (C/22/3306441). Appeal against an enforcement notice	04/10/2022
8	Brislington West	Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD Enforcement notice appeal for bunds & portable buildings. (C/22/3306446). Appeal against an enforcement notice	04/10/2022
9	Brislington West	Wyevale Garden Centre Plc Bath Road Brislington Bristol BS31 2AD Enforcement notice appeal for plant equipment. (C/22/3306444). Appeal against an enforcement notice	04/10/2022
10	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
11	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
12	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

13	Hillfields	11 The Greenway Bristol BS16 4EZ Erection of two storey, 2 bed detached dwellinghouse, with landscaping and parking. Appeal against non-determination	14/12/2022
14	Cotham	71 Arley Hill Bristol BS6 5PJ Enforcement notice appeal for change of use of the building to large HMO with 8 bedrooms. Appeal against an enforcement notice	15/12/2022
15	Cotham	71 Arley Hill Bristol BS6 5PJ Change of use of the upper floors residential unit from small 6 bedroom HMO C4 to large HMO (Sui Generis Use) for 8 bedrooms (Retrospective). Appeal against refusal Delegated decision	15/12/2022
16	Southville	20 Mount Pleasant Terrace Bristol BS3 1LF Enforcement notice appeal for change of use to HMO (C4) without planning permission. Appeal against an enforcement notice	01/02/2023
17	Bishopsworth	71 Dangerfield Avenue Bristol BS13 8DX Proposed new dwelling to side. Appeal against refusal Delegated decision	01/02/2023
18	Redland	186 Redland Road Bristol BS6 6YH Retention of stainless steel/glass balustrade, at roof level. Appeal against refusal Delegated decision	03/03/2023
19	Redland	186 Redland Road Bristol BS6 6YH Enforcement notice appeal for an installation of stainless steel/glass balustrade at roof level to form roof terrace without planning permission. Appeal against an enforcement notice	03/03/2023
20	Bedminster	149 West Street Bedminster Bristol BS3 3PN Part change of use from an office to a C3 dwelling unit. Appeal against refusal Delegated decision	31/03/2023

21	Central	2 Clare Street City Centre Bristol BS1 1XR Temporary Static, Illuminated Shroud Advertisement. Appeal against non-determination	04/04/2023
22	Ashley	Dainton Self Storage New Gatton Road Bristol BS2 9SH Proposed 1no. internally illuminated display signboard. Appeal against refusal Delegated decision	04/04/2023
23	Hotwells & Harbourside	2 - 10 Hanover Place Bristol BS1 6XT Window replacement works (all new windows to be uvpc). Appeal against refusal Delegated decision	06/04/2023
24	Westbury-on-Trym & Henleaze	29 Hobhouse Close Bristol BS9 4LZ Retrospective application for retention of dwelling. Appeal against non-determination Committee	06/04/2023
25	Southmead	345 Southmead Road Bristol BS10 5LW Erect 2 bed dwelling. Appeal against refusal Delegated decision	11/04/2023
26	St George Central	20 Grantham Road Bristol BS15 1JR Conversion and extension of existing garage to rear garden to provide additional living accommodation associated to the main dwelling. Appeal against refusal Delegated decision	13/04/2023
27	Hengrove & Whitchurch Park	Bamfield Streetworks Bamfield Bristol BS14 0XD Application to determine if prior approval is required for a proposed telecommunications installation: Proposed 15.0m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	13/04/2023
28	Knowle	318 Wells Road Knowle Bristol BS4 2QG Proposed kitchen extraction from A3 Unit below. Appeal against refusal Delegated decision	13/04/2023

29	Southville	9 Carrington Road Bristol BS3 2AQ Proposed change of use from a single Dwelling House (Use Class C3) to a Small Six-Bedroom House of Multiple Occupation (HMO) (use Class C4). Appeal against refusal Delegated decision	18/04/2023
30	Westbury-on-Trym & Henleaze	Grass Verge Of Passage Road Junction With Greystoke Avenue Westbury Bristol BS9 3HR Application to determine if prior approval is required for a proposed upgrade of the existing installation, involving the installation of a 20 metre high monopole supporting antennas with a wraparound equipment cabinet at the base, the installation of 3 no. additional equipment cabinets, the removal of the existing 11.5 metre high monopole supporting antennas, the removal of 1 no. existing cabinet, and ancillary development thereto. Appeal against refusal Delegated decision	18/04/2023
31	St George Troopers Hill	St Aidans Church Fir Tree Lane Bristol BS5 8TZ The removal of 3 No. antennas and the upgrade of 3 No. antennas, the installation of 1 No. GPS node and associated ancillary development thereto. Appeal against refusal Delegated decision	19/04/2023
32	Easton	1B & 1C Woodbine Road Bristol BS5 9AJ Change of use from 2 dwelling houses (C3a) to 2 small HMO for up to 6 people (C4). Appeal against non-determination	20/04/2023
33	Stoke Bishop	Telecoms Equipment Edge Of Green Shirehampton Road Sea Mills Bristol BS9 2EQ Application to determine if prior approval is required for a proposed telecommunications installation: Proposed 15.0m Phase 9 slimline Monopole and associated ancillary works. Appeal against refusal Delegated decision	21/04/2023
34	Stoke Bishop	The Helios Trust 17 Stoke Hill Bristol BS9 1JN Change of use from doctors surgery to specialist educational needs school for children and therapy centre, and land to residential garden adjacent 19a Pitch and Pay Lane. Appeal against non-determination	21/04/2023

35	Knowle	Land At Junction With Redcatch Road St Agnes Avenue Bristol BS4 2HQ Erection of dwelling (Renewal of planning permission granted on appeal ref APP/Z0116/W/18/3196399 - BCC 16/06418/F) - self build. Appeal against refusal Delegated decision	04/05/2023
36	Knowle	100 Redcatch Road Bristol BS4 2HQ Demolition and re-positioning of curtilage listed stone wall with brick capping. Appeal against refusal Delegated decision	04/05/2023
37	Ashley	6 Sussex Place Bristol BS2 9QW Conversion of this single dwelling into two flats and a maisonette, including provision of bin/cycle storage facilities and associated external alterations. Appeal against non-determination	10/05/2023
38	Knowle	100 Redcatch Road Bristol BS4 2HQ Erection of dwelling (Renewal of planning permission granted on appeal ref APP/Z0116/W/18/3196399 - BCC 16/06418/F) - self build. Appeal against non-determination	16/05/2023
39	Knowle	100 Redcatch Road Bristol BS4 2HQ Demolition and re-building of curtilage listed stone wall with brick capping in the same position as the existing wall. Appeal against non-determination	16/05/2023
40	Clifton Down	Redland Filling Station Hampton Road Bristol BS6 6JA Installation of vehicle charging points and associated electrical infrastructure and associated works. (Retrospective) Appeal against refusal Delegated decision	16/05/2023
41	Bishopston & Ashley Down	387 Gloucester Road Horfield Bristol BS7 8TS The retention of an Automated Teller Machine and associated signage. Appeal against refusal Delegated decision	16/05/2023

42	Cotham	Garage To Rear Of 3 Clyde Park Bristol BS6 6RR Demolition of garage and erection of dwellinghouse (Use Class C3). Appeal against non-determination	18/05/2023
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### List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
43	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	Appeal dismissed 11/05/2023
44	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	Appeal dismissed 09/05/2023  Costs not awarded
45	Bishopsworth	Land To Rear Of 44 & 46 Wrington Crescent Bristol BS13 7EP Construction of 2no. three bedroom semi-detached dwellings. Appeal against non-determination	Appeal dismissed  03/05/2023 Costs awarded
46	Lockleaze	357 Filton Avenue Bristol BS7 0BD Change of use of existing office (Use Class E) to takeaway (Use Class Sui generis) with the addition of a new extract flue. Demolition of buildings to the rear and the construction of one new building housing 3.no flats over three storeys and associated amenity space, bin and cycle storage. Appeal against refusal Delegated decision	Appeal dismissed 19/04/2023
47	Westbury-on-Trym & Henleaze	65 Henleaze Road Bristol BS9 4JT Change of use of existing ground floor rear storage area to shop unit into 2 bedroomed HMO. Addition of first floor over rear storage area to form 1 bedroomed flat. Appeal against refusal Delegated decision	Appeal dismissed 03/05/2023



48	Lockleaze	22 Elmcroft Crescent Bristol BS7 9NF Single storey rear extension. Appeal against refusal Delegated decision	Appeal dismissed 20/04/2023
49	Clifton Down	All Saints Court All Saints Road Bristol BS8 2JE Erection of an additional floor, creating two additional flats. Appeal against refusal Delegated decision	Appeal allowed 10/05/2023
50	Avonmouth & Lawrence Weston	Land At Rear Of 2 Woodwell Cottages Woodwell Road Bristol BS11 9UP Revised application for planning permission for the erection of residential dwellings, access road, refuse/ recycling stores, cycle parking and ancillary development (Use Class C3). Appeal against non-determination Delegated decision	Appeal allowed  10/05/2023
51	Southville	Outside 291 North Street Bedminster Bristol BS3 1JP Application to determine if prior approval is required for a proposed development by or on behalf of an electronic communications code operator - Proposed 5G 15m telecoms installation: H3G street pole and additional equipment cabinets. Appeal against refusal Delegated decision	Appeal dismissed 04/05/2023

**DEVELOPMENT CONTROL COMMITTEE A**  
**31 May 2023**

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE  
LIST OF ENFORCEMENT NOTICES SERVED

<b>Item</b>	<b>Ward</b>	<b>Address, description and enforcement type</b>	<b>Date issued</b>
1	Ashley	23 Wathen Road Bristol BS6 5BY Works to roof without planning permission. Enforcement notice	16/05/2023

## Development Control Committee A 31 May 2023

### Report of the Director: Economy of Place

#### Index

#### Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Frome Vale	Grant subject to Legal Agreement	22/03476/F - The Vassall Centre Gill Avenue Bristol BS16 2QQ Demolition of existing buildings and redevelopment of Vassall Centre site to provide housing for older people with associated lounge and communal facilities (Class C2), specialist supported housing for people with learning disabilities (Class C2), re-provision of office space referred to as The Hub (Class E(g)(i)), meeting places for the principal use of the local community (Class F2(b)), a nursery, crèche or day centre (Class E(f)) or non-residential training, employability and education centre (Class F1(a)), a cafe (Class E(b)), landscaping and associated car parking.
2	Knowle	Grant subject to Legal Agreement	22/03924/P - Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU Application for Outline Planning Permission with some matters reserved - Demolition of existing buildings and erection of a mixed use scheme comprising residential units (Class C3), commercial floorspace (Class E), community use (flexible Class E/Class F2), library floorspace (Class F1), cinema/ theatre floorspace (Class sui generis), vehicle parking spaces, cycle parking, and associated landscaping, public realm, access and servicing arrangements, and circulation space. All matters reserved except for access. (Major)
3	Westbury-on-Trym & Henleaze	Refuse	22/01221/F - St Christophers School Westbury Park Bristol BS6 7JE Proposed development of the site including, internal and external alterations of Listed House building and conversion of lodges fronting Westbury Park; demolition of buildings and the erection of new buildings to provide an integrated Retirement Community (Class C2) for older people; together with landscaping, car parking, refuse and other associated works (major)

## Development Control Committee A – 31 May 2023

ITEM NO. 1

**WARD:** Frome Vale

**SITE ADDRESS:** The Vassall Centre Gill Avenue Bristol BS16 2QQ

**APPLICATION NO:** 22/03476/F Full Planning

**DETERMINATION DEADLINE:** 20 November 2022

**Demolition of existing buildings and redevelopment of Vassall Centre site to provide housing for older people with associated lounge and communal facilities (Class C2), specialist supported housing for people with learning disabilities (Class C2), re-provision of office space referred to as The Hub (Class E(g)(i)), meeting places for the principal use of the local community (Class F2(b)), a nursery, crèche or day centre (Class E(f)) or non-residential training, employability and education centre (Class F1(a)), a cafe (Class E(b)), landscaping and associated car parking.**

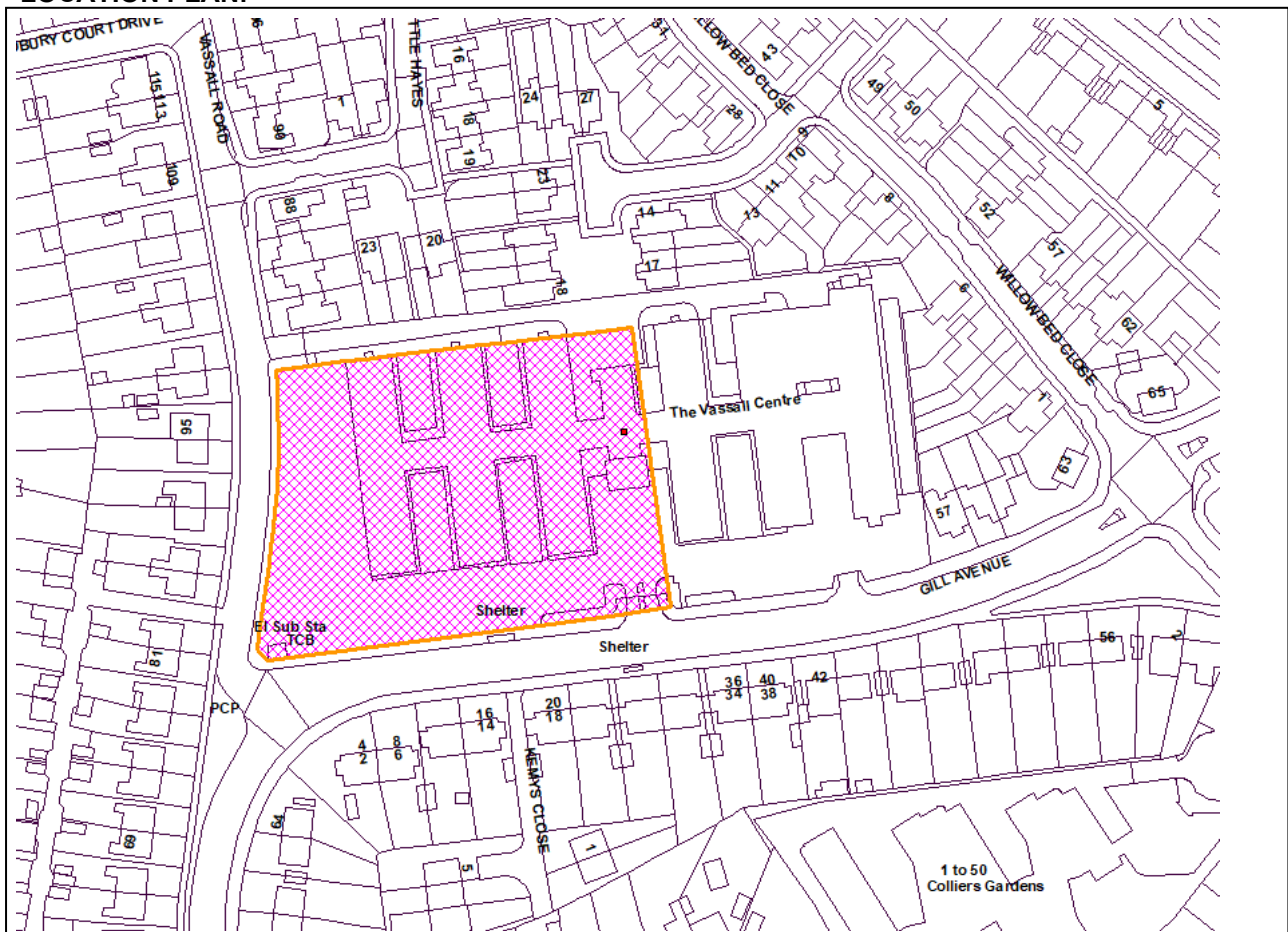
**RECOMMENDATION:** GRANT subject to Planning Agreement

**AGENT:** Alder King Planning Consultants  
Pembroke House  
15 Pembroke Road  
Clifton  
Bristol BS8 3BA

**APPLICANT:** Bristol Charities T/a Orchard Homes

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

**LOCATION PLAN:**



**Development Control Committee A – 31 May 2023**  
**Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

The application is brought Committee due to 89 Neighbour Objections being received.

## BACKGROUND

The Vassall Centre is located in Fishponds, East Bristol. It is a 5 minute walk from Oldbury Court and a 10 minute walk from central Fishponds Road. The site is bound by Gill Avenue to the South and Vassall Road to the West. The North and East boundaries are land locked, backing onto existing residential gardens.

The existing buildings on the site are used offices, a conference centre and café providing a training facility for people with a range of disabilities and specifically learning disabilities (Class E (a) and (b) (g) (i) and F1 (e)).

The Vassall Centre is an important part of the community infrastructure in Bristol. Not just in the local area or in Fishponds, but City wide - the Vassall Centre has a wide catchment area, even extending beyond the City boundaries. For many years it has been a centre of excellence for disabled people and for charitable organisations that work with/for disabled people.

## PROPOSAL

Demolition of existing buildings and redevelopment of Vassall Centre site to provide housing for older people with associated lounge and communal facilities (Class C2), specialist supported housing for people with learning disabilities (Class C2), re-provision of office space referred to as The Hub (Class E(g)(i)), meeting places for the principal use of the local community (Class F2(b)), a nursery, crèche or day centre (Class E(f)) or non-residential training, employability and education centre (Class F1(a)), a cafe (Class E(b)), landscaping and associated car parking.

## HISTORY

21/05063/PREAPP Proposal: The construction of a mixed use development on the site of the existing Vassall Centre. This is likely to comprise new and improved employment floorspace, intergenerational housing and affordable housing for older and younger people and other facilities that will benefit the local community (potential nursery or element of healthcare provision and new/improved café).

## PRE-APPLICATION CONSULTATION

An extensive public consultation exercise by Bristol Charities and the project team carried out on this application. This comprised two independent phases of consultation over several months, letter drops, public exhibition events over numerous days, presentations to the tenants/specific stakeholders and importantly a presentation and Q&A session with Bristol's Design Review Panel.

## RESPONSE TO PUBLICITY AND CONSULTATION

A 14 day neighbour re-consultation was undertaken due to amended plans being received relating to a minor change in description of the proposed development.

The former proposed nursery element has been extended to proposed flexible uses of nursery, crèche or day centre (Class E(f)) or non-residential training, employability and education centre (Class F1(a)) to allow flexibility for a potential end user.

**Development Control Committee A – 31 May 2023**

**Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

Neighbouring properties have been consulted and 89 letters of objection has been received with the following planning issues:

**Amenity:**

Overlooking

Proximity of the 3 storey building to existing buildings on Vassall's Road.

Loss of light to neighbouring dwellings.

**Design:**

Concerns with 3 storey nature of the buildings.

Flat roof nature of the design.

**Parking:**

Concerns by residents of lack of parking in the area.

Highway safety impacted.

**Transport:**

Inadequate local bus service.

**Refuse:**

Concerns with bin collection.

**Change of Use:**

Concerns that part of the site will change from office use to residential accommodation for disabled people.

Concerns of loss of community facilities.

**Construction:**

Concerns of asbestos in the existing buildings.

Noise during construction.

**Neutrality:**

Concerns that Bristol City Council's decision on the application is not neutral on the application as they are involved in renting some of the units.

Concerns that the details on the person dealing with application at BCC have been redacted.

**Consultation:**

Concerns that consultations were not undertaken properly.

**Nature conservation:**

Concern that there is no bat survey.

Concern that noise and pollution will affect wildlife on site.

Impact on water pressure.

**Bristol Civic Society**

Objection – concerns with the scale and massing and how it would articulate with the surrounding area.

**Transport Development Management (TDM)**

No objections subject to conditions.

**Development Control Committee A – 31 May 2023**

**Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

Contaminated Land

No objections subject to condition including an intrusive site investigation prior to commencement.

Sustainable Cities

No objections subject to conditions.

Environmental Protection

No Objections subject to conditioning a CMP.

Tree Officer

No objections subject to conditions

Housing Enabling Manager

No objections

Site is 100% affordable Housing for Social rent providing much needed single person 1 bedroom accommodation which is lacking citywide.

Crime Prevention Officer

Some concerns raised regarding lack of natural surveillance

Avon Fire & Rescue Service

Has requested the installation of x2 Fire Hydrants and has calculated the cost of installation and five years maintenance of a Fire Hydrant to be £1,500 + vat. This will be included in the S106 agreement.

Nature Conservation

No objections

A Biodiversity Net Gain Assessment that assesses the level of enhancement is also included with this application. This shows a net-gain in biodiversity following completion of the development.

Flood Risk Manager

SUDS Calculations require updating otherwise no objections.

Community Buildings Manager

Concerns that the redevelopment will not provide sufficient replacement community facilities.

Ward Members

No objection received consultation period expired.

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.

**Development Control Committee A – 31 May 2023****Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

## KEY ISSUES

## A) PRINCIPLE OF DEVELOPMENT – PROTECTION OF COMMUNITY FACILITIES

Core Strategy policy BCS12 sets out the general approach to the protection of community facilities. This Development Management policy sets out more detailed criteria to determine the importance of the facility. This includes assessment of the need or demand for community facilities, the suitability of the site or building for a community facility, whether the facility could form part of the new development or whether alternative provision might be more appropriate.

The term community facilities is wide-ranging and can include community centres and childcare facilities, cultural centres and venues, places of worship, education establishments and training centres, health and social care facilities, sport and recreation facilities and civic and administrative facilities. It may also include other uses whose primary function is commercial but perform a social or community role i.e. sport, recreational and leisure facilities including local pubs.

Community facilities include all uses, commercial or non-commercial, that provide a social or welfare benefit to the community. Whilst protection is sought for all uses that meet this definition, community land and buildings are particularly important. This includes land and buildings that are managed, occupied or used primarily by the voluntary and community sector for community-led activities for community benefit.

When making an assessment of the importance of the community facility consideration should be given to: Local need and demand for the existing community facility or other community facilities that are willing and able to make use of the building g(s) or land; The extent and quality of local provision of the existing community facility; The nature, pattern and frequency of activities taking place at the site; Its contribution to the diversity of community facilities in the locality; The accessibility of the site and other local community facilities by walking, cycling and public transport; In the case of commercial community facilities, whether the use is no longer viable (applicants will need to submit evidence to demonstrate that the site is no longer viable for that use and has been adequately marketed. The latter should be undertaken in accordance with the guidelines on the carrying out of marketing which are available to view on the council's website under planning advice and guidance.); Whether the site or building has been listed as an asset of community value.

A range of data sources including the Community Buildings Audit and Explore Bristol interactive mapping, available on the council's website under community centres and facilities, can be used to understand the extent and distribution of Community Facility provision within a locality. The extent of the locality should relate to the nature and catchment of the community use. Where relevant, consideration should also be given to the suitability of the site for the current use or for other community facilities, including costs associated with any works to adapt the site. Important community facilities that cannot be accommodated on the existing site should form part of any redevelopment or be provided in a suitable alternative location.

The main concern relating to the principle of the development would be the loss of the Vassall Centre, which is considered a community facility. Policy DM5: Protection of Community Facilities requires proposals involving the loss of community buildings and land will not be permitted unless the following is demonstrated:

- i. The loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality or, where the use has ceased, that there is no need or demand for any other suitable community facility that is willing or able to make use of the building(s) or land; or
- ii. The building or land is no longer suitable to accommodate the current community use and cannot be retained or sensitively adapted to accommodate other community facilities; or
- iii. The community facility can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land; or



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iv. Appropriate replacement community facilities are provided in a suitable alternative location. The applicant will be required to carry out an assessment of this issue to support the planning application.

The existing buildings on the site are used offices, a conference centre and café providing a training facility for people with a range of disabilities and specifically learning disabilities (Class E (a) and (b) (g) (i) and F1 (e)).

The Vassall Centre provides a barrier-free workplace for people with disabilities and has supported employment and training facilities over the years to a number of important and well-known charities, social enterprises and not for profit organisations. Bristol Charities purchased the site in April 2021 and is continuing to manage the office accommodation and retaining all current tenancies listed above. The existing building includes offices, workspace for disabled people, a conference centre and café providing a training facility for people with a range of disabilities and specifically learning disabilities. The existing buildings are at the end of their practical life-span and have very poor environmental performance.

The redevelopment of the Vassall Centre site provides an opportunity to retain and improve on the services provided at the Vassall Centre to better serve the local community, while making more effective use of the site for tenants, people with disabilities, older people and those in need of affordable family homes and local residents. The provision of 100% affordable family housing will be provided in Phase 2 of the project; this would be over and above Policy compliance for affordable housing. Phase 2 cannot be considered within this application however Phase 1 of the development is intended to cover the loss of community uses for the wider site. Connectivity and future proofing of the development can be considered so that it logically links to Phase 2 this will be covered further on the report.

Phase 1 it is proposed to include the following:

Housing for older people with associated lounge and communal facilities (Class C2 – residential institution) – this will comprise approximately 40 units with a mixture of 1 bed and 2 bed units (3423 sqm);

Specialist Supported Housing for people with learning disabilities (Class C2 – residential institution) – this will comprise 8 x 1 bedroom units (662 sqm);

2116 sq m Class E (g)(i) (re-provided office space referred to as “The Hub”);

353 sq m Class F2 (b) (meeting places for the principal use of the local community) - this is known as “community space” on the ground floor of the Gateway building;

294 sq m Flexible Uses: a nursery, crèche or day centre (Class E(f)) or non-residential training, employability and education centre (Class F1(a)), a cafe (Class E(b));

77m2 sq m Class E (b) (café).

The existing floorspace within the application site is 1,377sq m which is over 50 per cent of the wider site. The proposal will re-provided office space referred to as “The Hub” and provide a total of 2116sq m of community use office space. In addition to this 353 sq m Class F2 (b) (meeting places for the principal use of the local community) and 294 sq m Flexible Uses: a nursery, crèche or day centre (Class E(f)) or non-residential training, employability and education centre (Class F1(a)), a cafe (Class E(b)). These two proposed uses would also be considered community uses therefore the proposal would provide 2763sq m of community uses. This is considered an appropriate amount of floorspace which would replace the existing centre which is considered inefficient.

The existing list of Vassall Centre tenants mentioned in the planning statement will use surplus space in the existing buildings shown in the Phase 2 area until Phase 1 has been completed – this therefore avoids any disruption/unnecessary displacement. Bristol Charities have been working to accommodate tenants that wish to remain at the Vassall Centre in the new accessible hub.

Concerns have been raised that the conference centre within the existing centre will be lost. The ‘Hub’

**Development Control Committee A – 31 May 2023****Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

building will be a 3 storey height building with a community café on the ground floor with bookable meeting space and 'lettable' space on levels 1 and 2. The Gateway Building includes bookable community space at ground floor level.

The vision for the site is to create a mixed use, multigenerational development that encourages interaction between the different stakeholders and promotes a healthy inclusive community, whilst retaining and re-providing new, better-quality employment (office) space. In the context of policy DM5 (protection of community facilities) and BCS12 (community facilities generally), the proposed Site Plan shows careful thought has been given to a mix of uses at the site. In this case, providing much needed housing for older people and specialist housing for people with learning disabilities in Phase 1 alongside new and re-provided employment office space and community related uses such as the retained/improved café but also other proposed ground floor uses like the nursery and lettable community space within the 'Gateway' building. Therefore, on the basis of reinstating the café use and introducing other new community facilities, Bristol Charities feel that they would be able to satisfy criteria iii of policy DM5 which states 'the community facilities can be fully retained, enhanced or reinstated as part of any redevelopment of the building or land.'

It is therefore considered that appropriate replacement community facilities are provided within the site. Given the alternatives provided it is considered that the loss of the existing community use would not create, or add to, a shortfall in the provision or quality of such uses within the locality.

The proposal is considered to comply with Policy DM5 iii as the community facility can be fully reinstated as part of any redevelopment of the land and is therefore considered acceptable.

i) PROVISION OF C2 USE.

This proposal is in part for a nursing and residential elderly care home. It falls under Use Class (C2) which states:

"Use for the provision of residential accommodation and care to people in need of care (other than a use within a class C3 (dwelling house). Use as a hospital or nursing home..."

Bristol Local Plan - Comprising the Bristol Development Framework Core Strategy (June 2011) and the Site Allocations and Development Management Policies (July 2014)

Policy BCS20 underlines the importance of efficient use of previously developed land. Higher densities of development are encouraged at local centres and along main public transport routes.

Policy DM2 from the Site Allocations and Development Management Policies gives greater detail on the mix and location of various housing types across the City. It requires that Older Persons' Housing Schemes should be located close to shops and services and close to good public transport links. It also notes that "accommodation for older persons will be acceptable on all sites allocated for housing subject to the policy criteria."

Policy DM1 (Presumption in Favour of Sustainable Development) of the SADMP outlines that the city's approach to development proposals will generally be positive and reflective of the presumption in favour of sustainable development as referenced throughout the NPPF.

The East area's proportion of people 65 or over is higher than the Bristol population average (13%) at 14% of the wards population. It is estimated that by 2035 the central east of Bristol will need 607 properties for older people and 140 dwellings with extra care facilities. It was acknowledged that the proposed development will provide additional units built to extra care standards that are needed in the area and provide a means of offering support to the wider community.

Residential provision both in the form of a residential care home/retirement home and residential dwellings are also considered acceptable at the site in line with Policy SA1. The residential care home/retirement home provision is particularly welcomed given the current need.

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The proposal represents the appropriate re-use of a previously developed site that is situated in a sustainable location in East Bristol in line with Policy BCS20 of the Core Strategy. The development also complies with Policies BCS10 and BCS12 which require community facilities to be located in accessible areas with a choice of transport available and in a location where sustainable travel patterns can be achieved. The easy access onto the main arterial road network and the proximity of local bus stops within 200m of the site access make this site a wholly sustainable option. Policy DM2 of the Site Allocations and Development Management Policies requires older persons' housing to be located in close proximity to shops and services and good transport links. The location adjacent to the shops and facilities of the wider Fishponds area as well as the easy car and bus links to the wider transport network make this site ideal and fully compatible with the aims of policy DM2.

The original Vassall Centre buildings are single storey and were built in 1945 as a base for American soldiers during the Second World War. By redeveloping the site and increasing the density of development, the overall building footprint (as existing) can be reduced which would make more efficient use of the site in accordance with paragraph 124 of the NPPF. This means there is the opportunity to release some of the site to provide further employment, new community uses, housing for older people and specialist housing for people with learning disabilities as part of the first phase of redevelopment followed by affordable houses and apartments as part of the second phase to the redevelopment. Both phases will benefit from landscaped areas and accessible public open space.

The existing site is commercial and is located within mainly residential area. It is located on a main bus route into and out of the city centre. It is in a sustainable location where national and local plan policies encourage the more efficient use of land, subsequently the redevelopment of the site for C2 Care Facilities is acceptable in principle.

**B) ECOLOGY**

Policy DM19 is relevant which requires any loss of nature conservation value to be either mitigated on site or off site.

Almost all of the survey area is of minimal nature conservation value and there would be no significant ecological impact associated with re-development on most of the site. There would be a minor adverse impact associated with the loss of a small area of semi-improved grassland.

There will be a minor loss of badger foraging habitat. This is unlikely to have any significant impact on the social group of badgers using the site. No other impact on protected species has been identified but measures to prevent harm to hedgehogs and nesting birds would be required whilst the site is being developed.

There are several opportunities to provide ecological enhancement on the site. The re-development proposals include several measures that will make a positive contribution to the biodiversity value of the local area, including contributions to the aims of biodiversity action plans. These measures include the following: Tree and shrub planting, to include native tree and shrub species and other species of value for birds, insects and other wildlife. The creation of significant areas of species-rich planting, which will provide habitats of value for invertebrates and other wildlife. The inclusion of species of value for insects in ornamental planting schemes. Planting of creepers to create green walls. Provision of built-in swift and bat boxes and insect hotels. The above measures have been conditioned.

A Biodiversity Net Gain (BNG) analysis has been carried out using the Defra (3.1) Metric. This assessment covers only Phase 1 of the scheme. The calculations are summarised at Appendix 2. The baseline scores for the site are: Habitat-based units: 0.29 Hedge units: 0.16. These low figures reflect the built-up current nature of the site and the absence of any native-dominated hedge. The more diverse grassland has been classified as "other neutral grassland" and the less diverse grasslands as "modified grassland", as dictated by their species mixture. The post-intervention scores for the site

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area: Habitat-based units: 0.34 Hedge units: 0.43 The result of these measures are positive changes of 15.91% in Habitat Units and 169.72% in Hedgerow Units.

This improvement is due to the significant areas of planting on the site. The planting has been classified as “vegetate garden”, although as proposals are developed it may qualify as a more valuable habitat type.

The site is not covered by any statutory of local wildlife designations. The buildings are all of a single layer construction with rendered walls. None has any roof space: most are flat-roofed and the one building with a pitched roof is entirely open to the roof. They are all in active use and are well maintained, with door and window frames tight-fitting. The Ecological survey has not made any suggestion of any Bat Survey’s due to this.

With the suggested conditions the proposed impact on ecology is not considered detrimental.

**C) CONTAMINATION**

Policy DM34 in the Site Allocations and Development Management Policies (2014) states that new development should demonstrate that:

i. Any existing contamination of the land will be addressed by appropriate mitigation measures to ensure that the site is suitable for the proposed use and that there is no unacceptable risk of pollution within the site or in the surrounding area; and

ii. The proposed development will not cause the land to become contaminated, to the detriment of future use

Based on the assessment carried out to date, it is clear that suitable site remediation works can be undertaken to ensure that the contamination, and subsequently the risk to human health, is eliminated from the site in line with policy DM34.

Following consultation, the Council's Contaminated Land team confirmed that the proposed development is acceptable following conditions.

**D) IS THE IMPACT ON TREES ACCEPTABLE?**

Policy DM17 of the Development Management Policies refers to the integration of existing trees into development. It states that where tree loss is accepted, replacement provision in line with the Bristol Tree Replacement Standard (BTRS) should be provided.

Eight trees will need to be removed in order to construct the proposed development, these include two B-grade trees (T1 & T2) and six C-grade trees (T3–T8). Two hedges (H1 & H10) will also need to be removed and two further hedges (H2 & H4) will need to be partially removed, these have all been classified as C-grade arboricultural features. It will be necessary to compensate for the trees that will be lost as part of new development in order to meet the requirements of Bristol City Council Policy DM17.

In accordance with Policy DM17, five new trees will need to be planted to compensate for the eight trees that would be lost as part of the proposed development. Only 5 trees would be required 3 T1 and 2 T2 as the other trees are only Cat C1.

The applicant proposes to plant an abundance of new trees around the site which will easily exceed the five trees that are required, the locations of these tree are shown on the ‘Landscape General Arrangement Plan’ which accompanies this submission. A detailed Landscaping specification Plan has been conditioned in order to cover this.

The Tree officer has no objections to the proposal subject to Conditions.

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The proposal will have a positive impact on the area due the new proposed tree planting.

**E) IS THE DESIGN OF THE PROPOSAL ACCEPTABLE?**

Section 12 of the NPPF outlines the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Policy BCS21 (Quality Urban Design) of the Core Strategy advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development.

Policy DM26 (Local Character & Distinctiveness) of the SADMP expands upon Core Strategy Policy BCS21 by outlining the criteria against which a development's response to local character and distinctiveness will be assessed. Development will not be permitted where it would be harmful to local character and distinctiveness or where it would fail to take the opportunities available to improve the character and quality of the area and the way it functions.

Policy DM27 (Layout and Form) of the SADMP outlines that the layout, form, pattern and arrangement of streets, open spaces, development blocks, buildings and landscapes should contribute to the creation of quality urban design and healthy, safe and sustainable places. It should make efficient use of land, provide inclusive access and take account of local climatic conditions.

Policy DM29 (Design of New Buildings) of the SADMP states the design of new buildings should be of high quality. Buildings should reflect their function and role appropriately within the public realm and be capable of adaptation to accommodate alternate uses and future needs. New buildings should incorporate active frontages, have clearly defined main entrances fronting the public realm, incorporate exteriors and elevations which provide visual interest from a range of viewing distances, be visually well organised and well proportioned.

The site is located directly to the north of the Oldbury Court Estate, a residential development built in the mid-20th century which consists mainly of 2-storey semi-detached or terraced houses. Houses in the neighbourhood surrounding the Vassall Centre are of traditional masonry construction, finished in red/buff brick or white/cream render, with the occasional use of reconstituted stone and timber cladding. Typically, the main roofs are tiled with concrete double pantiles.

Furthermore, the application site is in a predominantly residential area surrounded by 2 storey semi-detached housing interspersed with other building typologies including some 3 and 4 storey apartments and a care home.

Gill Avenue to the South of the site is characterised by a wide road and pavements lined with large 2 storey, semi-detached houses with long front gardens. To the East of the site there is 4no. 3 storey apartment blocks angled away from the road. Whilst there is a variety of window proportions and styles, the windows are predominantly a horizontal proportion with a high sill. Along Gill Avenue the materials are mostly buff render with some red brick on the apartment building and brown roof tiles.

Vassall Road to the West of the site connects Fishponds Road to Olbury Court. The road is wide with grass verges and trees towards Fishponds Road but becomes narrower adjacent to the site. Vassall Road is characterised by 2 storey, semi-detached houses with bay windows and driveways. The houses on the lower part of Vassall Road are larger than the houses adjacent to the site.

The lower part of Vassall Road is predominantly buff render. The upper part is predominantly red brick. The site currently has a poor relationship to the street. The buildings are set far back from the road and lack street presence. This makes it difficult for people who are unfamiliar with the site to know

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what facilities and services it offers.

The proposed redevelopment will create a new neighbourhood centre and include different building typologies that reflect the intermediate context. Whilst the proposed buildings are larger than the surrounding houses, the massing has been broken down both horizontally, with recessed balconies and vertically, by introducing a different material on the top floor. This helps maintain a domestic feel to the development.

The Urban Living SPD is a material consideration in the determination of planning applications. Fishponds falls in the 'Outer Urban Area'. Residential densities are low (typically 30 dwellings per hectare). These low densities have significantly undermined the ability of the area to deliver a range of services within a reasonable walking distance of the home, resulting in high reliance on the car. There have been other successful examples within Bristol of where higher density mixed use development has been provided in 'Outer Urban Areas'. Urban infill schemes emerging in areas like Lockleaze, Fishponds and Southmead. Schemes like Gainsborough Square demonstrate the potential of focussing small-scale, but higher than the prevailing density developments at the focal points in a community. The design of the scheme at a higher density is considered to result in a more effective use of the land and is welcomed.

Proposed public open space provides a focal point within the centre of the site, delivering a verdant character that will significantly enhance the quality of the development.

Given the width of the road and separation distances from adjacent developments the proposed height of the proposed development is considered acceptable.

The design incorporates flat roof buildings keep the overall heights down so the 3 storey massing is not significantly taller than the surrounding 2 storey pitched roof houses.

The proposed scale mass and design is considered inkeeping with the character and appearance of the wider area. The proposal is considered an improvement over the existing buildings and will provide a positive contribution to the streetscene. The proposed design is considered acceptable.

#### F) WILL THE DEVELOPMENT PROVIDE SATISFACTORY ACCOMMODATION?

There will be 40 no. 1 and 2 bedroom apartments, operated by Bristol Charities, for older people from across Bristol who are in need.

The majority of people Bristol Charities supports are on the lowest incomes or housing benefit. The proposed housing for older people will be let at affordable rents. The housing for older people has been organised around a landscaped courtyard and will be accessed via an open gallery circulation. This approach to the layout enables dual aspect homes with good daylight, ventilation and visual connection to the courtyard and neighbouring streets to be achieved.

The housing for older people has been designed to HAPPI standards and to Extra Care Standards, creating the option to provide housing for older people with care needs. It has been designed in a way to enable a strong connection to the communal area which provides increased opportunity for engagement with social activities. 25% of the apartments have been designed to be wheelchair accessible with a communal lounge and south facing roof terrace that should encourage interaction between residents and help combat loneliness.

In the same way as their other schemes, Bristol Charities will be responsible for the maintenance of the building(s), providing housing management services, a low level alarm service, and Housing Support and therefore consider the proposed Use Class to be C2.

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There will be 8 one bedroom apartments on floors two and three of the Gateway building providing eight units of specialist supported housing that will be made available by Bristol Charities to residents with complex support needs. These homes will be serviced by ancillary office, staff sleeping provision and communal space, provided in the footprint of one of the dwelling units. This housing offer has been designed to reflect the varied and complex housing needs of people with a range of differing physical abilities and wider support needs, addressing accessibility, sensory and enhanced safety requirements whilst delivering each resident their own home and an opportunity for independent living.

The proposed residential care home and specialist accommodation is considered to provide satisfactory accommodation for its residents.

**G) WILL THE PROPOSAL HAVE AN ADVERSE IMPACT ON NEIGHBOUR AMENITY?**

Section 8 of the NPPF outlines decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy BCS21 (Quality Urban Design) of the Bristol Core Strategy advocates that new development should give consideration to matters of neighbouring privacy, outlook and natural lighting. Policy DM29 (Design of New Buildings) of the SADMP states the design of new buildings should be of high quality. To achieve this, new buildings are expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.

**i) IMPACT ON PRIVACY**

To the North of the site car parking separates the proposed buildings from existing residential dwellings. The nearest point of the proposed buildings is around 14 metres from the side Boundary at No.82 Vassall Road and No.19 Willow Bed Close. Both dwellings have blank side elevations and there would be no unacceptable overlooking to these dwellings or the garden from the proposed development.

The rear of the proposed buildings are around 30 metres from the rear elevations of the existing dwellings on Little Hayes.

The proposed C2 apartments are around 21 metres from the existing dwellings to the West across Vassall's Road. It is considered that the submitted plans show sufficient detail in order to gauge any potential impact on neighbour amenity; it is considered that there are adequate separation distances between neighbouring properties within the development given the measures outlined above.

The proposal is not considered to result in overlooking to neighbour amenity to a level that would be detrimental to living conditions.

**ii) IMPACT ON LIGHT**

In order to properly inform the design, siting and proposed massing of the new Vassall Centre buildings, a specialist was appointed to carry out a daylight/sunlight assessment to ensure the scheme complies with the Building Research Establishment's (BRE) best practice guidance. In accordance with BRE guidance 'at least half of a garden or amenity area should receive at least 2 hours of daylight on 21st March' 3.3.17 BR 209.

The sun study plans demonstrate that the proposals do not prohibit the surrounding gardens from receiving at least 2 hours of direct sunlight on 21st March.

BRE guidance states that if the angle to the horizontal between the centre line of the lowest window and the proposed development is less than 25 degrees then the new development is 'unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building' 2.2.5 BR 209.

All neighbour dwellings to the North, West and East of the site clear the 25 degree angle.

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Given the layout of the plot of land and surrounding townscape, and the subsequent design, massing and form of the proposed dwelling, it is considered that no unacceptable amenity issues will arise. It is not considered that the proposal would not result in an overbearing impact or loss of light that would be detrimental to neighbour amenity.

## iii) NOISE AND ENVIRONMENTAL IMPACT

Environmental Protection have no objection to the application but do have some concerns with the potential for harm to be caused to nearby residents from demolition and construction works at the development. Concerns have been raised of asbestos presence within the existing buildings.

Noise and Environmental impacts associated with construction can be controlled through a Construction Management Plan and other conditions which have been added.

## H) IS THE DEVELOPMENT ACCEPTABLE ON HIGHWAY GROUNDS?

Section 4 of the NPPF outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.

Policy DM23 (Transport Development Management) of the SADMP outlines that new development should not give rise to unacceptable traffic conditions and will be expected to provide safe access to the highway network. The policy also outlines that new development should be accessible by sustainable transport methods such as walking, cycling and public transport. Furthermore, the policy sets standards for parking provision.

## i) TRANSPORT STATEMENT

The applicant has confirmed that residents at the HFOP buildings will live independently and likely be over 75 years old, having relatively little for day-to-day care. 1x permanent member of staff will assist residents during working hours and 1-2x healthcare or support workers will visit the site per week. Trips resulting from the HFOP are therefore likely to be low and car ownership minimal due to the availability of public transport and improved active travel connections to local amenities, including Fishponds Road.

Furthermore, TDM has accepted that the proposed café is unlikely to generate significant additional trips to the site due to its small size and ancillary nature.

## ii) TRAVEL PLAN

The applicant's Framework Travel Plan dated July 2022 is acceptable, subject to securing by condition a revised plan in BCC's template (see Guidance) and further details relating to an indicative budget, a fully costed action plan, and a car club. As stated further below, the S106 contribution to be made by the applicant in respect of the Phase 1 Travel Plan will be £3,832.

The revised travel plan should contain details of a car club scheme including:

- the allocation of X car club space(s);
- the provision of X vehicle(s);
- the provision of car club membership for all eligible residents of the development for a minimum of three years;
- promotion of the scheme; and
- the phasing of the scheme's introduction.



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It has been agreed that a separate Travel Plan for the Phase 2 site will be submitted for approval upon future application. A separate fee will apply.

## iii) PARKING

In response to TDM's previous comments, the applicant has made the following observations:

- i. It would not be efficient to allocate parking spaces for nursery parents on site given that they are only on site for a very short time and outside of drop-off/collection times the spaces would be redundant. Disabled users would be able to drive on site to drop-off/collect children and use one of the disabled bays.
- ii. The 2 or 3 spaces out of the 6 for the HfOP not used by staff would likely be used by HfOP visitors but could also be used flexibly by visitors to the other uses on site.
- iii. The 2 spaces for the supported housing would also be for visitors to residents which could include occasional specialists attending to particular resident needs.
- iv. As confirmed in the Transport Statement with events held in the Community Space most likely to be in the evenings and weekends the Hub parking would not be occupied outside of normal working hours and therefore would be available for use by visitors attending an event.

In relation to point 'ii' above, the HFOP will benefit from an additional 2x/3x spaces, bringing the total number of HFOP visitor spaces to approximately 8x. In relation to point 'iv', TDM notes that the 5x previously proposed parking spaces at the Gateway building have been replaced by 3x disabled spaces for use by, among others, those dropping off to the Nursery. The total number of spaces at the site will thus be reduced to 49x.

TDM considers that, due to the number of apparently available parking spaces on surrounding streets, evidenced by the applicant's parking survey, and the proposed highway works and internal site measures to encourage pedestrian, cycle, and public transport movements to the site, there is unlikely to be a significant impact on highway safety as a result of the proposed parking arrangements. In summary, TDM have no objection to the level of parking.

## iv) ACCESS AND LAYOUT

The proposed site layout for Phase 1 shown within the red line boundary in the landscape GA plan (drawing no. RF-108-001.H), site plan (no. 02104.P06), and ground floor plan (02105.P06) is acceptable. The results of the Stage 1 RSA commissioned by the applicant have not raised any significant concerns. The Phase 2 site layout will be the subject of a future planning application and is not yet agreed.

The applicant has confirmed by email that the proposed North car park will be accessed by automatic gates that swing inwards.

The highway works shown in drawing no. 3453.02A are listed below and agreed, subject to detailed design at S278 stage:

- Redundant vehicle crossovers reinstated to full height;
- At-grade continuous footway vehicle crossovers at all vehicle entrances to the site;
- Footway at Vassall Road to be widened to 2m and additional land adopted;
- Resurfaced footways (shown shaded) adjoining the site;
- Kerb build-outs along Gill Avenue and at the junction with Vassall Road;
- A raised table and informal crossing over Gill Avenue;
- Repainted and realigned road markings along Vassall Road and Gill Avenue;
- Upgraded street lighting in the vicinity of the site; and
- Accessibility improvements at existing and new informal crossing points at Vassall Road, Sherston Close and Symington Road.

Visibility splays shown in the highway works drawing referred to above and vehicle swept path analysis shown in drawing nos. 3453.T07 and 3453.T08 in addition to that shown in Appendix 8.1 of the Transport Statement are acceptable.

To undertake these works, the applicant is required to enter into a Section 278 agreement with the Council and pay the appropriate fee.

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The proposal is not proposed to result in a detrimental impact to the parking of the adjacent roads or result in a detrimental impact to Highway Safety.

## v) CYCLE PARKING

The applicant has provided a plan (drawing no. 02140.P01) showing the proposed cycle and refuse storage areas at the site, including the situation of cargo-bike storage at the site. The applicant has also confirmed by email that e-bike charging facilities will be provided within the internal cycle stores.

TDM are happy that the development provides sufficient cycle storage provision and this has been conditioned.

## vi) REFUSE

Policy DM32 (Recycling & Refuse Provision in New Development) of the SADMP outlines that all new development should provide bin and recycling storage facilities fit for the nature of development, with adequate capacity for the proposed development, in a location which is safe and accessible for all users and does not harm the visual amenity of the area or neighbouring amenity.

The proposals are largely acceptable, save for the doors of the Hub's bin store, which open over the footway. A revised drawing showing doors that slide or swing inwards and the removal of guard posts on the footway should be secured by condition.

The refuse store proposed is suitable and accessible, the collection point a suitable distance from the highway and has been conditioned.

## vii) UNILATERAL UNDERTAKING

The applicant must make under a Unilateral Undertaking with the Council a contribution in the sum of £9,899, comprising of a Management and Audit fee in the sum of £3,832 for the Phase 1 Travel Plan, and a TRO fee of £6,067.

## viii) ADOPTION

TDM confirms that, subject to revision of the Phase 2 site layout and the below, the Council does not object to the principle of adopting the central roadway leading from Gill Avenue and those serving the residential development at Phase 2. We will not adopt the North car park. However, TDM has agreed with the applicant that, because the character and use of the central roadway will be highly influenced by the design and layout of Phase 2, the Council will not adopt as part of this application any of the site (save for the widened footway at Vassall Road), with a view to adopting the internal site roadways once the final layout of Phase 2 is known. Adoption will be subject to agreement upon further application of required layout changes, maintenance contributions and other matters.

A dedication clause within a S278 agreement will dedicate the widened section of footway.

## I) SUSTAINABILITY

Themes of sustainability, carbon reduction and climate change underpin national planning policy. Policies BCS13-15 of the Core Strategy relates to the Council's expectations with regard to sustainable construction of new buildings and emissions in respect of climate change. These policies must be addressed and the guidance within the Council's Climate Change and Sustainability Practice Note followed. New dwellings are expected to minimise energy requirements. This will be achieved by high standards of energy efficiency including optimal levels of thermal insulation, passive ventilation and cooling, passive solar design, and the efficient use of natural resources in new buildings. Core Strategy Policy requires new dwellings are also incorporate an element of renewable energy to reduce carbon emissions by a further 20% above energy saving measures.

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A sustainability statement and energy table have been submitted accompanying the application including a range of proposed energy efficiency measures and further on site renewable energy generation measures. Suggested on site renewable energy measures include air to water heat pumps, gas peaking boilers, and air to air heat pumps and P.V Panels which is welcomed. Sustainable cities accept the targets can be met and have requested that further details of the proposed renewable energy sources are conditioned prior to occupation.

Following the overheating assessment measures have been included to ensure that the proposal can deal with adaptations of a changing climate.

An Electric Vehicle Point Charging Plan has been conditioned prior to commencement to ensure that the development meets sustainability requirements to limit increases in air pollution.

The proposed development is therefore considered acceptable and would make a positive contribution towards reducing energy consumption and carbon emissions.

**J) DRAINAGE**

The site is not located within an area at high risk of surface water flooding. When infiltrating SuDS techniques are proposed for a development, if potential contamination concerns are identified on site, it will need to be demonstrated that this can be managed appropriately if infiltrating SuDS are pursued, otherwise an alternative drainage option would be required. A sustainable drainage strategy has been conditioned prior to commencement.

**K) CRIME PREVENTION**

A concern was raised with lighting and natural surveillance to the site, however this has been improved to the site particularly within the public open space.

The proposal has taken on board the comments from the Crime Prevention officer where possible and a full lighting plan has been conditioned which can help address these issues.

**L) OTHER ISSUES****i) Neutrality**

Concerns have been raised that Bristol City Council's decision on the application is not neutral on the application as they are involved in renting some of the units. However, the site is owned by Bristol Charities and any potential BCC link to the site is not relevant to this application. The recommendation has been made considering relevant National and Local Planning Policies and relevant material planning considerations.

Concerns that the details on the person dealing with application at BCC have been redacted. The consultation on the application has been undertaken by the Local Planning Authority following proper procedures.

**ii) Consultation**

Concerns that consultees have been missed. All statutory consultees have been consulted and consultation on the application has been undertaken by the Local Planning Authority following proper procedures.

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- iii) Impact on water pressure will be covered through other legislation and is not a material planning consideration.

No other issues.

**EQUALITY ASSESSMENT**

During the determination of this application due regard has been given to the impact of this scheme in relation to the Equality 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. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs, experiences, issues and priorities in relation this particular proposed development. The proposed development will provide C2 Specialist and Elderly Care units that are identified as needed in the area and provide a means of offering support to the wider community. The proposal provides an opportunity to retain and improve on the services provided at the Vassall Centre to better serve the local community having positive implications on wider community groups providing an inclusive development.

Overall, it is considered that this application would not have any significant adverse impact upon different groups or implications for the Equality Act 2010.

**CONCLUSION**

The redevelopment of the Vassall Centre site provides an opportunity to retain and improve on the services provided at the Vassall Centre to better serve the local community. The proposal is considered to comply with Policy DM5 iii as the community facility can be fully reinstated as part of any redevelopment of the land and is therefore considered acceptable.

The proposed design is considered inkeeping and the proposal meets sustainability targets.

The proposed development will provide C2 Specialist and Elderly Care units that are identified as needed in the area and provide a means of offering support to the wider community.

The proposed positive aspects of the proposal far outweigh any negatives and it is recommended that permission be granted to the proposed development in this case.

The application is recommended for Approval subject to conditions following an S106 regarding Highway Contributions and Fire Hydrants

**RECOMMENDED -GRANT subject to Planning Agreement**

That the applicant be advised that the Local Planning Authority is disposed to grant planning permission, subject to the completion, within a period of six months from the date of this committee, or any other time as may be reasonably agreed with the Service Director, Planning and Sustainable Development and at the applicant's expense, of a planning agreement made under the terms of a Unilateral Undertaking, entered into by the applicant to cover the following matters:

- i. A financial contribution of £6,067 for the making of the Transport Regulation Order
- ii. Management and Audit Fee for Phase 1 Travel Plan £3,832
- iii. Fire hydrant £3,000 plus vat.

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 Unilateral Undertaking, planning permission be granted, subject to the following conditions:

The following development types will be liable for CIL:

- i. Development comprising 100m<sup>2</sup> or more of new build floorspace
- ii. Development of less than 100m<sup>2</sup> of new build floorspace that results in the creation of one or more dwellings

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iii. The conversion of a building that is no longer in lawful use

In this case, the proposed development would comprise of new build residential floor space creating a new dwelling. The development is therefore CIL liable to the £52806.33

**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. A site specific risk assessment and intrusive investigation shall be carried out to 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. The written report of the findings shall be submitted to an approved in writing by the Local Planning Authority prior to any works in connection with the development, hereby approved, commencing on site. This must be conducted in accordance with the Environment Agency's Land Contamination: risk management and BS10175:2011 + A2:2017: Investigation of Potentially Contaminated Sites - Code of Practice.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This is in line with paragraph 170 of the National Planning Policy Framework.

3. No development shall take place until a site specific Construction Management Plan has been submitted to and 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 Construction Environmental Management Plan should also include but is not limited to reference to the following:

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.

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

Procedures for emergency deviation of the agreed working hours.

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Control measures for dust and other air-borne pollutants.

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

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

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:
- Deliveries, waste, cranes, equipment, plant, works, visitors;
  - o Size of construction vehicles;
  - o The use of a consolidation operation or scheme for the delivery of materials and goods;
  - o Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
  - o Programming;
  - o Waste management;
  - o Construction methodology;
  - o Shared deliveries;
  - o Car sharing;
  - o Travel planning;
  - o Local workforce;
  - o Parking facilities for staff and visitors;
  - o On-site facilities;
  - o A scheme to encourage the use of public transport and cycling; and
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway; and
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason In the interests of residential amenity.

4. No development shall take place until a detailed design, management and maintenance plan of surface water drainage for the site using SuDS methods in line with the submitted Drainage Strategy 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

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lifetime of the proposal.

5. Prior to the installation of external lighting details of the proposed external lighting shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a lux level contour plan (showing lux levels at frequent intervals and extend outwards to additional levels (above the pre-existing background light level) of zero lux) and should seek to ensure no light spill outside the site boundaries. The lux contour levels should be superimposed on a site plan which includes all land that is affected by raised light levels (including land outside the red line planning application area where necessary).

Reason: To conserve legally protected bats and other nocturnal wildlife and to protect the amenity of occupants of nearby residential properties.

6. B1B Approval of road works necessary

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority.

Where applicable indicating proposals for:

- Reinstated redundant vehicle crossovers to full height;
- At-grade continuous footway vehicle crossovers at all vehicle entrances to the site;
- Footway to be adopted at Vassall Road widened to a width of 2m;
- Resurfaced footways (shown shaded) adjoining the site;
- Kerb build-outs along Gill Avenue and at the junction with Vassall Road;
- A raised table and informal crossing over Gill Avenue;
- Repainted and realigned road markings along Vassall Road and Gill Avenue;
- Upgraded street lighting in the vicinity of the site;
- Any required alterations to existing drainage;
- Accessibility improvements at existing and new informal crossing points at Vassall Road, Sherston Close and Symington Road; and
- Existing levels of the finished highway tying into building threshold levels;
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works;
- Signing, street furniture, street trees and pits;
- Structures on or adjacent to the highway; and
- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement).

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

Prior to occupation these works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

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

7. Approval of road works necessary

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority.

Where applicable indicating proposals for:

- Reinstated redundant vehicle crossovers to full height;
- At-grade continuous footway vehicle crossovers at all vehicle entrances to the site;
- Footway to be adopted at Vassall Road widened to a width of 2m;

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- Resurfaced footways (shown shaded) adjoining the site;
- Kerb build-outs along Gill Avenue and at the junction with Vassall Road;
- A raised table and informal crossing over Gill Avenue;
- Repainted and realigned road markings along Vassall Road and Gill Avenue;
- Upgraded street lighting in the vicinity of the site;
- Any required alterations to existing drainage;
- Accessibility improvements at existing and new informal crossing points at Vassall Road, Sherston Close and Symington Road; and
- Existing levels of the finished highway tying into building threshold levels;
- Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works;
- Signing, street furniture, street trees and pits;
- Structures on or adjacent to the highway; and
- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement).

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

Prior to occupation these works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

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

8. No development shall take place until (a) detailed part elevation(s) and section(s) at 1:20 scale showing all typical external treatments and building elements such as the windows boxing, soffits and fascias; and interface between the different materials. This must be submitted and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the approved details.

REASON: In order to ensure that the external appearance of the building(s) is/are satisfactory, in accordance with quality expectations set out within the approved plans, and appropriate to the local context.

9. Highway to be adopted

No development shall take place until plans to a scale of 1:200 showing the following information have been submitted to and approved in writing by the Local Planning Authority.

- Long sections;
- General arrangement plan showing the area of footway to be adopted;
- Threshold levels to buildings;
- Drainage; and
- Structures.

Prior to occupation detailed technical plans to a scale of 1:200 setting out how the widened footway will be constructed to the Highway Authority's adoptable standard shall be submitted and approved in writing by the Local Planning Authority.

These works shall then be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority

Reason: To ensure the internal roads are planned and approved in good time to a satisfactory standard for use by the public and are completed prior to occupation.



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10. Sample panels of all external materials including wall facing materials, external cladding, plinth, external doors and windows including frames, sills, lintels and surrounds, door/window, decorative features, eaves, rainwater goods demonstrating the colour, texture, face bond and pointing shall be erected at an appropriate location on site and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced. The development shall be completed in accordance with the approved reference panel before the building is occupied. The approved reference panel should be retained until the completion of the building.

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

11. No development shall take place until (a) detailed part elevation(s) and section(s) at 1:20 scale showing all typical external treatments and building elements such as the windows boxing, soffits and fascias; and interface between the different materials. This should include any detailed designs of the proposed pedestrian entrance structure. This must be submitted and approved in writing by the Local Planning Authority. The development will be carried out in accordance with the approved details.

Reason: in order to ensure that the external appearance of the building(s) is/are satisfactory, in accordance with quality expectations set out within the approved plans, and appropriate to the local context (specify setting of historic asset if relevant).

12. Sample panels of all external materials including wall facing materials, external cladding, plinth, external doors and windows including frames, sills, lintels and surrounds, door/window, decorative features, eaves, rainwater goods demonstrating the colour, texture, face bond and pointing shall be erected at an appropriate location on site and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced. The development shall be completed in accordance with the approved reference panel before the building is occupied. The approved reference panel should be retained until the completion of the building.

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

13. Notwithstanding the approved plans detailed design for hard and soft landscape works should be submitted and agreed with the Local Planning Authority prior to the commencement of development.

These works should be delivered in accordance with the agreed plan and phasing which is linked to the occupation of the building of the relevant phase.

Reason: To ensure that the appearance of the proposed landscaping is acceptable and phased appropriately.

14. 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:

- o A plan to a scale of 1:1000 showing the location of all defects identified;
- o 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,

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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.

## 15. Landscape Details

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

- o Full details of tree pit construction in hard and soft landscape areas showing relationship to the surrounding highway and footway paving where applicable, tree grills where used, nature of growing medium, size of pits, tree support, method of anchoring and means of irrigation to ensure the provision of optimum growing conditions for newly planted trees.
- o Construction details for junctions between i) paving materials (showing changes of level ) and ii) between areas of hard and soft landscape treatments.
- o Construction details of boundary treatments, retaining walls
- o Details of any furniture including seating, lamps, and proposed boundary signage.

Reason: To ensure that the appearance of the proposed landscaping is acceptable.

## 16. Prior to the installation of external lighting details of the proposed external lighting shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a lux level contour plan (showing lux levels at frequent intervals and extend outwards to additional levels (above the pre-existing background light level) of zero lux) and should seek to ensure no light spill outside the site boundaries. The lux contour levels should be superimposed on a site plan which includes all land that is affected by raised light levels (including land outside the red line planning application area where necessary).

Reason: To conserve legally protected bats and other nocturnal wildlife and to protect the amenity of occupants of nearby residential properties.

## 17. Travel Plan To be amended

No development shall take place, including any demolition works, until a revised Framework Travel Plan in BCC's template containing further details relating to an indicative budget, a fully costed action plan, and a car club has been reviewed, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Council.

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

## 18. Highway to be adopted

No development shall take place until plans to a scale of 1:200 showing the following information have been submitted to and approved in writing by the Local Planning Authority.  
- Long sections;

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- General arrangement plan showing the area of footway to be adopted;
- Threshold levels to buildings;
- Drainage; and
- Structures.

Prior to occupation detailed technical plans to a scale of 1:200 setting out how the widened footway will be constructed to the Highway Authority's adoptable standard shall be submitted and approved in writing by the Local Planning Authority.

These works shall then be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: To ensure the internal roads are planned and approved in good time to a satisfactory standard for use by the public and are completed prior to occupation.

## 19. Travel Plan To be amended

No development shall take place, including any demolition works, until a revised Framework Travel Plan in BCC's template containing further details relating to an indicative budget, a fully costed action plan, and a car club has been prepared, submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Council.

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

## 20. 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:

- o A plan to a scale of 1:1000 showing the location of all defects identified;
- o 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.

## 21. Landscape Details

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

- o Full details of tree pit construction in hard and soft landscape areas showing relationship to the surrounding highway and footway paving where applicable, tree grills where used, nature of growing medium, size of pits, tree support, method of anchoring and means of irrigation to ensure the provision of optimum growing conditions for newly planted trees.

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- o Construction details for junctions between i) paving materials (showing changes of level ) and ii) between areas of hard and soft landscape treatments.
- o Construction details of boundary treatments, retaining walls
- o Details of any furniture including seating, lamps, and proposed boundary signage.

Reason: To ensure that the appearance of the proposed landscaping is acceptable.

22. Notwithstanding the approved plans detailed design for hard and soft landscape works should be submitted and agreed with the Local Planning Authority prior to the commencement of development.

These works should be delivered in accordance with the agreed plan and phasing which is linked to the occupation of the building of the relevant phase.

Reason: To ensure that the appearance of the proposed landscaping is acceptable and phased appropriately.

23. Maintenance Plan

A detailed maintenance plan to ensure establishment of the soft landscape works for the scheme over the first 5 years should be provided and agreed with the local planning authority prior to the commencement of soft landscape works.

Once agreed, the soft landscape should be maintained and managed in accordance with these plans.

Reason: To ensure that approved landscaping scheme is maintained following its implementation and ecology is preserved.

24. Prior to implementation, 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 to the Local Planning Authority.

Reason: To ensure the development contributes to reducing CO2 emissions in accordance with policy BCS14.

Pre occupation condition(s)

25. 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).

26. Further details of Refuse Storage and Recycling Facilities before occupation:

No building or use hereby permitted shall be occupied or use commenced until detailed designs of the following have been submitted to and approved in writing by the Local Planning Authority:

- Doors to the Hub bin store that slide or swing inwards and the removal of guard posts on the footway.

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The detail thereby approved shall be carried out in accordance with that approval, and thereafter all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

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

27. 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 at least 20%.

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

**Advisory note**

The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.

The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

28. 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.

29. 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.

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Reason (for all contamination 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.

## 30. Electric Vehicle Charging Points

No building or use hereby permitted shall be commenced until details of Electrical Vehicle Charging infrastructure, management plan and phasing for implementation has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

- Final Layout;
- Number and location of EV parking spaces;
- Number and location of EV charging points;
- Type of EV charging points (fast, rapid);
- Indicative locations for feeder pillars and protective infrastructure;
- Evidence of power supply from WPD (to ensure substation capacity is adequate);
- Indicative location of substation (where required);
- Indicative cable routing;
- Management plan outlining proposed management of spaces, charging network and infrastructure;
- Electrical Layout and Schematic Design; and
- Feeder Pillar Design/Electrical Layout/Schematic Layout Designs.

The Electric Vehicle Charging Points and management plan as approved shall be implemented prior to occupation / as per the agreed phasing plan and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, help reduce air pollution levels and mitigate climate change.

## 31. Delivery &amp; 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

## 32. 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.

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

## 33. 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).

34. 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 at least 20%.

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

## Advisory note

The projected annual yield and technical details of the installed system will be provided by the Micro-generation Certification Scheme (MCS) approved installer.

The impact of shading on the annual yield of the installed PV system (the Shading Factor) should be calculated by an MCS approved installer using the Standard Estimation Method presented in the MCS guidance.

35. 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 to the future users of the 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. This is in line with paragraph 170 of the National Planning Policy Framework.

36. Prior to the occupation of the development hereby approved, details of the number, siting and appearance of bird and bat boxes at the development shall be submitted for approval in writing by the Local Planning Authority. The approved details shall be implemented and be in place prior to the first occupation of the development hereby approved and shall thereafter be retained and maintained in situ'.

Reason: In the interest of nature conservation.

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37. Further details of Refuse Storage and Recycling Facilities before occupation:

No building or use hereby permitted shall be occupied or use commenced until detailed designs of the following have been submitted to and approved in writing by the Local Planning Authority:

- Doors to the Hub bin store that slide or swing inwards and the removal of guard posts on the footway.

The detail thereby approved shall be carried out in accordance with that approval, and thereafter all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

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

38. Completion and Maintenance of Vehicular Servicing facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or use commenced until the facilities for loading, unloading, circulation and manoeuvring have been completed in accordance with the approved plans. Thereafter, these areas shall be kept free of obstruction and available for these uses.

Reason: To ensure that there are adequate servicing facilities within the site in the interests of highway safety.

39. 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.

40. 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.

41. Completion and Maintenance of Vehicular Servicing facilities - Shown on approved plans

No building or use hereby permitted shall be occupied or use commenced until the facilities for loading, unloading, circulation and manoeuvring have been completed in accordance with the approved plans. Thereafter, these areas shall be kept free of obstruction and available for these uses.



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Reason: To ensure that there are adequate servicing facilities within the site in the interests of highway safety.

**42. 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.

**43. Management and Maintenance of Private Streets**

No building or use hereby permitted shall be occupied or use commenced until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption within the site has been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users.

**44. Completion of Vehicular Access - Shown on Approved Plans**

No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

**45. 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.

**46. Completion of Vehicular Access - Shown on Approved Plans**

No building or use hereby permitted shall be occupied or use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of

**Development Control Committee A – 31 May 2023****Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

## 47. 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.

## 48. Management and Maintenance of Private Streets

No building or use hereby permitted shall be occupied or use commenced until details of arrangements for the future management and maintenance of proposed carriageways, footways, footpaths and landscaped areas not put forward for adoption within the site has been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, the streets shall be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that all private streets and landscaped areas are appropriately managed and maintained to ensure the safety of all users.

## 49. Electric Vehicle Charging Points

No building or use hereby permitted shall be commenced until details of Electrical Vehicle Charging infrastructure, management plan and phasing for implementation has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

- Final Layout;
- Number and location of EV parking spaces;
- Number and location of EV charging points;
- Type of EV charging points (fast, rapid);
- Indicative locations for feeder pillars and protective infrastructure;
- Evidence of power supply from WPD (to ensure substation capacity is adequate);
- Indicative location of substation (where required);
- Indicative cable routing;
- Management plan outlining proposed management of spaces, charging network and infrastructure;
- Electrical Layout and Schematic Design; and
- Feeder Pillar Design/Electrical Layout/Schematic Layout Designs.

The Electric Vehicle Charging Points and management plan as approved shall be implemented prior to occupation / as per the agreed phasing plan and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, help reduce air pollution levels and mitigate climate change.

## 50. Delivery &amp; 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

**Development Control Committee A – 31 May 2023****Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

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

## 51. 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.

## Post occupation management

## 52. Unexploded Ordnance Risk Assessment Compliance Condition

The development hereby approved must be implemented in accordance with the mitigation measures outlined in the Detailed Unexploded Ordnance Threat and Risk Assessment, prepared by Alpha Associates, dated 05/05/2022.

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

## 53. Deliveries (commercial uses only)

Activities relating to deliveries shall only take place between 08.00 and 20.00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of neighbour amenity.

## 54. Use of Refuse and Recycling facilities (commercial uses only)

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

Reason: In the interests of neighbour amenity.

55. No equipment for the extraction and dispersal of cooking smells/fumes shall be installed until details including method of construction, odour control measures, noise levels, appearance and ongoing maintenance have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the installation of any such

**Development Control Committee A – 31 May 2023****Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

equipment and thereafter shall be permanently retained

Reason In the interests of neighbour amenity.

## 56. Noise from plant &amp; equipment affecting residential

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB below the pre-existing background level as determined by BS 4142:2014+A1:2019

Methods for rating and assessing industrial and commercial sound.

Prior to the commencement of the use of this development an assessment to show that the rating level of any external plant & equipment will be at least 5 dB below the background level has been

submitted to and approved in writing by the Council.

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.

Reason In the interests of neighbour amenity.

## 57. Hours of operation of commercial uses.

The opening hours of the commercial uses shall not be carried out outside the hours of 08.00 to 23.00 Monday to Saturday and on Sunday 09.00 to 17.00. Unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the residential amenity of nearby occupiers.

## List of approved plans

## 58. 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.

4469-AWW-ZZ-00-DR-A-02105-P08 Proposed site ground floor plan, received 23 February 2023

4469-AWW-02-00-DR-A-02220-P06 hfoP Ground floor plan, received 23 February 2023

4469-AWW-ZZ-ZZ-DR-A-02104-P08 Proposed site plan, received 23 March 2023

4469-AWW-02-02-DR-A-02222-P05 Second floor plan, received 26 July 2022

Location plan, received 26 July 2022

4469-AWW-02-00-DR-A-02220-P05 Ground floor plan, received 26 July 2022

4469-AWW-02-01-DR-A-02221-P05 First floor plan, received 26 July 2022

4469-AWW-02-RF-DR-A-02223-P03 Roof plan, received 26 July 2022

4469-AWW-02-ZZ-DR-A-02224-P02 Typical apartments layout, received 26 July 2022

4469-AWW-02-ZZ-DR-A-02230-P02 Elevation Vassall Road and Gill Avenue, received 26 July 2022

4469-AWW-03-01-DR-A-02321-P05 Hub first floor plan, received 26 July 2022

4469-AWW-02-ZZ-DR-A-02231-P02 Entrance and elevation, received 26 July 2022

4469-AWW-02-ZZ-DR-A-02232-P02 Elevation courtyard North East, received 26 July 2022

4469-AWW-02-ZZ-DR-A-02233-P02 Elevation courtyard South West, received 26 July 2022

4469-AWW-02-ZZ-DR-A-02236-P02 Detailed bay elevation, received 26 July 2022

4469-AWW-03-00-DR-A-02320-P05 Hub ground floor plan, received 26 July 2022

**Development Control Committee A – 31 May 2023****Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

4469-AWW-03-02-DR-A-02322-P05 Hub second floor plan, received 26 July 2022  
4469-AWW-03-RF-DR-A-02323-P03 Hun roof pan, received 26 July 2022  
4469-AWW-03-ZZ-DR-A-02330-P02 Hub North East elevation, received 26 July 2022  
4469-AWW-03-ZZ-DR-A-02331-P02 Hub South elevation, received 26 July 2022  
4469-AWW-03-ZZ-DR-A-02333-P02 Hub details bay elevation, received 26 July 2022  
4469-AWW-04-00-DR-A-02420-P04 Gateway building ground floor plan, received 26 July 2022  
4469-AWW-04-01-DR-A-02421-P04 Gateway building first floor plan, received 26 July 2022  
4469-AWW-04-02-DR-A-02422-P04 Gateway building second floor plan, received 26 July 2022  
4469-AWW-04-RF-DR-A-02423-P02 Gateway building roof plan, received 26 July 2022  
4469-AWW-04-ZZ-DR-A-02424-P02 Gateway building typical 1 bed apartment, received 26 July 2022  
4469-AWW-04-ZZ-DR-A-02430-P02 Gateway building details North and East elevation, received 26 July 2022  
4469-AWW-04-ZZ-DR-A-02431-P02 Gateway building details South West elevation, received 26 July 2022  
4469-AWW-04-ZZ-DR-A-02433-P02 Gateway building details bay elevation, received 26 July 2022  
4469-AWW-ZZ-02-DR-A-02107-P04 Proposed second floor plan, received 26 July 2022  
4469-AWW-ZZ-XX-DR-A-02113-P02 Proposed street elevation Vassall Road and Gill Avenue, received 26 July 2022  
4469-AWW-ZZ-XX-DR-A-02115-P02 Proposed site section, received 26 July 2022  
4469-AWW-ZZ-XX-DR-A-02120-P02 Overshadowing analysis, received 26 July 2022  
4469-AWW-ZZ-XX-DR-A-02124-P02 Daylight analysis section, received 26 July 2022  
4469-AWW-ZZ-ZZ-DR-A-02103-P04 Existing site layout, received 26 July 2022  
4469-AWW-ZZ-ZZ-DR-A-02112-P02 Existing street elevation, received 26 July 2022  
4469-AWW-ZZ-ZZ-DR-A-02129-P02 South boundary sheet 1, received 26 July 2022  
4469-AWW-ZZ-ZZ-DR-A-02130-P02 South boundary sheet 2, received 26 July 2022  
4469-AWW-ZZ-ZZ-DR-A-02131-P02 West boundary sheet, received 26 July 2022  
4469-AWW-ZZ-ZZ-DR-A-02131-P02 West boundary sheet, received 26 July 2022  
RF-108-001 Landscaping, received 26 July 2022  
12737SK0005B Proposed drainage plan, received 26 July 2022  
Design and access statement, received 26 July 2022  
Planning statement, received 26 July 2022  
Sustainability statement, received 26 July 2022  
Drainage strategy and flood risk assessment, received 26 July 2022  
Private drainage, received 26 July 2022  
ABC report of community involvement, received 26 July 2022  
Air quality, received 26 July 2022  
Arboricultural impact assessment and tree protection plan, received 26 July 2022  
Ground investigation report, received 26 July 2022  
Broadband connectivity statement, received 26 July 2022  
Framework travel plan, received 26 July 2022  
Landscaping design statement, received 26 July 2022  
Transport statement, received 26 July 2022  
Utilities statement, received 26 July 2022

Reason: For the avoidance of doubt.

**Development Control Committee A – 31 May 2023**  
**Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

Advices

1 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](mailto: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.

2 Highway to be Adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's Engineering Standard Details and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Transport Development Management Team at [DMengineering@bristol.gov.uk](mailto:DMengineering@bristol.gov.uk) You will be required to pay fees to cover the council's costs in undertaking the following actions:

- I. Drafting the Agreement
- II. Set up costs
- III. Approving the highway details
- IV. Inspecting the highway works

To discuss the requirement for sewers contact the Highway Authority's Flood Risk Management Team at [flood.data@bristol.gov.uk](mailto:flood.data@bristol.gov.uk) You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

N.B. The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

3 Impact on the highway network during construction

The development hereby approved and any associated highway works required, is likely to

**Development Control Committee A – 31 May 2023****Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

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](mailto: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](mailto:transportDM@bristol.gov.uk)

6 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](mailto: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.

7 Private Road

You are advised that as a result of the proposed layout and construction of the internal access road, the internal access road will not be accepted for adoption by the Highway Authority under Section 38 of the Highways Act 1980.

The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980, unless and until you agree to exempt the access road.

The exemption from adoption will be held as a Land Charge against all properties within the application boundary. Contact the Highway Authorities Transport Development Management

**Development Control Committee A – 31 May 2023****Application No. 22/03476/F : The Vassall Centre Gill Avenue Bristol BS16 2QQ**

Team at [DMEngineering@bristol.gov.uk](mailto:DMEngineering@bristol.gov.uk)

**8 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](http://www.bristol.gov.uk/registeraddress)

**9 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](http://www.bristol.gov.uk/travelplans)

**10 Freight Consolidation**

You are advised that to reduce the impact of delivery vehicles servicing the development a freight consolidation scheme can be utilised. Further details about freight consolidation are available at [www.travelwest.info/freight](http://www.travelwest.info/freight)

**11 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](http://www.bristol.gov.uk/highwaylicences)



## Supporting Documents

### 1. The Vassal Centre, Gill Avenue, BS16 2QQ.

1. Location Plan
2. Existing Site Plan
3. Proposed Site Plan
4. Proposed Site Ground Floor Plan
5. hfoP Ground Floor Plan
6. Proposed Elevations
7. Overshadowing
8. Site Sections
9. Landscaping

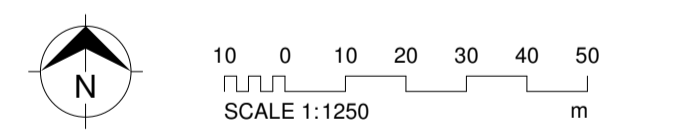




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- Application site boundary
- Site ownership boundary

Rev	Date	Notes	Dm	Chk'd
P03	29.06.22	Final Planning Issue	LI	DP
P02	22.06.22	Planning Issue	LI	DP
P01	31.05.2022	General amendments	LI	DP



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 RIBA Chartered Practice [www.aww-uk.com](http://www.aww-uk.com)

Client  
 Bristol Charities

AWW Project Number 4469 Project Stage RIBA Stage 2

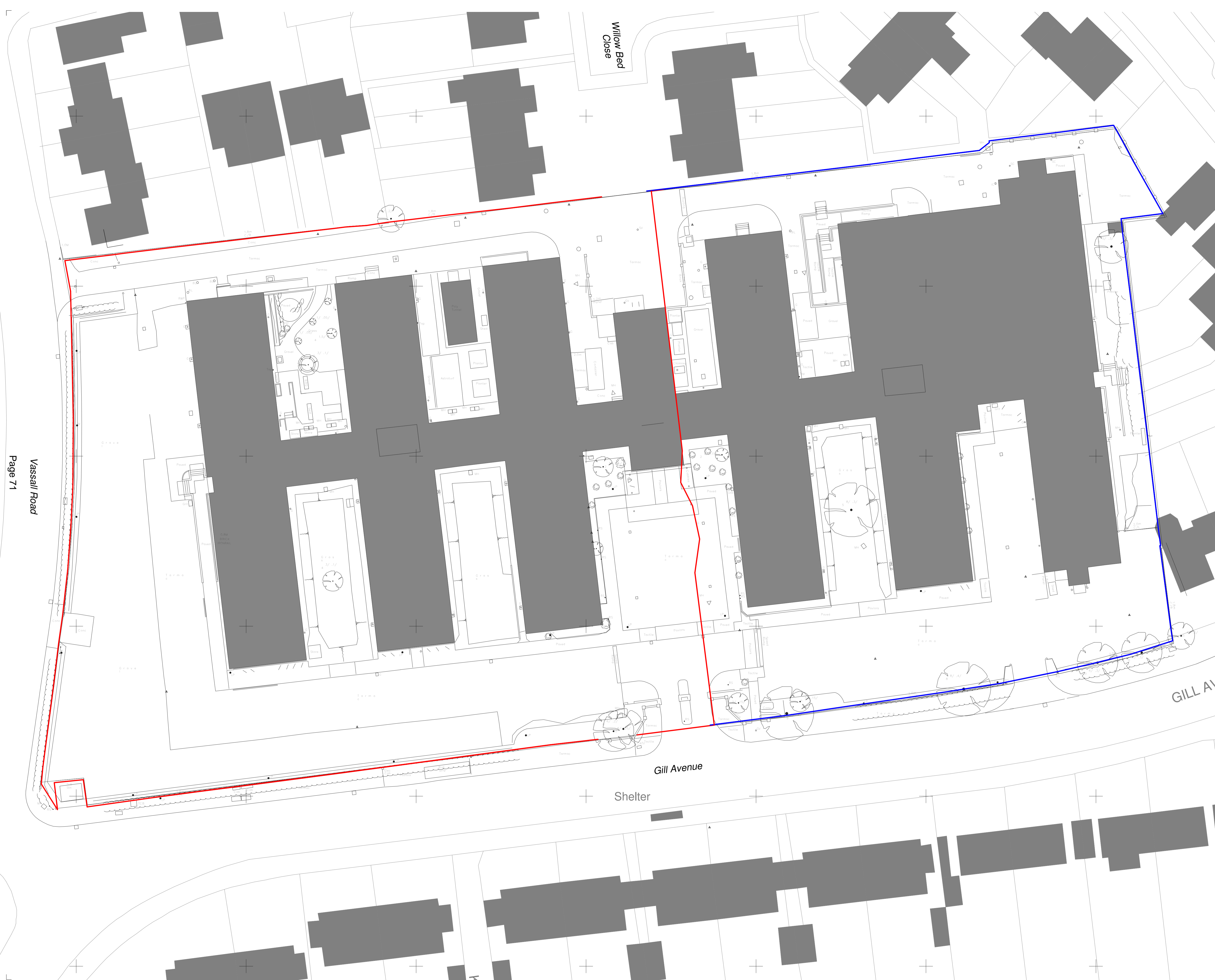
Project Title  
 Vassall Centre  
 Fishponds, Bristol

Title  
 Site Location Plan

Scale @ A1 Document Status  
 1 : 1250 S4 - Suitable for Stage Approval

Project	Origin	Volume	Level	Type	Role	Number	Rev
4469	AWW	ZZ	ZZ	DR	A	02101	P03

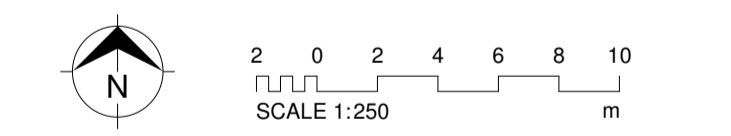




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- Application site boundary
- Site ownership boundary

Rev	Date	Notes	Dm	Chk'd
P04	29.06.22	Final Planning Issue	LI	DP
P03	22.06.22	Planning Issue	LI	DP
P02	31.05.2022	General amendments	LI	DP
P01	25.05.2022	General amendments	LI	DP



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AWW Project Number 4469 Project Stage RIBA Stage 2

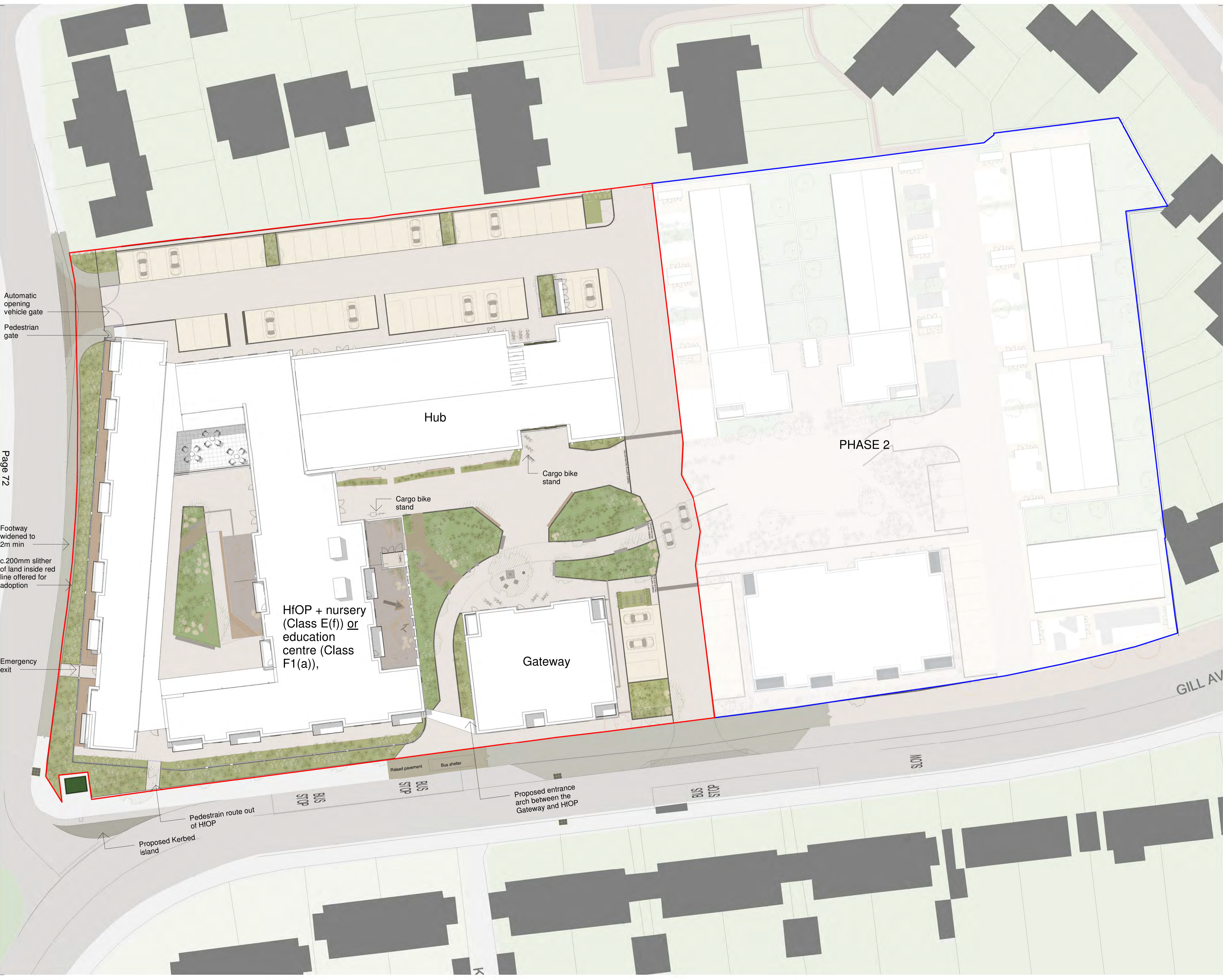
Project Title  
 Vassall Centre  
 Fishponds, Bristol

Title  
 Existing Site Layout Plan

Scale @ A1 1:250 Document Status S4 - Suitable for Stage Approval

Project	Origin	Volume	Level	Type	Role	Number	Rev
4469	AWW	ZZ	ZZ	DR	A	02103	P04





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- Application site boundary
- Site ownership boundary

Application site area: 0.72ha  
 Overall site area: 1.23ha

Automatic opening vehicle gate  
 Pedestrian gate

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Footway widened to 2m min  
 c.200mm slither of land inside red line offered for adoption

Emergency exit

HfOP + nursery (Class E(f)) or education centre (Class F1(a)),

Hub

Gateway

Cargo bike stand

Cargo bike stand

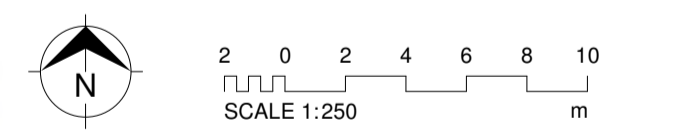
PHASE 2

GILL AV

Pedestrian route out of HfOP  
 Proposed Kerbed island

Proposed entrance arch between the Gateway and HfOP

Rev	Date	Notes	Dm	Chk'd
P08	20.02.23	Nursery updated to nursery (Class E(f)) or education centre (Class F1(a))	LI	DP
P07	23.11.22	Cafe bin store relocated	LI	DP
P06	11.11.22	Updates following planning officer comments	LI	DP
P05	29.06.22	Final Planning Issue	LI	DP
P04	22.06.22	Planning Issue	LI	DP
P03	31.05.2022	General amendments	LI	DP
P02	25.05.2022	General amendments	LI	DP
P01	08.04.2022	General amendments	DP	LI



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Client  
 Bristol Charities

AWW Project Number 4469  
 Project Stage RIBA Stage 2

Project Title  
 Vassall Centre  
 Fishponds, Bristol

Title  
 Proposed Site Plan

Scale @ A1 1:250 Document Status S4 - Suitable for Stage Approval

Project	Origin	Volume	Level	Type	Role	Number	Rev
4469	AWW	ZZ	ZZ	DR	A	02104	P08



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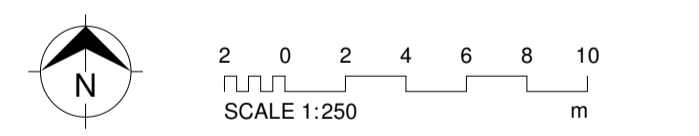
- Application site boundary
- Site ownership boundary

**Accommodation Key**

- 1 Bed Apartment
- 2 Bed Apartment
- 2 Bed House
- 2 Bed Maisonette WCA
- 3 Bed House
- 3 Bed House WCA
- Apartments Ancillary/Communal
- Apartments Circulation
- Cafe
- Community space
- Community space ancillary
- Community space circulation
- HfoP 1 Bed Apartment
- HfoP 2 Bed Apartment WCA
- HfoP Ancillary
- HfoP Circulation
- HfoP Communal
- Hub - Lettable space
- Hub Ancillary
- Hub Circulation
- Hub Communal
- Maisonette Circulation
- nursery (Class E(f)) or education centre (Class F1(a)),
- Supported housing - Ancillary
- Supported housing - Circulation
- Supported housing - Stair

PHASE 2  
(Illustrative only)

Rev	Date	Notes	Dm	Chk'd
P08	20.02.23	Nursery updated to nursery (Class E(f)) or education centre (Class F1(a))	LI	DP
P07	17.11.22	Dimensions added	LI	DP
P06	11.11.22	Updates following planning officer comments	LI	DP
P05	29.06.22	Final Planning Issue	LI	DP
P04	22.06.22	Planning Issue	LI	DP
P03	13.06.2022	General amendments	DCP	DP
P02	30.05.2022	General amendments	LI	DP
P01	20.05.2022	General amendments	LI	DP



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 Bristol pivot + mark, 48-52 Baldwin Street, BS1 1QB 0117 923 2535  
 RIBA Chartered Practice www.aww-uk.com

Client  
 Bristol Charities

AWW Project Number 4469 Project Stage RIBA Stage 2

Project Title  
 Vassall Centre  
 Fishponds, Bristol

Title  
 Proposed site ground floor plan

Scale @ A1 Document Status  
 1 : 250 S4 - Suitable for Stage Approval

Project	Origin	Volume	Level	Type	Role	Number	Rev
4469	AWW	ZZ	00	DR	A	02105	P08





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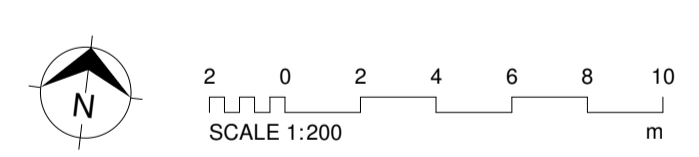
**Accommodation Key**

- HfoP 1 Bed Apartment
- HfoP 2 Bed Apartment WCA
- HfoP Ancillary
- HfoP Circulation
- HfoP Communal
- Hub - Lettable space
- Hub Ancillary
- Hub Circulation
- Hub Communal
- nursery (Class E(f)) or education centre (Class F1(a)).



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Rev	Date	Notes	Dm	Chk'd
P06	20.02.23	Nursery updated to nursery (Class E(f)) or education centre (Class F1(a))	LI	DP
P05	29.06.22	Final Planning Issue	LI	DP
P04	22.05.22	Planning Issue	LI	DP
P03	13.05.2022	General amendments	DCP	DP
P02	20.05.2022	General amendments	LI	DP
P01	08.04.2022	General amendments	DP	LI



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Client  
 Bristol Charities

AWW Project Number 4469 Project Stage RIBA stage 2

Project Title  
 Vassall Centre  
 Fishponds, Bristol

Title  
 HfoP ground floor plan

Scale @ A1 1:200 Document Status S4 - Suitable for Stage Approval

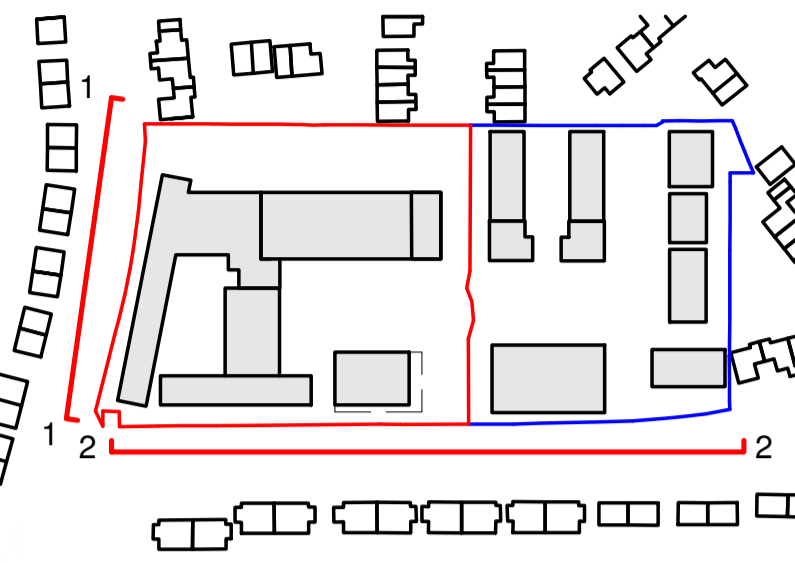
Project	Origin	Volume	Level	Type	Role	Number	Rev
4469	AWW	02	00	DR	A	02220	P06

**HfoP ground floor**  
 1 : 200



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**KEY PLAN**



**Proposed elevation 1 along Vassall Road**  
 1 : 200



**Proposed Gill Avenue elevation 2 - Part 1**  
 1 : 200



**Proposed Gill Avenue elevation 2 Part 2**  
 1 : 200



Rev	Date	Notes	Dm	Chk'd
P02	29.06.22	Final Planning Issue	LI	DP
P01	22.06.22	Planning Issue	LI	DP



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Client  
 Bristol Charities

AWW Project Number 4469 Project Stage RIBA Stage 2

Project Title  
 Vassall Centre  
 Fishponds, Bristol

Title  
 Proposed street elevations - Vassall Road & Gill Avenue

Scale @ A1 Document Status  
 As indicated S4 - Suitable for Stage Approval

Project	Origin	Volume	Level	Type	Role	Number	Rev
4469	AWW	ZZ	XX	DR	A	02113	P02



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Application site boundary  
Phase 2 site boundary

**March 21st**  
Sunrise: 06:11  
Sunset: 18:25

In accordance with BRE guidance ' at least half of a garden or amenity area should receive at least 2 hours of daylight on 21st March' 3.3.17 BR 209

The sun study plans demonstrate that the proposals do not prohibit the surrounding gardens from receiving at least 2 hours of direct sunlight on 21st March.

BRE guidance states that if the angle to the horizontal between the centre line of the lowest window and the proposed development is less than 25 degrees then the new development is 'unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building' 2.2.5 BR 209

P02	29.06.22	Final Planning Issue	LI	DP
P01	22.06.22	Planning Issue	LI	DP
Rev	Date	Notes	Dm	Chk'd

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Client  
Bristol Charities

AWW Project Number 4469 Project Stage RIBA Stage 2

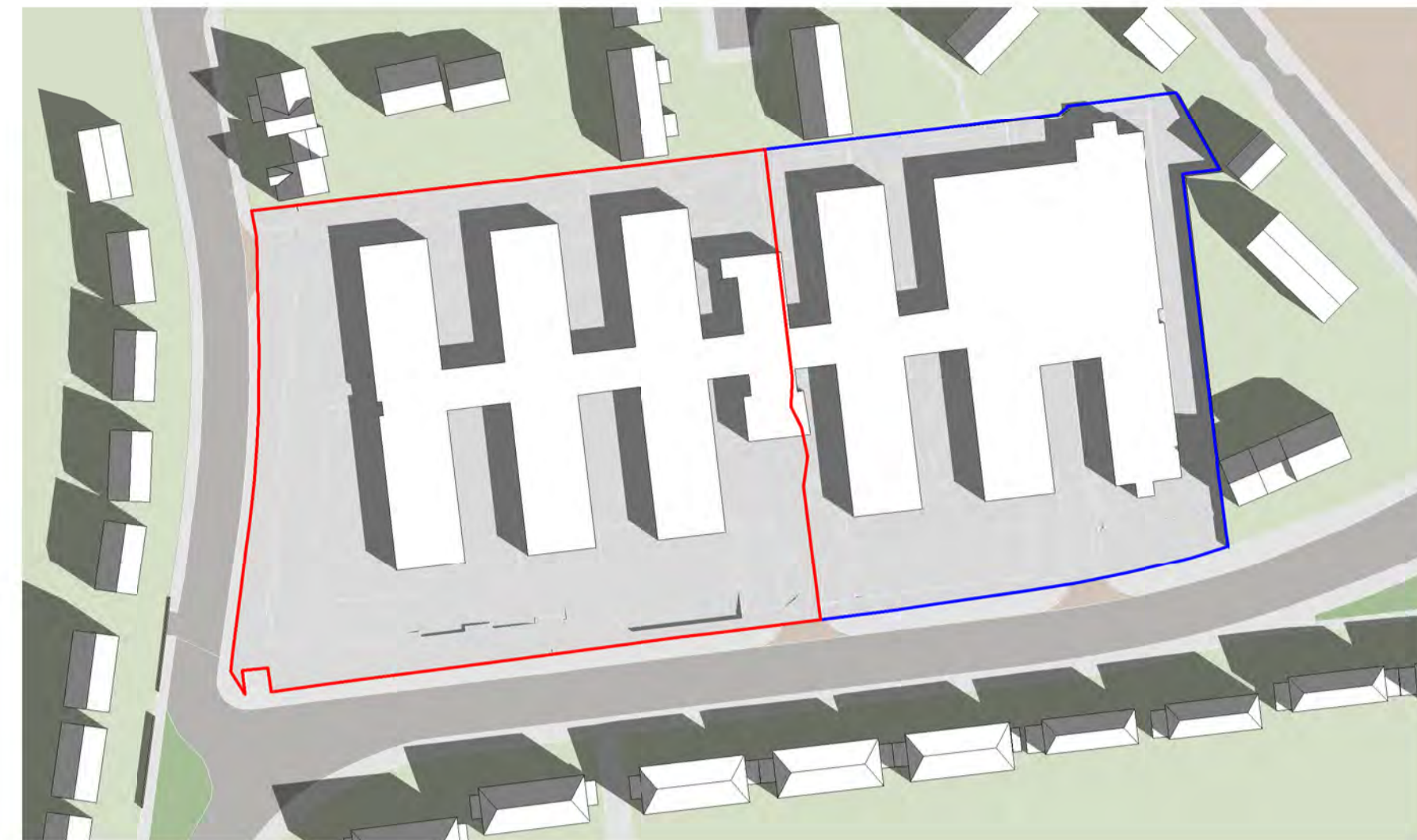
Project Title  
Vassall Centre  
Fishponds, Bristol

Title  
Overshadowing analysis - 21st March

Scale @ A1 Document Status  
As indicated S4 - Suitable for Stage Approval

Project	Origin	Volume	Level	Type	Role	Number	Rev
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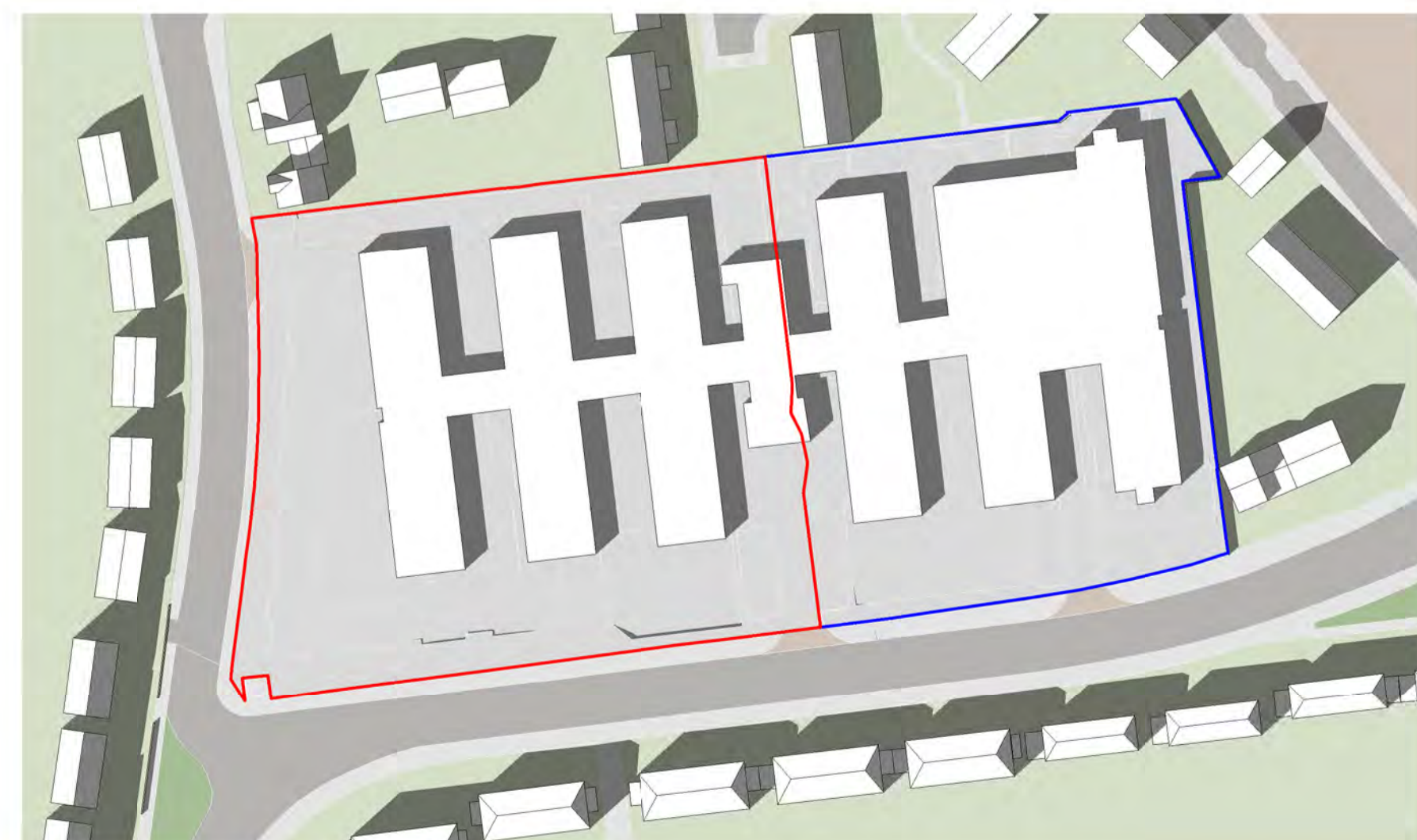
### Existing Vassall Centre Massing



**Sun Path - 10am March 21st (Sunrise 06.11) Existing Massing**  
1 : 1000

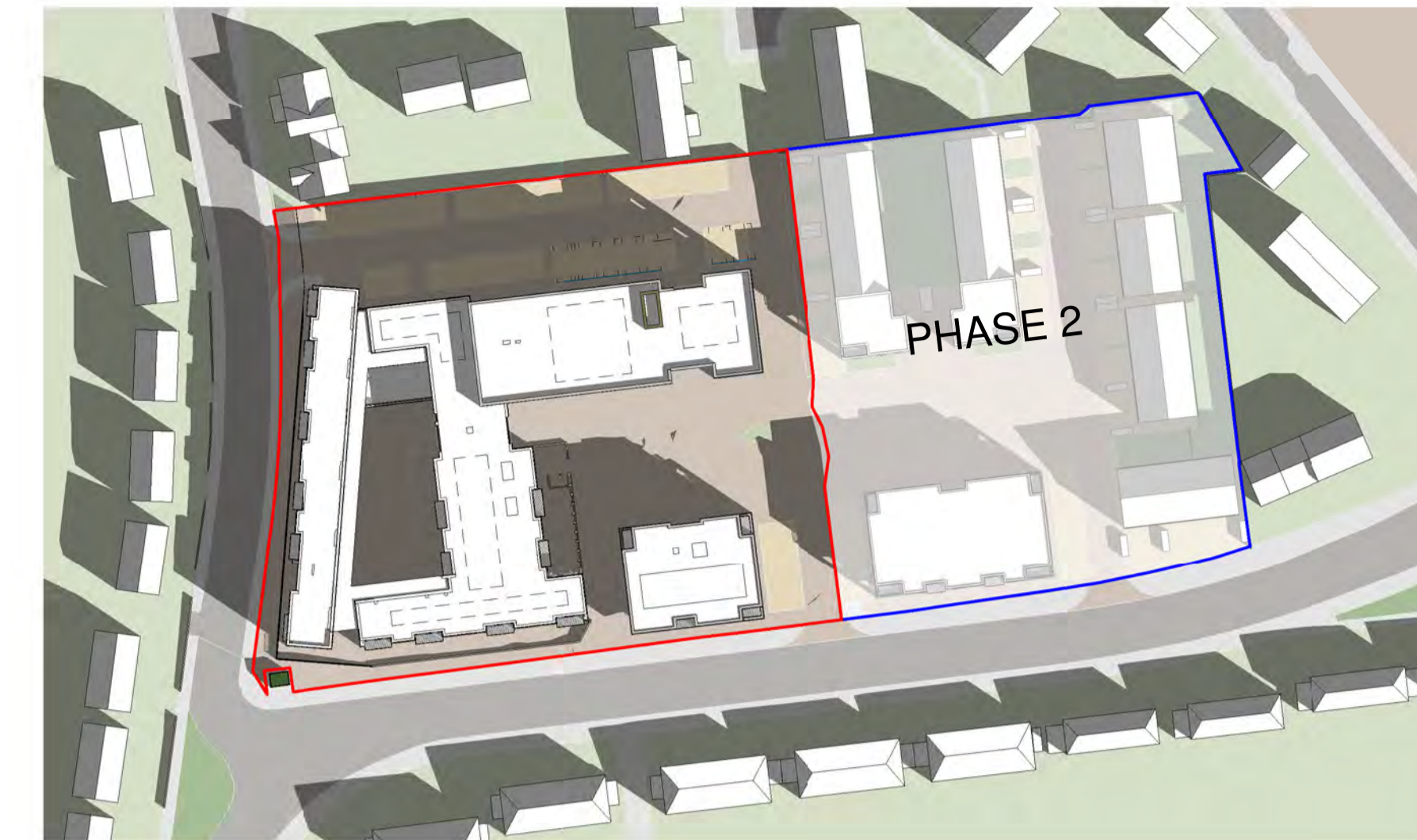


**Sun Path - 12am March 21st (Sunrise 08.13) Existing Massing**  
1 : 1000

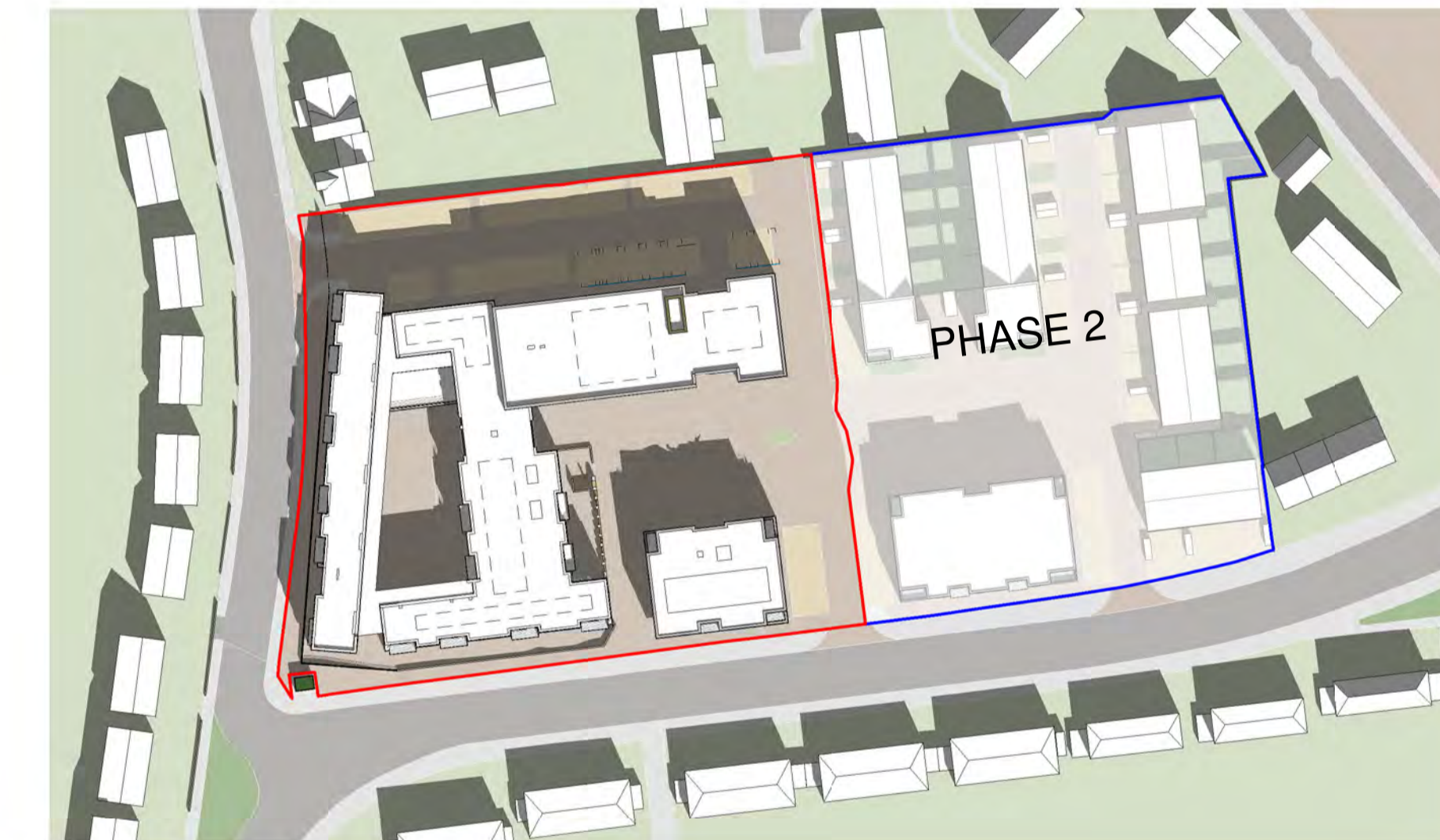


**Sun Path - 4pm March 21st (Sunset 18.25) Existing Massing**  
1 : 1000

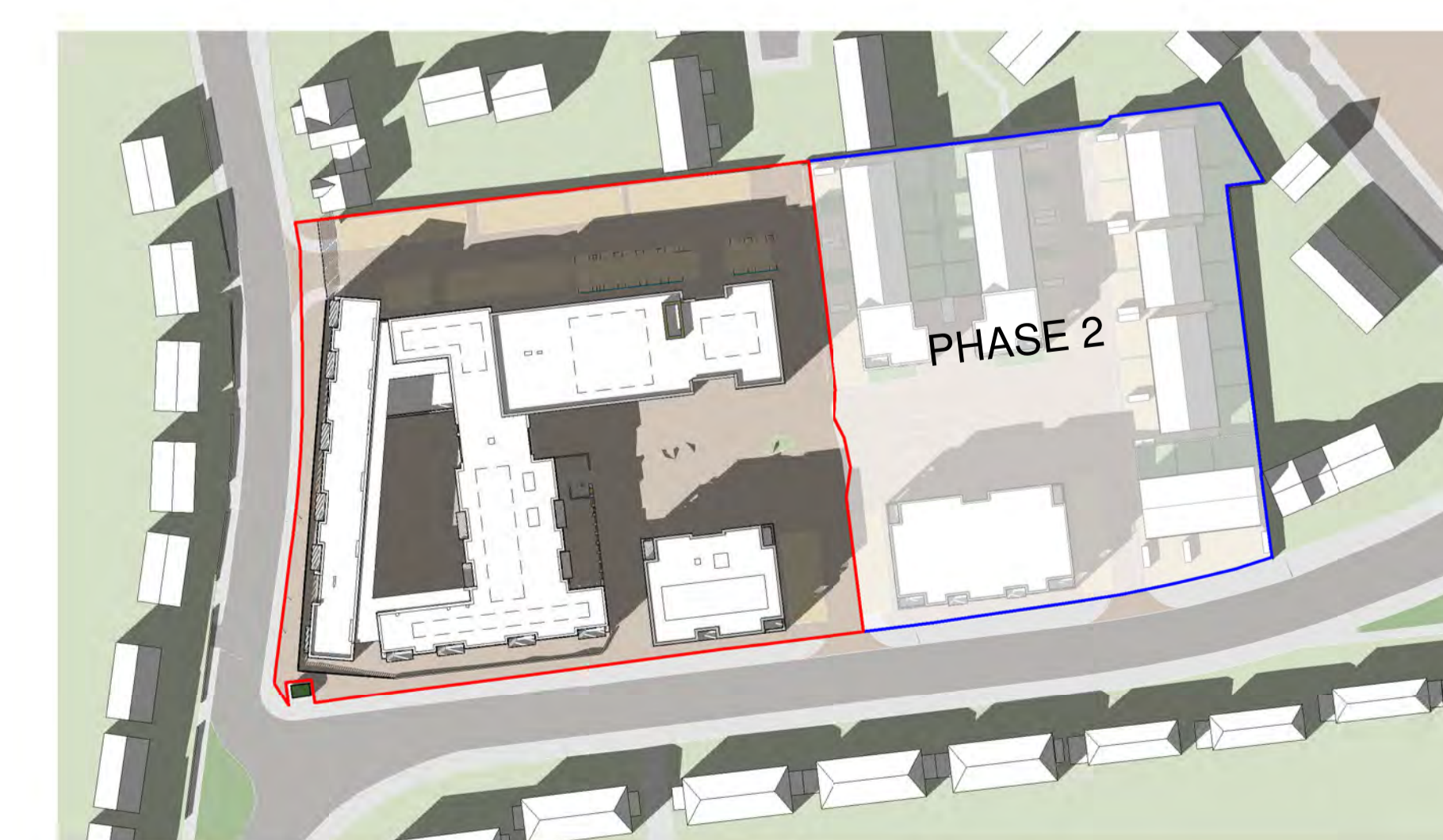
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**Sun Path - 10am March 21st (Sunrise 06.11) Proposed Massing**  
1 : 1000



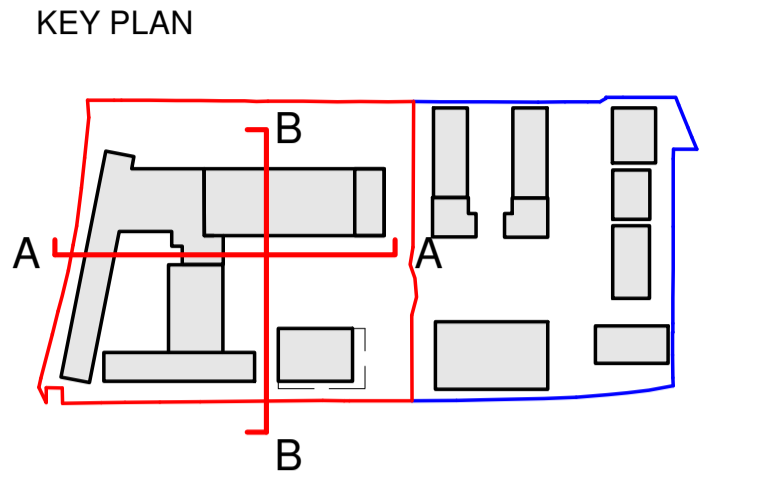
**Sun Path - 12pm March 21st**  
1 : 1000



**Sun Path - 4pm March 21st (Sunset 18.25)**  
1 : 1000



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Phase 2  
in abeyance

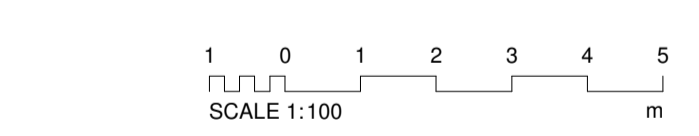
**Proposed site section A**  
1 : 200

Page 77



**Proposed site section B**  
1 : 200

P02	29.06.22	Final Planning Issue	LI	DP
P01	22.06.22	Planning Issue	LI	DP



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Client  
Bristol Charities

AWW Project Number 4469 Project Stage RIBA Stage 2

Project Title  
Vassall Centre  
Fishponds, Bristol

Title  
Proposed site sections

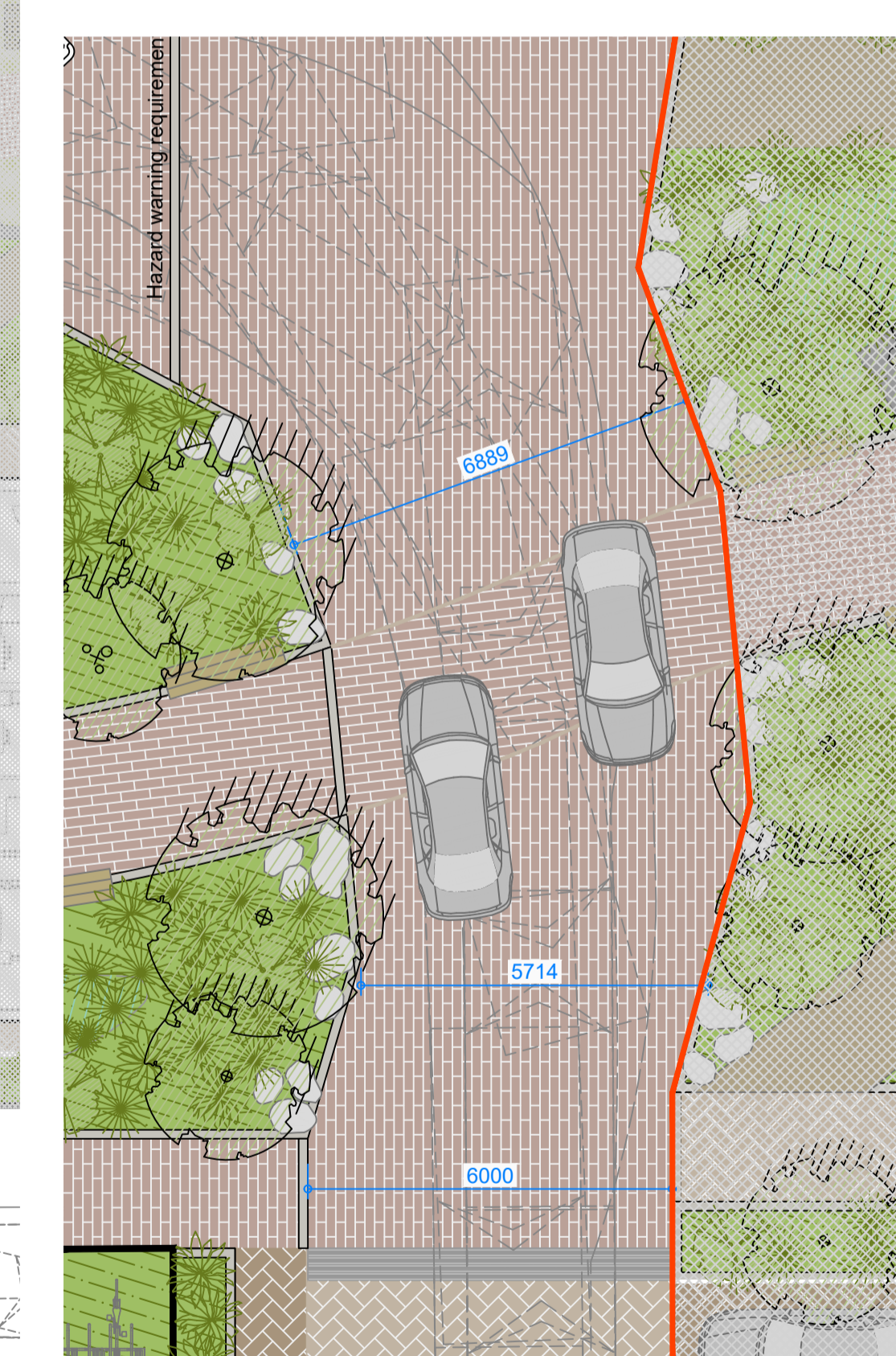
Scale @ A1 Document Status  
As indicated S4 - Suitable for Stage Approval

Project	Origin	Volume	Level	Type	Role	Number	Rev
4469	AWW	ZZ	XX	DR	A	02115	P02





- KEY:**
1. Communal 'breakout' Cafe seating
  2. Outdoor activity space for youth charity
  3. Outdoor nursery space play space indicative layout featuring timber play tower, water play point, robust natural play forms 'window' aperture in the wall facing the central communal landscape for visual connection and interaction
  4. Intergenerational communal courtyard space featuring informal play elements, seating elements, role play 'mini stage' for children to role play to older residents
  5. Outdoor private space for residents
  6. Main pedestrian access from Gill Ave. with legacy tree planting at threshold and SuDS feature leading towards central landscape - biodiverse groundcover planting and multistem tree planting
  7. Low level 'boardwalk' style access to nursery entrance with visitor cycle stands
  8. Central landscape zones feature robust biodiverse groundcover and mounded planting with raised canopy tree planting - acting as bioretention zones receiving rainwater from surrounding paving and rainwater from the gateway building. Informal cube seats and benches punctuate the space allowing for dwell time for workers and residents
  9. Central space based on shared space principles with central spine sinuous pathway ultimately linking phases 1 & 2 - a single high quality clay block aligned to different paving patterns unifies the space with rumble strips at thresholds (see item 10) alerting drivers that this space is primarily for pedestrians
  10. Shared space thoroughfare - rumble strips act as a threshold treatment to the central space
  11. Parking primarily for the gateway building
  12. Main parking courtyard - tree planting and a landscape zone help to signify the entrance to the Hub building
  13. Main vehicular entrance to the site from Vassall Rd - Gateway configuration TBC



Shared space detail - NTS

**Phase 1 Landscape Plan - Scale 1:200**

All dimensions and sizes to be verified by the Contractor on site. Any discrepancies to be verified with the Landscape Architect before work proceeds. No dimensions to be scaled from this drawing. Contractors must work to figured dimensions. © This drawing is subject to copyright of Roundfield, in accordance with our standard terms and conditions. Where an Ordnance Survey Drawing is shown on this drawing, it is re-produced under Crown copyright ©. All rights reserved.

Rev	Date	By	Detail
-	22.06.22	JH	Draft issue
A	27.06.22	JH	Draft Planning Issue
B	28.06.22	JH	Draft Planning Issue
C	01.07.22	JH	Planning Issue
D	07.07.22	JH	Planning Issue

**NOTES:**  
A. For further details refer to Landscape Design Statement

**Project/Location**  
Vassall Centre, Bristol

**Drawing title**  
Landscape General Arrangement Plan

**Drawing status**  
PLANNING

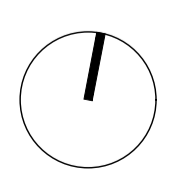
Scale(s)	Date	Drawn	Checked
1:200 @A1	13.06.22	JL	JH

**ROUNDFIELD**  
The Old Church School  
Butts Hill  
Frome  
Somerset BA11 1HR

**Client**  
Bristol Charities

**Drawing number**  
RF-108-001

**Revision**  
D





**WARD:** Knowle

**SITE ADDRESS:** Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU

**APPLICATION NO:** 22/03924/P Outline Planning

**DETERMINATION DEADLINE:** 1 April 2023

**Application for Outline Planning Permission with some matters reserved - Demolition of existing buildings and erection of a mixed use scheme comprising residential units (Class C3), commercial floorspace (Class E), community use (flexible Class E/Class F2), library floorspace (Class F1), cinema/ theatre floorspace (Class sui generis), vehicle parking spaces, cycle parking, and associated landscaping, public realm, access and servicing arrangements, and circulation space. All matters reserved except for access. (Major)**

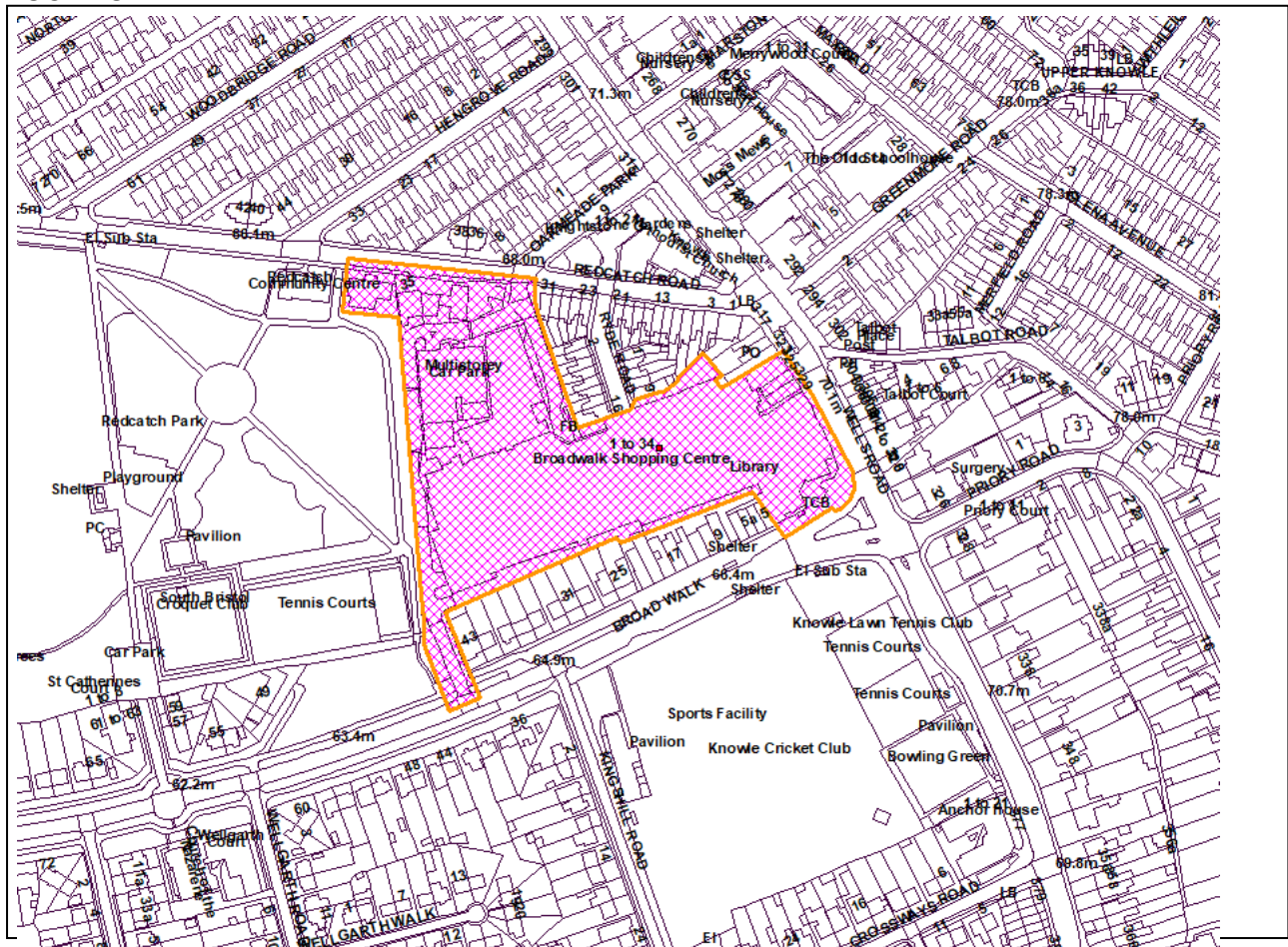
**RECOMMENDATION:** GRANT subject to Planning Agreement

**AGENT:** Savills (UK) Limited  
Embassy House  
Queens Avenue  
Bristol  
BS8 1SB

**APPLICANT:** Broadside Holdings Ltd

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

**LOCATION PLAN:**



**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU****1.0 SUMMARY**

- 1.1 This application is referred to Committee on account of the significant level of public interest.
- 1.2 This is an application for outline planning permission. All matters (appearance, landscaping, layout, and scale) are reserved for subsequent approval except for the means of access, which is applied for in detail.
- 1.3 Consideration cannot be given here to the overall design of the scheme. This is reserved for subsequent approval and only indicative plans have been submitted. The aim for which is to establish that (in principle) the site can accommodate a mix of development, including up to 850 homes.
- 1.4 Permission is sought for the following maximum parameters:

<b>Land Use</b>	<b>Proposed Max. Parameters (GEA)</b>
C3 Residential	850 units
E Commercial	7,430 sqm
Flexible E/F2 Community	190 sqm
F1 library	320 sqm
Sui generis cinema/ theatre	870 sqm

- 1.5 This application seeks to establish a number of key principles for the site including demolition of part of the building, including the Bingo Hall; redevelopment to provide mixed use and residential accommodation; and building heights of up to 12 storeys (103m AOD).
- 1.6 The proposals seek to improve on the extant permission with a number of key objectives including:
- realising the opportunity for a comprehensive redevelopment of the shopping centre and subsequent improvements to the wider area;
  - the creation a seamless area of public realm, connecting Redcatch Park to Wells Road and the wider area;
  - improving site permeability and connectivity;
  - increasing residential density to support the ailing town centre;
  - introducing new types of residential accommodation including later living and build to rent accommodation;

**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU**

- ensuring the long term sustainability and function of the town centre as the main focus for the community's retail, leisure, and community facilities;
  - significantly enhancing biodiversity net gain within the site; and
  - delivering improved energy efficiency through the development of new buildings.
- 1.7 The principle of development is accepted and considered to contribute positively to the delivery of new homes on previously developed land. This is supported by the NPPF and Local Plan Policies BCS5, BCS7 and BCS20.
- 1.8 The proposed loss of retail and leisure buildings is sufficiently justified by the refurbishment and re-provision of facilities elsewhere within the application site. The refurbishment/re-provision is within a designated Local Centre in accordance with Policy BCS7.
- 1.9 Sufficient information has been provided and design work has been undertaken for officers to be confident that the site can accommodate the quantum of development proposed and that an acceptable design solution can be found.
- 1.10 Some of the concerns that have been raised by Consultees and members of the public would be addressed as the details of the design emerge at reserved matters stage.
- 1.11 The application for outline planning consent is recommended for approval, subject to conditions and planning agreement.

**2.0 SITE DESCRIPTION**

- 2.1 This application relates to the land and buildings located to the east of Redcatch Park and bounded by Redcatch Road to the north, Wells Road to the east and Broad Walk to the south. The site is within the Knowle Ward, south east Bristol.
- 2.2 The land is currently in a mix of uses but is predominantly in use as the Broadwalk Shopping Centre; a retail centre with over 30 shops, leisure and entertainment uses and food outlets. Offices and a public library are located the southeastern extent of the site, at the corner of Broad Walk with Wells Road. A multi-storey car park is located in the western part of the site and car parking is also provided at roof level above the Shopping Centre. At the northern extent of the site there is a former petrol station on Redcatch Road, which is currently in use as a car wash. The former Knowle library, a single storey building located on Redcatch Road, is also included within the application site.
- 2.3 Vehicular access to the site is gained via Redcatch Road, with egress onto Broad Walk. The main pedestrian entrance to the Shopping Centre is at the corner of Broad Walk with Wells Road.
- 2.4 The site is designated within the Knowle Local Centre and as a Primary Shopping Area in the Council's Site Allocations and Development Management Policies (July 2014). Redcatch Park is designated as Important Open Space.

**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU**

- 2.5 The surrounding area is largely residential in nature. No's. 1 to 16 Ryde Road are located immediately to the north of the site and no's. 25 to 43 Broad Walk located immediately to the south. These buildings are a combination of Victorian terraces and larger, post-war houses. There are also a number of retail units with residential flats above, located along Redcatch Road, Broad Walk and Wells Road. Redcatch Community Centre is located to the west of the former library building.
- 2.6 Knowle Methodist Church is a Grade II Listed Building, located to the north of the site on the corner of Wells Road and Redcatch Road, circa 50 metres from the site. The Old Schoolhouse, 28 Maxse Road is a Grade II Listed Building, located circa 100 metres from the site.
- 2.7 The location is well-connected to the City Centre and South Bristol, with bus stops located on Broad Walk, Wells Road and Redcatch Road.
- 2.8 The site is not subject to any statutory designations and does not have any habitats of significant value. There are four designated sites within 1km of the application site, with two within 500m of the site, Arnos Vale Cemetery SNCI and Callington LNR/SNCI, 480m and 500m respectively. These sites are of a sufficient distance from the application site to not have a significant impact on adjacent habitats.
- 2.9 The application site is located within Flood Zone 1 and is at a low risk of flooding.

**3.0 RELEVANT PLANNING HISTORY**

- 3.1 The site has a long history, with numerous applications for various alterations and advertisements. The most recent and relevant history is included below:

22/02132/SCR – A Screening Opinion as to whether an Environmental Impact Assessment (EIA) was required for the redevelopment of the Project Site for up to 880 residential dwellings, up to 7,430sqm Class E commercial floorspace, up to 190sqm flexible Class E/ Class F2 community floorspace, up to 320sqm Class F1 library floorspace, and up to 870sqm sui generis cinema/ theatre use, together with car and cycle parking (Please note that this is not a planning application and therefore we are not carrying out public consultation on the proposal at this stage) was provided on the 15<sup>th</sup> June 2022. This confirmed that an EIA was not required.

18/05184/P - Outline planning application with all matters reserved other than access for the partial demolition, refurbishment and redevelopment of Broadwalk Shopping Centre and adjacent land to provide a mixed use scheme comprising residential apartments (C3), retail floorspace (A1/A2), cafes, bars and restaurants (A3/A4/A5), offices (B1), community (D1) and leisure uses (D2). Provision of vehicular and pedestrian .cycle accesses, parking, servicing, landscaping, public realm and associated works. GRANTED on 28<sup>th</sup> September 2021.

18/04648/SCR - Request for a Screening Opinion as to whether an Environmental Impact Assessment (EIA) is required for the proposed redevelopment of the Broadwalk Shopping Centre, Knowle.– EIA NOT REQUIRED (Oct 2018)

07/05426/F - Part demolition of existing multi-storey car park and erection of part two, part three storey residential development (45 units) and provision of access cores, refuse, cycle parking and car parking areas. – GRANTED subject to condition(s) (Feb 2009)

**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU**

06/05015/F and 10/01314/R Demolition of existing buildings. Erection of three-storey development to provide 38 flats, associated underground parking area and 124 square metres of B1 class office space

04/05196/F - Change of use of part of first floor from nightclub (Use Class D2) to library (Use Class D1). – GRANTED subject to condition(s) (Mar 2005)

03/03955/F - Erection of a two-storey extension for retail use adjacent to existing multi-storey car park. New entrance and improved elevations to Wells Road. Refurbished Malls and new rooflight. – GRANTED subject to condition(s) (Feb 2004)

03/00755/F - Change of use from Use Class A1 Retail to Use Class A3 Food and Drink. – GRANTED subject to condition(s) (Apr 2003)

01/01464/F - Demolition of two levels of car parking and erection of new retail unit at mall level with related storage and service provision at road level. – GRANTED subject to condition(s) (Dec 2001)

**4.0 APPLICATION DETAILS**

4.1 This application seeks outline planning permission with all matters reserved for subsequent approval (except access) for the demolition of existing buildings on the site and the erection of a mixed use scheme comprising residential units (Class C3), commercial floorspace (Class E), community use (flexible Class E/Class F2), library floorspace (Class F1), cinema/ theatre floorspace (Class sui generis), vehicle parking spaces, cycle parking, and associated landscaping, public realm, access and servicing arrangements, and circulation space. All matters (appearance, landscaping, layout and scale) are reserved for subsequent approval except for access.

4.2 The following buildings are proposed for demolition:

- - Former Knowle Library
- - Redcatch Road Hand Car Wash
- - Multi-storey car park
- - Retail Units 17A, 17B, 46 and 47 (B&M, Vacant, Wilko and Bingo Hall /Fit4Less Gym)

4.3 The redevelopment of the site would include the following mix of uses:

- Use Class C3 residential development – Up to 850 homes
- Use Class E Commercial development – 7,430 square metres (GEA)
- Flexible Use Class E / Use Class F2 - Community Uses – 190 square metres
- Use Class F1 Library – 320 square metres
- Sui generis – Cinema / Theatre – 870 square metres
- 308 parking spaces for residents and visitors to the site

***Design Principles***

4.4 Although layout is reserved for subsequent approval, an indicative layout plan has been submitted with the intention of establishing a number of design principles to guide the refinement of the design of the overall development and to demonstrate that the proposed parameters could be accommodated within the site.

**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU**

- 4.5 The indicative layout has evolved from the creation of three new streets within the site, including a strong west to east connection to Redcatch Park. This is intended to drive footfall through the site.
- 4.6 The indicative plan envisages a series of blocks with clear fronts and backs and well defined entrances. The intention is to create a robust frontage at the corner of Wells Road and Broad Walk.
- 4.7 Active frontages are proposed at ground floor level with residential accommodation on upper floors.
- 4.8 The indicative layout includes space for community floorspace, which will accommodate a replacement Knowle Library at the centre of the site, together with floorspace for uses such as a cinema or theatre, which is shown to be located at the eastern part of the site.

***Vehicular Access***

- 4.9 Vehicular access to the site would remain as existing, with vehicular access from Redcatch Road and egress onto Broad Walk. Pedestrian access would be retained at the corner of Wells Road and Broad Walk, with a further access from Redcatch Park and secondary access via Ryde Road.

***Indicative Heights***

- 4.10 While the exact design of each building on the site is reserved for subsequent approval, it is possible to compare the height of the existing building on the site with the potential heights for different parts of the site.

	<b>Existing (AOD)</b>	<b>Extant Consent (AOD)</b>	<b>Proposed (AOD)</b>
North west	76 m	77-82m	82-88m
North	71 m	77-82m	69-91m
Central North	81 m	94-97m	68-102
Central South	74 m	94-103m	68-102
South West	72 m	67-94m	84-96
Centre	74 m	82m	78-98
East	89 m	(as existing)	77-104

***Indicative Parking Provision***

- 4.11 The application form indicates that provision will be made for 308 parking spaces. This would represent a reduction of 106 from the existing 414 on the site currently.

***Ecology and Landscaping***



**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU**

- 4.12 The Applicants have indicated that the detailed design of the buildings will provide green / blue roofs to meet drainage and attenuation requirements. A blue roof is a roof design that is explicitly intended to control the release of water, typically rainfall, over time.
- 4.13 A series of bat surveys has been undertaken throughout 2022 at the Old Library Building. These have concluded that no roosting bats are present on the site. The application proposals incorporate enhancements for roosting bats in the form of bat boxes and planting that are known to attract invertebrates.
- 4.14 The applicants have indicated that the detailed design of the scheme will provide a significant increase in habitats on site through the provision of tree planting, landscaping, green roofs, and green walls.
- 4.15 In respect of Biodiversity Net Gain, the Applicants have indicated that their proposals will result in a +1299.86% increase. However, a condition is recommended to secure a Biodiversity Net Gain Assessment to accompany each reserved matters application.

**5.0 EQUALITIES ASSESSMENT**

- 5.1 The public sector equalities duty is a material planning consideration as the duty is engaged through the public body decision making process.
- 5.2 “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
  - (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.
- 5.3 During the determination of these applications 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. In their assessment of these applications your officers are satisfied that any adverse impacts can be addressed and mitigated through the detailed design of the buildings and the imposition of appropriate conditions.

**6.0 STATEMENT OF COMMUNITY INVOLVEMENT (SCI)*****Process***

- 6.1 The SCI sets out the details of consultation activities including, but not limited to:
- Key stakeholder and Ward Councillor meetings,
  - A public exhibition event

**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU**

- Media / Social Media and a website
- Presentation at Bristol Urban Design Forum

**Key Outcomes**

6.2 The SCI states that the following changes were secured as a result of this process:

- In response to concerns about the size of the building:

“We reduced the overall mass of built space by 79,639 sq m GIA to 77,831 sq m GIA and volumetrically by 267,425 m<sup>3</sup> to 259,131 m<sup>3</sup>. Additionally, we have rationalised the design from 10 blocks to 9 to improve the efficiency, permeability and spacing of the scheme.”

- In response to stakeholders’ concerns about the height of the proposed development, the Applicants commented that:

“The updated design incorporated step-backs from the extant consent and original pre-app design to minimise overlooking, rights of light and daylight / sunlight impact, as well as an improved vista to Redcatch Park.”

- In response to stakeholders’ concerns that the development is too dense, the Applicants make the following comment:

“This is an opportunity to redevelop a failing shopping centre and to create a new heart for Knowle with shops, community facilities and new homes in a sustainable and attractive location. To achieve that we need to redevelop the whole site and create the quantum of development which will enable us to deliver the community benefits and homes the city needs. Reducing the number of homes will only serve to reduce the amount of affordable accommodation available. Additionally, increased density supports sustainable transport measures, frees up more land for public realm and amenity, supports local services and shops by increasing footfall and prevents development on green belt land. There is also an acute housing need in Bristol with the city only having a five-year housing land supply of c. 2.8 years. “

- In response to stakeholders’ request for the developers to do more for Redcatch Park, the Applicants comment:

“We will improve green infrastructure through the landscaping of the main thoroughfare between Wells Road and Redcatch Park featuring seating, alongside space for pop-ups, lush planting, and lighting, together with widened informal squares / courtyards which all create natural congregation and informal play points that punctuate the thoroughfare.”

- Finally, in respect of the retention of important shops and amenities, the Applicants state that:

“There will be an increase in shop frontage, these shops will be resized to optimise prime shopping space in store. These shops will be more flexible to ensure the centre stays relevant over time. We have ensured that everyday essentials like a dentist and library will be embedded in the Redcatch Quarter.

**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU**

Additionally, we want to ensure the provision of other requested services such as a pharmacy and supermarket.”

**7.0 POLICY CONSIDERATION****7.1 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.

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

***Emerging Policy and Legislation***

7.3 The consultation on the Levelling Up and Regeneration Bill seeks view on the proposed approach to preparing National Development Management Policies and how policy might be developed to support levelling up. This feeds directly into the proposed changes to the NPPF (see below). At the time of writing, the Bill is progressing committee stage in the House of Lords. The Bill seeks to make the planning system work better for communities including introducing a requirement for local authorities to produce design codes, introducing a new infrastructure levy, giving increased weight to neighbourhood plans, reforming the 5 year housing land supply by removing the requirement for 5%, 10% and 20% buffers, and making changes to the Housing Delivery Test.

7.4 On 22 December 2022 the Department for Levelling Up, Housing and Communities published its proposed approach to updating the NPPF for consultation. The consultation runs until 2 March 2023. The main proposed changes relate to the weakening of the presumption in favour of sustainable development, with reduced support for high density development; strengthening neighbourhood plans; the potential removal of the requirement for robust testing of objectively assessed need, and potential strengthening of green belt boundaries.

7.5 Bristol City Council published the latest draft Local Plan policies for consultation in November 2022. The includes a range of sustainability policies to address climate change.

7.6 Draft Policy H1 sets an annual average minimum housing target of 1,925 net additional dwellings, which falls drastically below housing need derived by the Standard Method figure plus 35% uplift of 3,376, without any strategy in place for unmet need to be addressed outside of BCC's boundaries.

7.7 An earlier iteration of the draft Local Plan, published for consultation in March 2019, included a Draft Development Allocations document, which included a draft allocation of Broadwalk Shopping Centre (ref. BDA2201) for 'residential led redevelopment with appropriate town centre uses.'

7.8 Although emerging policy is at a relatively early stage in the plan preparation process, and therefore carry minimal weight as a material consideration, proposed changes to

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the NPPF could be adopted as early as Spring 2023. The proposed changes to the NPPF and the emerging policy have therefore been considered within this report as part of the planning balance.

**8.0 RESPONSE TO PUBLICITY AND CONSULTATION****General response from the public**

8.1 A total of 900 neighbouring properties were consulted directly. As a result, the following representations were received:

8.2 At the time of the preparation of the report, 231 representations have been received objecting to the application:

***Principle of development (Key Issue A)***

- Concern about the loss of local services including local shops.
- “The loss of Snooker City, Soft Play and Bingo will effect a large number of people and the proposal of a cinema is no substitute”.
- The proposed development does not align with Site Allocations DPD DM14, which states that development should improve health and reduce health inequalities.
- Concern about how it will impact on local services such as doctors, schools and dentists.
- GP practices will not be able to cope.
- The potential influx of 2,000 residents will place a strain on local amenities.
- Concern about the reduced number of shops proposed – “Get rid of the cinema and put in a supermarket.”
- The proposal is “monstrous” – a density of 428 dph is too high.
- “This application is discriminatory to the disabled, the elderly and those on low incomes, who rely on there being shops at Broad Walk. This site needs redevelopment but the tower blocks are too big and provision for shops too small.”
- Access to a community hub (including Knowle Library) should have shop-like opening hours.
- Access to the library should be outside office hours.
- Toilet facilities should be provided.
- It should have an area for people to socialise in or just to use to get out of the weather.
- The community cafe could be part of this space but people should not feel they have to buy from the cafe to use this space.
- Provision should be made for a supermarket.
- The proposed development should contribute to local leisure services.
- A local supermarket is needed.
- The scheme does not Bristol City Council’s own standards for quality – it is too dense and does not provide sufficient affordable housing and should be refused.

***Design (Key Issue C)***

- Concern that the height of the proposal will be overbearing. “The proposed buildings are significantly taller than the existing structures, and I am concerned about the impact this will have on the surrounding area.”

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- “This application appears to be a major over development from previous applications. The application density does not appear to be in line with the policy bcs20 or the national planning framework; with hard transitions in height on the wells road frontage from local (2 story scale) to 10 story; there is no stepping up.”
- “The overall architecture is big brick blocks with repetitious and monotonous windows on a huge scale. It looks like many of the large schemes in other areas of the city it is not location specific. It is not a city centre location but the height, bulk, scale of the development is more akin to developments in the centre but bigger. Scale of development usually diminishes towards the outskirts of cities. The height of the development is nearly the same as the 1960/70 tower blocks of Lawrence Weston and Bedminster.”
- “The future residents of Bristol will despair that this horror show was allowed to see the light of day. This development is just wrong in every conceivable way, too tall, too dense, too ugly, just totally inadequate and benefitting no-one but the developers.”
- Object to the opening up of Ryde Road – “This fundamental change in the landscape, character and safety of my road is unacceptable.”
- The proposal will stick out like a sore thumb – “Knowle is not a high rise area”.
- Totally out of character with the surrounding area
- Daylight and Sunlight only meets the bare legal requirement.
- The proposal is inconsistent with the Urban Living SPD which states that tall buildings will be generally discouraged in physically constrained or built up areas
- The provision of 800 flats on the site suggests that each flat will be small.
- There is no need for a cinema. “If, based on their own research, the nature in which we shop has made more retail facilities/space unviable, then surely a cinema is even less viable. I do not feel this would add value for the local community in a scale way and is a fairly meaningless ‘give’ from the developers that they continue to anchor on.
- The small size of the proposed apartments is “inhumane”.
- The new route through to the park is a good idea though it could encourage more anti-social behaviour, littering, skateboarding, and graffiti.
- Concern that Ryde Road will become a drop off area to the detriment of the amenity of residents of the road.
- Concern that the light assessment has failed to include all affect properties, particularly those along Redcatch Road.
- There is no outside space for the flats which contradicts the Urban Living guidelines.

***Density (Key Issue C)***

- Concern that the density of the proposals is way over policy.
- The proposal equates to huperdensity at 426 dph.
- “Broadwalk sits in the 'Inner urban' area of the Urban Living SPD's 'Bristol Density Setting Map', which recommends an 'optimum density of 120 DPH'. However, fitting 817 dwellings (plus parking & town centre uses) into the 2.2ha footprint equates to 428 DPH when the Maccreeanor-Lavington method is applied. To propose this density in Knowle goes against the principle of Site Allocations Development Plan Documents (DPD) DM 26 - Local Character and distinctiveness, as this density & massing is completely at odds with the surrounding context of predominantly 2-3 storey Victorian, Edwardian & 1930's homes. Knowle's current density is approx 70 DPH, so the proposed 428 DPH is

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511% greater than the prevailing density of the neighbourhood. Neither is it compliant with the Urban Living SPD, at 257% greater than the 120 DPH 'optimal density'. 428 DPH is also 22% higher than the hyper-density threshold (350 DPH) recommended by the 'Superdensity: The Sequel' report. In this report, experts recommend an 'assumption against development' for schemes above 350 DPH, even in central London. If the Superdensity report's guidelines are followed, Redcatch Quarter would be rejected - or given intense scrutiny - even in central London. The proposed 12, 10 & 8 storey towers do not support Core Strategy BCS21, which calls for development to safeguard the amenity of existing development and create a high quality environment for future occupiers. Work done by 'Create Streets' identifies numerous studies concluding that 6+ storey buildings do not support a good quality of life for residents, with above-average incidents of poor mental health, anti-social behaviour, and children not fulfilling their potential. Other negative impacts are extensively listed in Part 3 of the Urban Living SPD. Chapter 3 of 'Superdensity: The Sequel' concludes that "at densities above 350 DPH, and even with the best practice approach we advocate, it feels very unlikely that we can create the conditions that allow mixed communities to thrive". At 428 DPH, Redcatch Quarter significantly exceeds the hyperdensity threshold, yet the developers have demonstrated little acknowledgement of the specific challenges experienced within hyper-dense communities, nor how to ensure this is mitigated. To meet BCS21 and remain in line with the Urban Living SPD's recommendations for Knowle, the scheme should be capped at 6 storeys, and 120 DPH."

- Concern about the impact on future residents of living at such a high density

— The revised NPPF if approved could include the requirement to meet local housing need could be outweighed if the proposed development is uncharacteristically dense for an area as this proposed development is.

***Impact on Redcatch Park (Key Issue C)***

- Concern that removing the physical border between Redcatch Park and the development, will have an adverse effect on the community spirit now generated in the park, the development will overshadow Redcatch Park and create a busy thoroughfare to the detriment of the current users.
- Redcatch Park is not a free garden for the development.
- The building overshadows a heavily used park.

***Provision of affordable housing (Key Issue D)***

- The amount of affordable housing to be provided is insufficient.
- The 7% affordable housing quote is 23% below the target for the area of Knowle.
- New development in the area should be maximising opportunities for low-income individuals and families to buy property, particularly with the on-going housing rental crisis Bristol is experiencing.
- If the reported percentage of affordable housing contained within the p/d is 7% this will shame Bristol and its citizens.
- The proposed tenures and unit sizes are unlikely to improve affordability for residents. Of the 817+ proposed units, 42.5% will be Build-to-Rent units, which will be rented at rates above market prices and will not contribute to solving the housing crisis. The developer's ambition to sell/rent these units at prices 15%

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higher than Knowle's current market prices will only exacerbate the housing crisis and inflate local rent and house prices.

***Parking (Key Issue E)***

- Concern about the lack of parking proposed.
- Concern that an RPZ is not an answer to a car parking problem that a development this size will attract, irrespective of how much the encouragement of leaving vehicles at home and using public transport to promote 'cleaner air'.
- "It is unreasonable to assume retirees and the disabled do not drive or have access to motor vehicles. These people will struggle with limited car parking and effectively become more isolated in their homes."
- "It is clear that the plans themselves do not make adequate provision for the proposed residents. There are woefully inadequate parking spaces meaning that residents and users will be forced to park in nearby streets which are already at capacity. As a local resident owning one car for a household of 5 we are very rarely able to park within 10 metres of our house and frequently have to park on a different road entirely.  
"If the Redcatch Quarter development goes ahead, I think our road, Withleigh Road, should be given a Residents Parking Zone, as there will be more people parking on the local streets due to the insufficient number of parking spaces proposed for the development."

***Transport (Key Issue E)***

- Public transport in this area is incapable of servicing this development.
- The proposals will increase of traffic in the area. During rush hour the Wells Road is severely congested and can take 30 mins to get from outside Broadwalk shops to the train station.

***Sustainability (See comments of BCC Sustainable Cities Team at paragraph 8.38)***

- Question whether any account has been taken of the solar PV generation in the area to the East of the development. There are quite a few installations, residential and business (e.g. Priory Surgery) where the generation capacity will be adversely affected by shade from the development.
- "Structures above 6 storeys have been proven to be less sustainable, The density is 300% over BCC's own recommended DPH and we are no way near the 30% affordable threshold laid out in BCC's own policy."

***Pollution***

- Concern about intrusive noise arising from the development.
- The opening up of Ryde Road and the suggested positioning of the commercial units will increase the noise pollution, air conditioning and heating noise pollution, disturbances from people entering and exiting the new development.

***Other comments***

- Would support a smaller scale development.

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- Cannot understand why an EIA was not required.
- Concern expressed about the loss of jobs and several years of disruption.
- Application proposals represent “corporate greed”.
- “The development should be working for community cohesion, not profit at any cost.
- Temporary accommodation for the library and dentists.
- Poor consultation by the Applicant.
- Local residents will be disrupted during construction.
- Concern about the impact on bats of demolition of the library.
- “The proposed property contributes to the gentrification cycle in Bristol which is causing a donut effect on the city, pushing local residents and those on low incomes even further out of the centre.”
- “Tower blocks built post WW2 taught us a great deal, although they solved a short term problem in housing people they also brought to light terrible social ills. Poverty, deprivation, squalor and a breakdown of community which lead directly to the creation of an underclass and all that comes with it. Crime, drug abuse, prostitution, gangs and a multitude of other undesirable traits. When I see plans to put close to a thousand flats in an already deprived area I question whether we learnt anything?”
- “Please ban woodburning fuels in these new properties as the air quality due to the current usage is appalling in this area.”

8.3 At the time of the preparation of the report, 13 representations have been received in support of the application:

- Strongly support. The sooner this is built the better.
- The proposals offer a sensible redevelopment of an under-used and run-down shopping centre.
- “The height of the buildings is reasonable for an inner city location and will not do undue harm to the area, considering the benefits of providing housing on the site.”
- Something needs to be done, the current buildings are an “eyesore”.
- Support the replacement of the outdated and failing shopping centre with this major investment for Knowle.
- This redevelopment is essential to the life of the community. It is the centre and social hub of Knowle. Without this investment the centre will inevitably close with the possibility that another developer will build as many flats but demolish the retail area and we will be left without a modern shopping area and destination for local residents. This developer has recognised the potential of Knowle as a vibrant strong community that deserves a Redcatch Quarter.
- We deserve a modern shopping area and we are so short of housing in Bristol, we need more housing.
- “The high density of this development, on previously developed, brownfield land whose current buildings are of little architectural or aesthetic value, can help to provide for ever-increasing housing demand without sacrificing green space or more valuable low density architecture in the city. Encouraging high density development makes the provision of public transport and other public services



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more efficient and/ or viable as the area they have to cover per quantity of residents is reduced.”

- The shopping centre does require redevelopment and it is accepted that the high density of the proposed scheme is required to make any redevelopment viable.
- “I’m excited for a rejuvenated community space and better quality units for the shops.”
- “... it is essential this outline planning application is approved for the future of Knowle. Without this we are in danger of losing a £150m investment by developers who can see the potential of Knowle, and the present shopping centre will close and we will be left with a derelict site. Any other developers appear to be interested only in building flats without any retail or community units and the whole area will decline and have very few essential services. A development like the proposed Redcatch Quarter will create a destination for local residents and neighbouring communities - Hengrove, Filwood and Totterdown.

“Block G has the same narrow pavement along the busy Wells Road as now but is to be 9 storeys high rather than the 2 of now - this will feel oppressive and restrict light along this part of the important Wells Road. Compare this with Block F which is only 1 storey higher but has much more generous space for pedestrians. Block G should either be moved back to give a wider pavement or the higher storeys stepped back.”

- Improved shops and access to Redcatch Park will greatly improve the area.
- “It is inherently better land use to have more density in development, it will lead to a more vibrant community and provide much needed support to encourage local investment. If we keep shunting new developments to an ever expanding suburb, the marginal environmental impact of each new housing unit expands significantly”
- “Without approval the continued decline of this amenity will impact all lives that it supports.
- The decline continues to build lesser job security of those who work in the centre and shops surrounding it. Supporting this development will increase job security and more opportunities than current retailers, and additional support workers for later living initiatives.
- It will create an eyesore that is worse than any development that is currently being explored if the area does. It get regeneration. The centre is already out dated and fails to meet the needs of its community.  
The decline in area will create more antisocial behaviour if there is no development rather than increase it and impact on all housing in the area as it becomes a no go area.”
- “A lot of people are objecting the to the impact an extra 2000 residents will have, personally I am happy with this as it means new local businesses will be more likely to set up in the area and be financially successful. All of these factors will raise the appearance of the area from very run down to thriving.”

**Representations from Members and other political groups**

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***Councillors Chris Davis and Gary Hopkins***

8.4 Councillors Chris Davis and Gary Hopkins make the following comments:

The first thing to say about this application is that it is vital that we get development of our town centre that meets the modern needs of our community and the city as a whole.

There is little disagreement that there needs to be redevelopment but the seriousness should be understood by planners and those on the planning committee making the final decision.

We had for some years done our best to promote the centre despite its failings as it was vital for all our local traders including those in the "outside" near area. It used to be good for providing bargain shops but has for many years not attracted many local people as it has not provided the range of shops that they would find attractive. The sustainability tipping point passed a few years back.

Crucially a mainstream supermarket has been impossible to attract. Wilkinson abandoned in recent years as have others and we have .....empty shops, ....charity shops and of the others many are held only because of unexpired leases. We understand that approaches from mainstream supermarkets have already been made.

The centre is 50 years old, in poor shape and very expensive to maintain. The car park as an example is on safety watch and will cost many millions.

When planning permission was granted unanimously by this council for the scheme applied for in 2018 the centre was in the hands of administrators and is still losing money every month.

The unanimous granting of planning permission that included flats built up to a 12 storey level , gave the centre a value for development and was then bought by the present owners on that basis.

The individual shops ,as well as carrying heavy service charges are uneconomic as they are too large and deep for most businesses.

The existing building is not attractive and presents a very ugly brick wall and multi storey car park to our wonderful Redcatch park. We look forward to an improved aspect even if it is a little higher. An open aspect with a cafe or 2 will be welcome.

The existing permission granted effectively to the same lead developer did not proceed due to Covid and the effects of Covid on the retail sector would now make that scheme unviable.

The new application is actually a better scheme and more attention has been given to the environmental outcomes which will be very positive.

The developers have been open with us and as well as our meetings invited us to all the local engagements that they were able to that were not off limits politically. We

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have been able to make progress on a number of issues within a realistic viability boundary.

*The Need for Flats*

In Knowle we have great family housing which in recent years has rocketed in price even more than the Bristol average. Private sector downsizing will work well and we know that an attractive offer to older council tenants will free up council family homes. There is a huge demand for flats to downsize to that are local and of good standard. We have very few small starter flats and we are not anxious to leave the community open to a spread of HMOs. We realise the wider city need but we also need the right mix of flats locally. We are not keen for families to be housed here and the marketing plan makes that unlikely.

*The Size of the Flats*

We recognise that this is an outline application but wish to make the point that we have already had discussions with the developers who have indicated that market forces will take them in the direction that we wish, particularly for the older living section, towards larger room sizes. So to put another way for some of the development we want a smaller number of flats that would have larger room sizes and feel this will not affect viability. The older living quality flats can effectively subsidise the other smaller first timer flats.

*The Number of Flats*

There is clearly a citywide need for numbers of new homes and in the local context we are very aware of the need to get a solid viable scheme particularly with rocketing construction costs and an impending economic downturn. Our planning obligation manager has made plain the risk involved in this type of development and just clearing the site is massively expensive. Existing and new businesses will benefit from customers on the spot and create a virtuous circle.

*The Height of the Development*

Let us first recognise that the present application is no higher than the existing permission and in fact seems to be a slightly smaller mass. If we limit the scale of the development further there would inevitably be a pressure on greenfield sites elsewhere. I am sure that many would prefer to cut the height in half but most of those if they realise that that would result in no development and a derelict shopping centre would think again. There is a small minority that do not care. The key thing here is that the new residents will be living within walking distance of most of their needs.

*Transport*

The existing Broadwalk area is unusual in that such a high % walk or cycle to it or get the bus. That percentage will improve further with the new residents. Despite the current public transport difficulties Redcatch is well situated as a bus hub. Car ownership will be severely restricted for new residents with reliance on walking cycling and public transport augmented by a comprehensive car club facility. Officers are currently seeking to design new cycle routes to avoid Wells Road and the huge number of cycle spaces on site mean that the site will be a key point of call.

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As has already been said child numbers will be low but that has not stopped some saying that our schools will be swamped . In fact our nearest school ,which is good, is short of intake and the census figures for Bristol show numbers in 0-5 age group not increasing. Across Bristol secondary places are squeezed but a brand new school is being built less than a mile away.

We have a large and expanded GP surgery across the Wells Rd and of course they will be welcome to use the new community facilities. The pressure though is not room space but numbers of doctors. Getting in new young staff is important and the development can make the difference by providing free or subsidised accommodation for them which is such a factor in Bristol. This is not possible to tie in as a 106 condition but the developers have indicated a willingness to meet our request on this.

We have banks and many service and commercial facilities which are at present let down by the increasingly empty mall. We need the new injection.

*Parking*

As has already been said parking for new residents will be severely limited and a 106 will pay for protection for the surrounding streets which in any case are under pressure from park and ride users. We will need at least part of the parking scheme to come in as soon as demolition starts as existing park and riders using the free car park will spill out and workers could f a nuisance.

*Section 106 Requests*

We feel that Redcatch park will benefit overall but we have pushed for and got agreement for park enhancement near the boundary . The friends are negotiating details.

We know that there will be some cheaper flats in any event that we do not have but in terms of affordable housing the developers are limited by the costs of the site. They have indicated a willingness to cooperate with a future review given the volatility of markets and costs.

*Sustainability*

The present situation is a disaster and we need improvement. The flats will of course be low energy use and there are other features in the scheme like green roofs and pocket parks are welcomed. We have dealt with the transport issues already and this development will provide an example for Bristol. The new shops will be sustainable both financially and environmentally. One of the keys to reducing carbon emissions is a balanced community with lower travelling which this development will give us.

*Other Features*

Not only will the library be better situated but we will gain community facilities. We feel that the cinema/theatre that we have pushed will be very popular.

*Phasing*

Demolishing from the back on Redcatch Road will be the start. The car park will go early and most of the main mall should also go early. We do though strongly

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recommend that the front shell on Wells Rd with its important businesses should be left until some of the new blocks are built. This would allow for continuity of service to the community and also make it easier for some businesses. We are extremely confident about the final outcome but we do not want a time gap between demolition and some re-provision. This would clearly increase the construction costs but some of this can be offset by increased rent retention and possible reduction in compensation.

**Councillor Jonathan Hucker**

8.5 Councillor Jonathan Hucker makes the following comments:

I support the redevelopment of Broadwalk Shopping Centre but I have serious reservations about the plans submitted. My main concerns are:

- Height of residential units – 12 stories is out of keeping with the area.
- Density of Residential Units – at over 800 residential units it is too highly concentrated. Density of 428 DPH significantly exceeds the hyperdensity threshold.
- Loss of retail and leisure facilities - the proposed scheme will see this reduced by 57% to 8.8k square metres.
- Lack of affordable housing – only 7% of the new development is affordable housing.
- Lack of parking for leisure, retail and in particular residents – 210 car parking spaces for over 800 residential is obviously completely inadequate.

I therefore object to the application.

**Councillor Graham Morris**

8.6 Councillor Graham Morris makes the following comments:

This development is a numbers led approach to deliver the highest number of dwellings possible. I do not believe this is what Knowle needs.

I appreciate the developers have a difficult job regarding the redevelopment of Broadwalk, something which most residents would like to see. However the devil is in the detail and most residents, myself included, are concerned about many issues.

My personal concerns include:

- there are just too many properties here. The delivery of circa 2,000 additional will change Knowle forever.
- the new people and properties lead to a hyperdensity situation. One which is greater than the council's own guidelines.
- the imposition of a property at 12 storeys high is a huge increase on what is already there. It will be around double the height of the current highest point in the development.
- Affordable Housing. We need a better mix of property types - not just 1b1p properties.
- The implementation of a RPZ will mean existing residents will have to pay to park in their own area. Those who use Knowle as a Park and Ride will now park further afield - clogging up the surrounding areas of Stockwood Ward and Hengrove and Whitchurch Park Wards.

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I am concerned about the loss of a local supermarket and the fact the cost of food will be more expensive in the area. If not people will be forced to drive to do their shopping - reducing the facilities locally.

I am also concerned by allowing a development at 12 storeys high this will set a precedent across south Bristol. 12 storeys is too high for such a residential setting and will greatly detract from what Knowle has to offer.

**Councillor Lisa Stone**

8.7 Councillor Lisa Stone makes the following comments:

The Broad walk shopping centre needs to be redeveloped and we need to have more housing, however, I would have to object to this planning application on technical reason as stated below:

1) The density of the building does not comply with Bristol's Urban SPD, it has a site area of 2.2 hectares, pg. 19 design access statement part 1, with 817 unit being built, this gives 428 dwellings per hectare, making this a hyper dense space, with such density there comes responsibility to the occupiers:

- a. Does the scheme provide practical, attractive and easily accessible communal amenity space that meets the needs of its target resident profile?
- b. Does the scheme provide sufficient private outdoor space?
- c. Does the scheme create attractive, well designed and well maintained private outdoor spaces?
- d. Does the scheme creatively integrate children's play?

It does not provide the space required by the Bristol SPD, which state that 5sqm is required per 1 / 2 bedroom property, this would mean that approximately 4491sqm of outdoor space is required with an additional 852 sqm for children's play space, looking at the illustrative level 1 plan I can only account for 330 sqm of private outdoor space so I think their check list on pg. 156 of design access part 5 is misleading. To fulfil their obligations, they will need to heavily rely on Redcatch Park which the developers are providing some landscaping into the park, I would expect they will have to make a financial contribution for the privilege. These are all material considerations for objecting.

2) Living in poor quality accommodation at higher densities can make us sad and affect our physical health. For example, intense urban environments can exacerbate mental illness and represent threatening environments to vulnerable users, or negatively affect our physical health through exposure to air and noise pollution. The physical constraints of living in densely developed environments can also be felt in the home. Access to daylight and sunlight is often restricted, privacy from neighbours and external activity can be reduced and access to open space can be limited.

a. Does the scheme maximise opportunities for daylight and sunlight of internal spaces, avoiding single aspect homes? There has not been a proper daylight survey completed without this necessary report I cannot approve this application and a lot of the accommodation is single aspect, this is a material consideration to object.

b. What about wind tunnels and noise, especially with open window ventilation, which is being considered for most of the design.

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3) Part M of the building regulations states 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'. Block A on Redcatch Road is proposed as a 'later living' facility. The development will accommodate some (not sure how many) units specifically for the over sixties. This accommodation will be provided with internal and external communal areas and a range of apartment types that are specific to the needs of older people. Apartments will be designed to Lifetime Homes standards. These standards allow less mobile people to operate with more ease. The 16 standards within the Lifetime Homes guidance include easy access to apartments, wider doorway widths, provision of handrails, improved lighting, wider parking bays, lifts, wheelchair access, larger bathroom sizes, window handle heights standards and specific service control locations. These units should total 10 % of the development suggested in Part M4 of the building regulations. This is best practice and Bristol should comply with best practise. The other 90 % should comply with Part M of the building regulations. This is a material consideration to object. In the planning obligation documents I have noticed disability rights have been ignored, Bristol needs to do better.

4) Social Housing: There is only 7% affordable housing provided, BCC policy is 30%, this is a material consideration, to object.

5) Energy statement: BCC Energy Services and Officers have advised that the district heating network is unlikely to have reached the site area in time for this development. Taking this into consideration, the following proposals are being considered as permanent solutions for the development:

a. Air Source Heat Pump (ASHP) - proposal - preferred option. This option is the preferred choice however, these units take up a lot of space inside the accommodation, they will affect the visual elevation of the blocks, until we see the detail, I cannot support this application.

There are plans for a blue roof, the design intent is for attenuation purposes rather than to capture and use in toilet flushing for example. Therefore, not recycling water at all.

6) Cycling infrastructure is not enough: The workplace travel plan May 2022 reports that there will be a total of 1280 cycle parking spaces provided for the proposals. This number has been calculated in accordance with BCC's minimum standards on the following basis:

-1110 spaces for residents and a further 85 spaces for visitors

-52 customer spaces for the retail and leisure uses, with a further 33 spaces for staff.

However, the plan suggest that the bike will be hung to achieve the amount by using less space:

This will not comply with the lifetime homes standards; people must be able to access their bikes at all ages. This is a material consideration to object.

To take advantage of our walking cycling city there needs to be more bikes and car clubs with less car parking.

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There are not many good points to this plan, the use of modular build to reduce carbon and creating a block and street design that may feel like a high-street are a couple a good points. However, the apartments are small, they just about comply to the internal space standards, there is not enough private external space for children's play, the design does not provide sufficient light levels, social housing and disability access. Bristol does not need uncompassionate developers.

**Knowle Labour Party**

## 8.8 Knowle Labour Party comment:

We object to the current proposals, but we support in principle the redevelopment of the Shopping Centre.

We would ask for:

- A reduction in height to 6 storeys for all proposed blocks of flats above this height
- The application of the City Council's policy on density.
- The provision of adequate Town Centre facilities for all socio - economic groups, as we have at present.
- An increase in the provision of affordable housing, in line with the city council's policy.
- Better parking provision for new residents, shop workers, and existing residents.

**Representations from Key Interested Parties****Knowle Neighbourhood Planning Group (KNPG)**

## 8.9 Knowle Neighbourhood Planning Group (KNPG) OBJECTS to the Outline Planning Application Ref No 22/03924/p (called Recatch Quarter).

## 8.10 KNPG's objection can be summarised as follows:

1. Knowle is one of two designated 'Town Centres' in South Bristol, and it's "vitality and viability" is being undermined.
2. Residential density in Redcatch Quarter is too high - too many people in this small a space is called 'hyperdensity'
3. 10 and 12 storey tower blocks mean a significant loss of light, privacy and shadows cast in the nearby area.
4. The 12,10 and 8 storey blocks fail to provide the 'high quality environment' for residents that 'safeguards the amenity' that Bristol's policy guidance calls for (Core Strategy BCS21).



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5. KNPG supports the provision of housing on the Broadwalk site and flats in blocks. However, these should be 6 storeys and under to ensure a thriving community.
6. Only 7% of the new development is affordable. Bristol City Council's own Affordable Housing policy calls for 30%
7. There are insufficient parking spaces for residents and visitors. The 0.25 car parking spaces/dwelling cannot be reconciled with the 'City Council Parking Standard' or local and national practice (0.7-1.1 ratios)
8. The Redcatch Quarter Transport Plan relies on yet to be agreed improvements to public transport and bus services
9. Local Health and Care facilities are already at breaking point. More pressure will put the health and wellbeing of people in Knowle at further risk.
10. Redcatch Quarter does not contribute positively to the city and local sky line.
11. Outside space for the 85 children forecasted to live at Redcatch Quarter appears insufficient to Council guidance.
12. Open and Green Spaces are compromised by Redcatch Quarter
13. Closure, demolition and rebuild of the site will take up to 6 years with shops closing in the interim - impacting all who use them and in particular non-drivers in Knowle and nearby areas that use bus routes to Broadwalk (e.g. Stockwood).
14. The 2018 permission should not set a precedent for this scheme in KNPGs view. It is misleading to reference it.

**Friends of Redcatch Park (FORP)**

- 8.11 FORP makes the following comments:

FORP accept that this is an Outline Planning application and subject to an extant approval in terms of height and massing, although we note this was for significantly less residential units.

Our comments are made purely from the perspective of the park and Redcatch Community Garden and its users. We are not commenting on the broader aspects of the proposed development as we are confident that Knowle Neighbourhood Planning Group (KNPG) have the requisite experience for all other comments.

We are broadly in support of the outline planning application in principle, subject to the following provisions for further detailed review, consideration and consultation.

1. Concern that the proposals would result in the loss of trees in the park.

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2. Concern about the impact of tall buildings on the park.
3. Concern that a buffer zone is retained between the park and buildings on the site, so that the buildings are not too overpowering.
4. Concern about the building process itself and how it will impact on the park.
5. Concern about how the boundary between and the site will look and function.
6. Concern about the impact of 2000 plus people using the park.
7. Concern that green maintenance should not all be the responsibility of the Parks Department
8. Request for more refuse bins are added to the park.
9. Concern about the impact on the Redcatch Community Garden (RCG)
10. Improvements to the Park's toilet is requested.
11. The Park's Pavillion needs refurbishment
12. An increase in anti-social behaviour is a real concern for the future of the park.
13. Concern that the existing children's play equipment in the park will absorb the additional people in the park.
14. Concern about the security of the park. The park should be lit and a CCTV plan developed.
15. Concern that a RPZ will result in the loss of parking for the park.

**Bristol Civic Society**

8.12 Bristol Civic Society make the following comments:

The Society supports the principle of the redevelopment of the Broadwalk Shopping Centre. This is a large and outdated development comprising extensive retail, parking and servicing areas, all of which are no longer appropriate for modern use. A comprehensive scheme for the whole of the site is preferred to the previous proposals for partial redevelopment.

However, we cannot support the current planning application and register our strong OBJECTION to this proposal.

We are aware of, and largely support, the views of the Knowle Neighbourhood Planning Group. We share their concerns about the approach adopted to community consultation and, as is shown below, about the current plans for the site.

Our key objections to the current proposals concern the building heights and overall density of the development due to the greatly increased amount of housing in the current application. It is totally inappropriate in the context of the largely two storey residential area surrounding the development.

There will be overlooking and overshadowing to adjacent existing properties. A particular concern - which is just about visible on the sketches - is that the western high tower with its central well will contains flats that are definitely overlooked and/or overshadowed and the existing Victorian Ryde Street is very likely to suffer the same problem.

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We also consider that the proposed development will have a very negative impact on the immediately adjacent Redcatch Park whose facilities will be overwhelmed by the large number of new local residents.

The proposed pedestrian route from Wells Road to Redcatch Park through the middle of the site is potentially positive, but we remain uncertain with respect to the adequacy of the proposed retail provision. Is there scope for a supermarket as suggested by KNPG?

Clearly more detail is needed about the impact of additional parking pressures in the neighbourhood, as residents of the new development who need a car for work purposes will have no choice but to park on local streets.

This is a very large development located in a residential neighbourhood of largely two storey homes. The potential negative impact on existing residents is immense. We request that members of the City Council Planning Committee make a site visit to the Broadwalk Centre prior to making any decision.

**Iceland Supermarket**

- 8.13 Iceland Supermarket have objected to the application, which in summary is: The application as proposed is contrary to the Development Plan for Bristol and National Policy in the form of NPPF. The proposal will result in a significant reduction in the floorspace in a designated Town Centre which will have a significant impact on the vitality and viability of Wells Road Town Centre and its position within the Retail Hierarchy in Bristol contrary to NPPF and policy DM8.

The scale of development represents an over development of the site with an excessive density of residential use on the site which far exceeds the identified optimum level for this area of Bristol. The size and scale of the proposal is out of keeping with surroundings and is wholly inappropriate in the context of surrounding development and buildings immediately adjoining the site. The proposed development is contrary to policies BCS20 and DM27 of the Development Plan as well as the Urban Living SPD.

The proposal will have a significant detrimental impact on neighbouring residents by way of overshadowing, overbearing and loss of outlook which would result from multistorey buildings in close proximity to much smaller scale residential uses which permeate the area. The proposal will result in some existing private amenity spaces being in constant shadow for parts of the year. The proposal is contrary to Development Plan Policy DM29 and the NPPF.

The submitted viability assessment is not based on the extent of development proposed as part of this application but a reduced number of dwellings. My client reserves the right to make further comment on this as appropriate once any Council assessment on this matter is published.

The proposed development incorporates insufficient car parking to meet the requirements of the development and is not sufficiently accessible to justify the

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reduced level of car parking proposed. The proposal is contrary to policy DM23 of the Development Plan.

**Response from External consultees****Avon and Somerset Police**

- 8.14 Avon and Somerset Police recommend that a number of anti-crime and anti-terrorism measures for the detailed design.

**Avon Fire and Rescue**

- 8.15 Avon Fire and Rescue request the installation and maintenance for five years for one fire hydrant.

**Health and Safety Executive (HSE)**

- 8.16 The HSE comment that should the LPA be minded to grant permission for this application, we strongly recommend the following:

- The planning permission is subject to a suitable condition requiring the submission of a suitable fire statement with any reserved matters application, and
- That HSE (Planning Gateway One) is consulted in conjunction with the Local Planning Authority's consideration of any reserved matters application.

**Wessex Water**

- 8.17 Wessex Water make the following comments:

Wessex Water is satisfied with a surface water connection to the local public surface water sewer network from the entire site at a rate not exceeding 33.8 l/s. Details to be agreed through formal application to Wessex Water if planning approval is gained.

We have some concerns regarding the continued build over of the existing 225mm / 300mm / 375mm public surface water and foul sewers crossing the site beneath and close to the existing structure. At the very least these sewers will require a CCTV survey and possible remedial works and buildover / near agreement before the demolition of the existing building and construction of the proposal (should the planning application be successful). There could be a chance that the sewers will require diversion into the proposed new drainage with possible upsizing. Especially where predicted foul flows exceed existing arrangements.

We are confident however that these matters can be agreed post planning and request a suitably wording planning condition so sewer protection matters are not overlooked.

**The Coal Authority**

- 8.18 The Coal Authority make the following comments:

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the

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LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

**The Theatres Trust**

8.19 The Theatres Trust make the following comment:

“We welcome the principle of a theatre at this location which could further add to the availability and diversity of theatre provision across the city. As plans progress we would strongly encourage for the applicant to engage with the Trust and to identify an end user so that the space can be appropriately designed to meet their needs.”

**Response from internal consultees****BCC Transport Development Management**

8.20 TDM support the application because:

- The proposed development is consistent with national and local transport policy.
- The location of the site is accessible to pedestrians, cyclists, and public transport users.
- Site permeability to pedestrians also integrates the site with the surrounding pedestrian routes.
- Access to services, education and employment areas are within walking and cycling distance of the site, which is in line with local and national policies
- Satisfactory vehicular access can be achieved. The details of which will be subject to S278 agreement.
- The internal site layout is able cater for all road users including service vehicles as shown by swept path analysis.
- The level of car parking proposed is suitable for the location of the site given that local facilities are accessible by foot, cycle, and public transport, and that on-street parking is controlled by a residents parking zone for which new residents would not be able to purchase permits.
- The sustainable travel measures proposed including secure cycle parking car club car, and the implementation of a Travel Plan at the site further would encourage the use of alternative modes of transport to the private car, reducing car parking demand.
- Comparing average traffic generation, the proposed traffic generation of the development would be in line with the previous approval.
- There are no specific road safety concern on the local road network and there is no reason to suggest that that proposal would affect this situation.
- There is no requirement for S38 (adoption) for this site.

***The obligations and conditions***

8.21 The obligations requested are considered required and meet the CIL Regulations 122 test, in that it would be:

- i. Necessary to make the development acceptable in planning terms;
- ii. Directly related to the development; and
- iii. Fairly and reasonably related in scale and kind to the development

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8.21 The following obligations are sought:

- The extent and scope of the S278 (which must be signed prior to commencement)
- Contributions of £220 per residential unit for travel plan delivery and management or £5,693 where applicant will do their own delivery. Notwithstanding additional s106 (£5,693) for each of the Classes E, F and Sui Generis uses. The exact floorspace of these individually is unknown.
- Contribution to the relocation of up to 8 bus stops would be estimated at £100,000.
- Contribution for restrictive parking measures (design, consultation and lines and signs) £150,000
- Contribution to Traffic Regulation order for RPZ £6,000.

***Transport Conditions***

8.22 Relevant conditions are incorporated into the recommendation set out below.

***BCC Ecology***

8.23 The Council's Nature Conservation Officer comments that the site is located in an urban area and is not within or directly adjacent to any designated wildlife sites. The site is not within the West of England Nature Partnership (WENP) Nature Recovery Network.

8.24 The Ecological Impact Assessment (EclA) (Engain, 2022) appropriately describes the ecological features of the site and mitigation required. The Biodiversity Net Gain Assessment (BNG) (Engain, 2022) calculates a 1299.86% gain in habitat units and a 100% gain in hedgerow units. Any future reserved matters application must include an updated EclA and BNG assessment using the BNG metric 4.0. A 30-year Landscape and Ecological Management Plan (LEMP) should be included but can be conditioned.

8.25 An updated landscaping plan with finalised proposals (which will be incorporated in to the Biodiversity Net Gain (BNG) assessment) should be submitted in any future reserved matters application. Provision of species schedules is advised.

***Bats***

8.26 A grant of planning permission does not remove the legal protection afforded to bats and their roosts. If, during the works, any bats (or signs of bats, such as droppings) are found, an immediate halt should be called and a bat worker/ecologist should be consulted to determine if and how the works can proceed lawfully, with or without a mitigation licence.

8.27 The bat emergence/return surveys (Engain, July 2022) are valid for 18 months only. If the demolition works have not commenced within 18 months of the survey date, then the survey should be repeated and the results submitted to Bristol City Council for written approval, prior to commencement.

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- 8.28 Should the survey result in the need for mitigation measures, then these must be approved in writing by the Local Planning Authority and implemented in full prior to the commencement of development.

***Ecological Mitigation and Enhancement Strategy***

- 8.29 A relevant condition is recommended requiring that prior to the commencement of the development, the applicant should submit an Ecological Mitigation & Enhancement Strategy (EMES) to include details of the provision of bird, bat, insect and hedgehog boxes.

***Green Roofs/Walls***

- 8.30 A relevant condition is recommended requiring that prior to the commencement of the development, the applicant shall submit a Method Statement prepared by a suitably qualified ecological consultant or landscape architect to secure the provision of living roofs and/or walls. This shall include management details e.g watering/care schedule, species/seed mix avoiding the sole use of sedum, provision of features for invertebrates, and details of the provision of new plants should the originals fail.

***Landscape and Ecological Management Plan***

- 8.31 A relevant condition to secure a Landscape and Ecological Management Plan pursuant to each reserved matters is recommended.
- 8.32 A relevant condition to secure the provision of a soft landscape plan is recommended.

***Further walk over surveys***

- 8.33 Given the length of time the scheme will take to build out the development, where 18 months lapses between submissions, an update walkover survey of the site shall be undertaken by a suitably qualified ecologist and an update of the Ecological Impact Assessment (EclA) will be submitted with each reserved matters submission to the Local Planning Authority for written approval.

***Biodiversity Net Gain***

- 8.34 A condition requiring a revised Biodiversity Net Gain Assessment (BNGA) based on the finalised proposals, prepared by a suitably qualified ecological consultant and using metric 4.0 must be submitted with each Reserved Matters submission to demonstrate that net gains in biodiversity will be achieved.

***BCC Drainage Officer***

- 8.35 The Council's Drainage Officer comments that the overall approach to the drainage strategy is acceptable. The SuDS features proposed will provide wider sustainability benefits. A reduction in existing site run off will also make an improvement to local drainage issues. There is just a concern with the diameter size of some of the orifice outflow controls proposed. A minimum of 75mm diameter is recommended unless it

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can be shown there are other means within the system to help avoid blockages and the associated flooding problems this can cause.

***BCC Contaminated Land Officer***

- 8.36 The Council's Contaminated Land Officer comments that in principle there is no objection to the proposed scheme with respect to contaminated land, however further information is required before determination so that appropriate and enforceable conditions can be compiled and recommended.
- 8.37 A detailed method statement for the petrol station decommissioning is required and can be secured by condition.

***BCC Sustainable Cities Team***

- 8.38 The Council's Sustainable Cities Officer comments that although only at outline stage, the proposals appear well considered in terms of sustainability and I am pleased to see the UN Sustainable Development Goals have been integrated into early designs and planning.
- 8.39 More detail on sustainability and energy will be required at detailed design stage.

***Policy BCS13 – Climate Change***

- 8.40 A range of green infrastructure is proposed including green roofs and walls. Support for biodiversity and restoration of the water ecosystem are to be integrated into the design of sustainable drainage systems. Climate resilience is to be a key consideration in landscape proposals. All of which is welcome and supported.
- 8.41 Overheating considerations appear to be integrated into design considerations with appropriate glazing ratios and solar shading considered.
- 8.42 Some information is provided on the overheating assessment that is to be undertaken. The use of TM59 methodology meets the requirements of BCS13 – however please note that we require assessment using the 2020, 2050 and 2080 weather files to show that the development will be resilient to future temperatures, as well as compliant with current requirements.

***Core Strategy Policy BCS14 – Sustainable Energy***

- 8.43 The outline proposals include good practice energy efficiency measures, a heat pump-led heating and hot water system, and additional solar PV.
- 8.44 The proposals meet the requirements of the BCS14 heat hierarchy and are expected to meet the 20% carbon emissions reduction from renewables requirement.

***Core Strategy Policy BCS15 – Sustainable design and construction***

- 8.45 An initial waste management strategy, flood risk assessment, and ecology assessment have all been provided. In addition, some outline proposals are included in relation to water efficiency and use of sustainable materials.
- 8.46 In line with policy BREEAM Excellent will be targeted for the non-domestic parts. The BREEAM pre-assessment has been provided which shows this can be achieved.



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8.47 An initial BREEAM Communities assessment has been undertaken which shows that mandatory and sustainability-focussed credit areas have been factored into high-level planning at the early design stages.

8.48 Recommended Conditions in relation to sustainability form part of the recommendation.

**BCC Building Bristol**

8.49 Building Bristol is satisfied with the content of the Employment and Skills statement supplied by the applicant. The applicant has acknowledged the requirement for a full ESP in line with the CITB benchmarks and this is to be agreed by Building Bristol prior to commencement of any works.

8.50 Please ensure the following condition is included within the Planning Decision (if granted) and that the £2000 Levy Fee is collected.

8.51 A relevant condition forms part of the recommendation.

**9.0 KEY ISSUES**

9.1 Whilst the consultation responses are noted, the following issues are key to the determination of this outline application:

- Is the proposed development acceptable in principle?
- What would be the economic benefit of the development?
- Would the application site be able to accommodate 850 homes?
- Does the proposal make sufficient provision of affordable housing?
- Is the access to the development acceptable?
- Can local amenities absorb the development?
- What would the impact of the development be on the ecology of the area?

**(A) IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?**

9.2 Paragraph 120 of the National Planning Policy Framework (NPPF) advises that substantial weight should be given “to the value of using suitable brownfield land within settlements for homes and other identified needs” and that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.

9.3 Paragraph 123 of the NPPF states that local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. They should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres,”

9.4 Policy BCS1 sets out that the Core Strategy identifies South Bristol as a priority focus for development and comprehensive regeneration. This includes:

“- Around 60,000m<sup>2</sup> of net additional office floorspace focused on centres and

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the major regeneration areas.

- Up to 10 hectares of new industrial and warehousing land focused on the major regeneration areas.

-The provision of around 8,000 new homes of a mix of type, size and tenure.”

- 9.5 Policy BCS1 is clear that development in South Bristol will primarily occur on previously developed land.
- 9.6 Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built-up areas. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.
- 9.7 Policy BCS7 states that retail development and higher density forms of residential development should be provided within local centres. Mixed-use development will be supported where it takes advantage of underused land and uses that contribute to maintaining the vitality, viability and diversity of centres will be encouraged. Active ground floor uses will be maintained and enhanced throughout the centres.
- 9.8 Policy BCS18 of the Core Strategy states that all new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.
- 9.9 Policy BCS20 states that development should maximise opportunities to re-use previously developed land.

***Retail and Leisure Uses***

- 9.10 The current shopping centre was built in the early seventies and is in need of significant refurbishment.
- 9.11 At the time of the preparation of this report, the shopping centre has a significant number of vacant retail units. At the current time, of the 49 existing commercial spaces 39 are dedicated retail units and 10 are [describe uses]. Of the 35 dedicated retail units, 29 are occupied, and of the 12 other commercial units 6 are occupied. It is also noted that the second-floor office space has been vacant for a significant length of time.
- 9.12 Policy BCS7 states that retail shop uses will be predominantly in the designated primary shopping areas of the City and Town Centres, supported by a wider range of appropriate uses in the other parts of these centres.
- 9.13 The application site is within the Wells Road / Broadwalk (Knowle) Town Centre designated within the Local Plan. The provision of Class E commercial, Class E/ F2 community floorspace, Class F1 library and sui-generis cinema / theatre floorspace is therefore acceptable in this location in principle and consistent with Policy BCS7.
- 9.14 The application proposal would deliver approximately 30 retail units. The indicative plans suggest that to accommodate this, the linear retail frontage will also increase from 460m within the existing shopping centre to 480m within the proposal.
- 9.15 The exact design of the units will be refined at reserved matters stage. However the applicants anticipate that the new units will be able to be further subdivided, subject to the tenant demand. They will be designed to allow tenants to respond to market requirements. The applicants' intention is to create a varied commercial offer that will

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assist in the creation of a 15 minute neighbourhood, where essential shops and services are located within a 15 minute walk or cycle.

- 9.16 The applicants have indicated that the proposed Class E floorspace will include suitable accommodation for the dentist, which will be re-provided within the scheme. However, there is no means by which this could be secured through this planning process.
- 9.17 The existing library will be accommodated with the proposed community centre. The application proposal includes provision for up to 320 square metres Class F1 library floorspace. Bristol City Council currently have a secure lease from the company that owns the Broadwalk Centre. The Council would need to negotiate suitable library/community provision in the proposed development in return for giving up their existing lease.
- 9.18 The application proposal will provide up to 870 square metres of sui generis floorspace to be used as a cinema / theatre. In addition, the inclusion of a cinema within the site will help to drive footfall and further support the proposed new retail uses.
- 9.19 The description of development includes reference to the provision of a cinema / theatre. Cinemas and theatres are both appropriate town centre uses and are consistent with Policies BCS7 and DM8.
- 9.20 When considering the loss of retail uses, it is pertinent to note that since the changes to the Town and Country Planning (Use Classes) Order 1987 (as amended) that were made in 2020, Class A1 retail use no longer exists and has been incorporated within a new Class E commercial, business and service use which encompasses former Class A1, a2, A3, B1 and D2 uses. This means that any existing Class retail floorspace could become a non-retail Class E use without the need for planning permission. None of the existing retail units in Broadwalk Shopping Centre are protected from this.
- 9.21 Given the provision of new community floorspace within the scheme, the application proposal complies with Policy DM5. As the application site is within the Wells Road / Broadwalk (Knowle) Town Centre designated within the Local Plan, the range of uses proposed is appropriate and consistent with core planning policies.

***Residential Uses***

- 9.21 The application proposal seeks outline planning permission for up to 850 residential units.
- 9.22 The location of housing in this location accords with the Core Strategy. The application site will make a significant and valuable contribution to the supply of housing (up to 850 homes) on a sustainably located site. This accords with policy BCS5 of the Core Strategy and is awarded significant weight in the planning balance.
- 9.23 The Council These indicators highlight the significant need for new housing developments in Bristol, a need which this application would help to address. The principle of the residential-led redevelopment of the site is considered to be acceptable. As the Council cannot demonstrate a five year supply of deliverable

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housing sites and has failed the recent Housing Delivery Test, paragraph 11(d) of the NPPF is engaged.

9.24 The NPPF requires each authority to demonstrate a five-year supply of deliverable housing sites plus five per cent land supply buffer. The Council cannot currently do so. The Council identified a housing land supply of 2.45 years for the purposes of a recent Appeal at Brislington Meadows and has failed its most recent Housing Delivery Test.

9.25 In view of the fact that the LPA is not able to demonstrate a five-year housing land supply, paragraph 11(d) of the NPPF is engaged, and the tilted balance applies meaning the presumption in favour of sustainable development as set out in paragraph 11(d) of the NPPF is applicable. This indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole:

*“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*

9.26 In this case, the proposed residential development would contribute positively to the targets set for the delivery of new homes in South Bristol as set out within Policies BCS1 and BCS5. The proposed development would accord with Policy BCS7 by promoting mixed-use development within an accessible centre by taking advantage of underused land. The proposed re-use of brownfield land is supported by guidance in the NPPF and Policy BCS20.

9.27 Although dating back to 2007, it is noted that the principle of residential development on the site of the multi-storey car park was established with the issuing of planning consent as part of application 07/05426/F for 45 units. This added two and three-storeys of residential use to the existing area of car parking.

9.28 The principle of redevelopment of the library and petrol station fronting Redcatch Road has been established through the approval of application 06/05015/F for 38 apartments.

9.29 The principle of the redevelopment of the western part of the site within building heights of up to 12 storey has been established through the approval of application 18/05184/P for up to 420 apartments.

9.30 It is noted that the housing statistics for Knowle Ward indicate that the area is dominated by three bedroom houses (65%). The application proposal therefore has the potential to diversify the housing stock in this ward.

9.31 Whilst the exact accommodation schedule and housing mix is a reserved matter, the principle mix of 1 and 2 bedroom flats is considered to help to diversify the housing mix within the area, providing smaller units for first-time buyers and those wishing to downsize, in accordance with BCS1 and BCS5. Similarly, the potential for the provision of later living accommodation would also help to diversify the housing mix of the area.

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- 9.32 The proposed development will have a positive social and economic impact for Knowle and the city as a whole.
- 9.33 In support of their application, the Applicants have submitted an Economic Benefits Assessment. This states that the development will contribute to economic growth both during construction and over the lifetime of the development. The construction period will support jobs directly on site, as well as providing indirect support to additional jobs within the supply chain.
- 9.34 The scheme will provide direct economic benefits. The Economic Benefits Assessment indicates that the scheme will provide up to 510 permanent on-site jobs. The scheme will provide revenue from business rates, CIL, new homes bonus, up to 6.8m local resident spending per annum, and an estimated net additional maximum £15m GVA (per annum) for Bristol.
- 9.35 A Social Value Statement prepared by Social Value Portal has been submitted as part of the application. This estimates that over three years of construction and 10 years of management, the development could create up to £157.6m of social and local economic value around the site. This includes up to 500 weeks of training and apprenticeships, up to 1,104 hours of volunteering with local groups and 2,000 weeks of apprenticeship training.

**(C) WOULD THE APPLICATION SITE BE ABLE TO ACCOMMODATE 850 HOMES?**

- 9.36 Paragraph 120 of the NPPF states that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing with land supply is constrained and available sites could be used more effectively.
- 9.37 Paragraph 125 of the NPPF states that “where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site”.
- 9.38 Section 12 of the NPPF sets out that “the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.”
- 9.39 Policy BSC20 of the Core Strategy requires new development to maximise the re-use of previously developed land and supports higher densities in or close to other centres and along main public transport routes. Appropriate densities for individual sites will be informed by site characteristics, accessibility, the need to provide an appropriate mix of housing and other uses, and the need to achieve high-quality, well-designed environments.
- 9.40 Policy BCS21 of the Core Strategy aims to ensure that all new development in Bristol achieves high standards of design.

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- 9.41 Policies DM26-28 of the site allocations and development management policies require development to contribute to the character of an area through its layout, form, public realm and building design.
- 9.42 A parameter plan has been submitted by the applicants demonstrating that up to 850 residential units can be accommodated on the site. This includes an indicative idea of the height that buildings would have to be secure this level of development. This will be subject to refinement as the detailed design of individual buildings emerges and is refined as part of the process of approving reserved matters. It is noted the majority of the buildings on the site would not need to be as tall as the scale of buildings that were approved in 2021.
- 9.43 The parameter plan sets out that the proposed development would range from 68 metres to 104 metres AOD this equates to between three and 12 stories and would include the following elements:
- A ten storey block fronting the junction of Wells Road and Redcatch Road.
  - A 5/6 storey residential block fronting onto Redcatch Road.
  - Part three storey blocks fronting Redcatch Park with ten storeys set perpendicular to the Park.
- 9.44 It is noted that the proposed 12 storey elements sit within the height parameter for this part of the site that were approved under the extant consent, approved in 2021.
- 9.45 It is anticipated that any future reserved matters application(s) would be brought to Development Control Committee for determination.
- 9.46 It is considered that the application site is within a suitably sustainable location within the town centre. It is an appropriate location for densification. In accordance with the Urban Living SPD an assessment has been undertaken by the applicant to identify what works well for the site and what would need to be addressed as part of future reserved matters application(s). The large scale of existing buildings on the site and the size of the site overall, mean that it is a natural location for a development of this scale.
- 9.47 For the purposes of calculating residential density in accordance with the Urban Living SPD, site area is 2.344ha. For a scheme of up to 850 homes, this results in a density of 416 dwellings per hectare (dph).
- 9.48 In comparison the extant consent as a residential density of 374 dph on the rear part of the site that could be developed to provide residential units both NPPF paragraph 124 and policy BCS7 recognise the need to optimise density the open living SPD is very clear that an optimal density is not determined by a fixed dwelling per hectare [dph] number nor does it set thresholds for density by location.
- 9.49 It occupies a sustainable location within a designated town centre and is close to bus stops with many amenities within easy reach. The proposed development is underpinned by the concept of the '15 minute neighbourhood' where key shops and services are within a 15 minute or cycle.
- 9.50 The scale of residential development on the site means that in effect a new village is being developed in this location. High density residential development and the subsequent increase in residents help to support new retail and community elements

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by increasing footfall within the site itself. This will further enhance the viability and vitality of the designated town centre.

***Design considerations***

- 9.51 A key consideration in confirming whether this site can accommodate 850 homes, is what the standard of each home would be. As layout and design do not form part of this outline application and are reserved for subsequent approval, Members are only being invited to assess whether in principle, the site could accommodate 850 homes. The detailed design of each apartment will be assessed as part of a future reserved matters application(s). Notwithstanding this, Officers have assessed whether the site would have a significant proportion of single aspect dwellings, mindful that it will be a pre-requisite of the reserved matters submission that each home meets Nationally Described Space Standards (NDSS).
- 9.52 Policies BCS21, DM29 and guidance set out in Q2.8 of the Urban Living SPD seeks to avoid single aspect homes in order to improve access to natural light, provide a choice of views, and allow cross ventilation in order to minimise overheating.
- 9.53 The current indicative layout provides 263 (32.2%) dual aspect units. Of the remaining single aspect units, 207 (25% of the total units) would be single aspect north facing units; these are predominantly located within Blocks A and B, in the north western part of the site adjacent to Redcatch Park, with some also located in Block G at the centre of the site.
- 9.54 It is inevitable that there will be a proportion of single aspect homes and that some will need to be north facing. This situation will be improved when the details of each of the individual buildings begins to emerge. However, at this stage there has been consideration given to additional design refinements such as 'cut outs' which could be incorporated within individual units to provide a choice of views and to further improve daylighting to units. Furthermore, it is anticipated that a high proportion of the homes will benefit from balconies, thereby increasing the choice of views from these units. In consideration of the detailed design, Officers will pay attention to guidance in the Urban Living SPD which, in assessing whether schemes create sufficient outdoor space, encourages the use of balconies.
- 9.55 In accordance with the requirements of Policy DM14, a Health Impact Assessment (HIA) has been submitted in support of the Application. The Applicants have committed to healthy placemaking principles. These include the following:
- Open spaces and green spaces to provide opportunities for social interaction, recreation and physical activity;
  - Improving site permeability and connectivity;
  - Providing access to Redcatch Park to Wells Road and the wider area;
  - Hard materials strategy, to ensure all open spaces are accessible to all; and, -
  - Supporting infrastructure to support and encourage sustainable and active modes of transport.
- 9.56 Overall, it is considered that the site can accommodate this level of development. There will be need for care in ensuring that the highest quality of daylight and sunlight is secured for future residents.

***Amenity for surrounding residents***

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- 9.57 In support of their application the applicants have submitted a Daylight and Sunlight Study. This study assessed the potential impact of the indicative design of the proposed development on residential properties in the surrounding area.

The following properties were assessed:

*Ryde Road Properties*

- 9.58 25 main habitable room windows at the Ryde Road properties fall short of the Vertical Sky Component (VSC) test. However, 20 of the 25 windows will maintain a VSC score of 15.5% or more after the development, with the majority around 20%.
- 9.59 As noted in a number of appeal decisions, it is generally accepted that for large schemes in cities or densely populated town centre locations, a VSC of 20% or more is considered reasonably good, and VSCs in the mid-teens (around 15% or more) are acceptable. It is also relevant that 24 of the 25 windows achieve before/after ratios between 0.7 or more, which is only marginally short of the BRE 0.8 recommendation.
- 9.60 Finally, many of these windows are already hampered by the projecting wings created by the design of the properties themselves. The BRE guide acknowledges that where a room has a projecting wing on one or both sides of it, a larger relative reduction in the area of the room receiving direct skylight may be unavoidable, as the building itself contributes to its poor daylighting

*Redcatch Road Properties*

- 9.61 27 main habitable room windows at the Redcatch Road properties fall short of the VSC test. However, 22 of the 27 windows maintain a VSC score of 16.7% or more after the development, with the majority around 20%, and some, with extremely high retained VSC levels of 26.9% (i.e. only 0.1% short of the BRE VSC 27% recommendation). Furthermore, 3 of the windows appear to serve bedrooms. The BRE guide states that daylight is required in living rooms, kitchens and bedrooms. In the context of daylight distribution, the guide states that bedrooms are less important. The guide does not distinguish between the relative importance of daylight in respect of the vertical sky component test. However, in our opinion less weight should be given to bedrooms than living rooms, on the basis that bedrooms are likely to be used less than living rooms during daylight hours. Given the style of these properties are very similar to those on Ryde Road, many of the windows are also already hampered by a projecting wing.

*Broad Walk Properties.*

- 9.62 104 main habitable room windows at the Broad Walk properties fall short of the VSC test. However, 93 of the 104 windows maintain a VSC score of 16.2% or more after the development, with the majority around 20%. Additionally, 34 of the 104 windows achieve before/after ratios between 0.71 or more, which is fairly close to the target of 0.8 stated in the BRE guide.
- 9.63 It is noted that the style of these properties is such that a number of the windows are tunnelled in by the projecting wings of their own building, where a degree of obstruction is likely to be unavoidable. Further, it is also relevant that the proposed development only affects the rear of the properties, where it is extremely likely that the rear of the properties will comprise bedrooms and kitchens. The main living room windows likely face away from the proposed development and therefore will remain unaffected.



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- 9.64 18 main habitable room windows at the Wells Road properties fall short of the VSC test. However, 14 of these windows maintain a VSC score of 22.6% or more after the development. The worst affected windows (408, 409, 411 & 412) are all side elevation windows. It has not been possible to confirm whether these are habitable room windows although it appears that they are unlikely to serve main living areas. For the purpose of the quantitative analysis above, the Applicants assumed that they are habitable room windows. If this is the case, then notwithstanding the above, the conclusion reached is that they should be afforded less protection (given their location) by the Local Authority in terms of the impact on their daylight availability.

*Hengrove Road Properties*

- 9.65 14 main habitable room windows at the Hengrove Road properties fall short of the VSC test. However, 10 of the windows will maintain a VSC score of 18.1% or more. Given the style of these properties are very similar to those on Redcatch Road, Ryde Road and Broad Walk, many of the windows are also already hampered by the projecting wing. Furthermore, it has not been possible to confirm room uses, although we have assumed that the windows are habitable where not known.
- 9.66 However, it would appear that at least some of the windows are to non habitable rooms. Furthermore, from a review of the street view photography, it appears that the main living areas are those fronting Hengrove Road, which are unaffected by the proposed development.
- 9.67 The majority of main habitable room windows tested meet or surpass the BRE numerical recommendations. Whilst some windows do not meet the recommendations, the results are not unusual in the context of an urban location. The BRE guide explains that the numerical guidelines should be interpreted flexibly, since natural lighting is only one of many factors in site layout design. This was the previous under the consented scheme, where daylight and sunlight considerations were balanced against all other material planning considerations. The proposal would be in accordance with the NPPF, which states that “authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.”
- 9.68 By providing a gap in excess of 21 metres, the proposed development would be located sufficiently far from dwellings on Broad Walk so as to avoid overlooking. A gap of 24 metres would be provided between the proposed four-storey residential block at no’s. 2-16 Ryde Road. The elevation has been arranged in such a way as to minimise overlooking by providing oblique windows. This would be secured as a condition of any reserved matters application.
- 9.69 There would be no unacceptable harm to existing residential amenity through overshadowing, overbearing or overlooking.
- 9.70 The visual impact of the proposed massing of the indicative design has also been assessed. Having considered the Townscape and Visual Impact Assessment prepared in support of the application and submitted with application, it is considered that the massing of development required to accommodate the proposed development would be acceptable.

**Development Control Committee A – 31 May 2023****Application No. 22/03924/P : Broadwalk Shopping Centre Broad Walk Bristol BS4 2QU****(D) IS THE PROPOSED DEVELOPMENT VIABLE, AND DOES IT PROVIDE AN APPROPRIATE LEVEL OF AFFORDABLE HOUSING?**

- 9.71 The proposed development falls within Use Class C3 of the Use Classes Order, meaning that it is required to address the Council's Affordable Housing Policies. Although the application is in outline only, it indicatively includes 817 dwellings and therefore it is required to comply with Core Strategy Policy BCS17, which seeks the provision of up to 30% affordable housing (245 affordable dwellings) subject to scheme viability.
- 9.72 The NPPF and the associated Planning Practice Guidance were revised in 2019, and these revisions are pertinent to the assessment of scheme viability.
- 9.73 The Applicant has claimed that, to remain viable in planning terms, the proposed scheme is only able to provide 6.7% affordable housing (55 affordable dwellings). A Viability Report and supporting commentary has been submitted by Savills on behalf of the Applicant in support of the claimed viability position.
- 9.74 Officers commissioned DVS (the specialist property arm of the government Valuation Office Agency) to assess the Savills Viability Report and advise the Council as to whether the Applicant's claim was reasonable. DVS undertook a detailed assessment of the Savills Viability Report, and they agreed with Savills that the scheme could not provide the maximum policy target of 30% affordable housing.
- 9.75 However, DVS did not agree with all the inputs used by Savills, and the main areas of difference are summarised in the following table and considered in more detail below:

	<b>Savills</b>	<b>DVS</b>
<b>Benchmark Land Value</b>	£8,500,000	£4,800,000
<b>Residential Base Build Costs</b>	£2,087 / sqm	£1,909 / sqm

**Benchmark Land Value (BLV)**

- 9.76 BLV is the sum that the landowners could reasonably expect to receive for their land, taking account of the existing use value of the land, any alternative policy compliant uses that could be implemented on the land, and the transacted values of comparable sites.
- 9.77 Both Savills and DVS agree that the existing use value of the site is around £4,000,000, which is significantly lower than when the previous application for redevelopment was considered back in 2019. Savills consider that the planning permission that was granted gives the site a greater value. However, DVS note that

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in the Savills Viability Report they state the following in respect of the previously granted planning permission:

*However, this consent is no longer deemed to be practically deliverable or commercially viable hence the submission of a new planning application.*

- 9.78 Consequently, following the process for determining BLV as set out in the Government's Planning Practice Guidance, DVS consider that the appropriate approach to establishing BLV in this instance is to take the agreed existing use value and apply a landowner premium to that, to incentivise the landowner to release the site for development. This results in a BLV of £4,800,000, which is the figure used in the appraisals undertaken by DVS.

**Base Build Costs**

- 9.79 Savills have assessed the base build costs using a cost consultant's cost plan. This is fairly standard practice, particularly in cases where the viability relates to a full planning application. However, in this case the application is in outline, with only the means of access being fully determined at this stage. Consequently, the exact heights and designs of the buildings are not known, and the cost plan can be considered indicative at best. It is important to note though, that the cost plan was put together in July 2022, and that build costs may have increased since then, and if that is the case then the cost plan would be underestimating the costs.
- 9.80 DVS based their initial assessment of build costs on the Building Cost Information Service (BCIS) indices. This is data collected from costs relating to building projects undertaken across the UK, which is collated, analysed, and then published to enable cost planning to be undertaken. BCIS publish data relating to lower quartile, mean, median and upper quartile costs for a multitude of different development types, and it is recognised in Planning Practice Guidance as an appropriate tool for assessing build costs. DVS adopted the median costs, which is an appropriate approach to take in assessing an outline application.
- 9.81 However, having discussed the BCIS build costs with colleagues in housing, there was concern raised that the currently available BCIS data may not be reflective of recent increases in build cost inflation, and consequently may be underestimating build costs, particularly for tall buildings. To come to a view on this issue, actual build costs were sought from Housing Association partners who are currently delivering tall buildings in Bristol. These were provided on a confidential basis, but officers can confirm that the costs were more than both the BCIS median costs used by DVS and the build costs provided by the applicant.
- 9.82 Upon receipt of this information, DVS ran a sensitivity test, adopting the applicants base build costs, rather than BCIS median costs.

**DVS Conclusions**

- 9.83 The outputs of DVS assessment of the viability of the proposed scheme were as follows:

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	BCIS Median Costs	Applicants Costs
<b>Benchmark Land Value</b>	£4,800,000	£4,800,000
<b>Residential Base Build Costs</b>	£1,909 / sqm	£2,087 / sqm
<b>Affordable Housing %</b>	20.2% (165 dwellings)	9.8% (80 dwellings)

**Officer Commentary**

- 9.84 Whilst it would be tempting to make a recommendation based on the BCIS Median Costs; it is incumbent on officers to take account of evidence of actual build costs of schemes currently being delivered in Bristol as well as published information on build cost inflation. It is pertinent to note that the government's Monthly Statistics of Building Materials and Components, published on 1 March 2023 stated the following:

*The material price index for 'All Work' increased by 10.4% in January 2023 compared to the same month the previous year.*

- 9.85 It is clear that build cost inflation remains a significant issue and given the evidence provided around build costs, officers consider that it is appropriate to use the build costs provided by the applicant in assessing the amount of affordable housing that the scheme can provide. It is also pertinent to note that the applicants build costs are from July 2022, and therefore, given build cost inflation, they may be considered optimistic.

**Officer Recommendation**

- 9.86 Officers recommend that based on the above information, 9.8% affordable housing, equating to 80 affordable dwellings, are required. These will be secured via a Section 106 Agreement.
- 9.87 Housing colleagues have requested that at this point in time the tenure of the affordable housing is delegated to housing officers to be agreed as the scheme comes forward. This is because it is possible that as well as standard open market housing, the scheme may include specific housing for older persons, and an element of Build to Rent. By not specifying type and tenure at this stage it enables the type of affordable housing to be tailored to the type of housing delivered as part of the scheme. It will also make it easier to facilitate the provision of additional affordable housing which could potentially be delivered via the use of Homes England Grant Funding if that became available.
- 9.88 Finally it is recommended that, in accordance with Planning Practice Guidance, upwards only viability reviews are undertaken at various points in the development programme to see if additional affordable housing can be provided.
- 9.89 It is recommended that the first of these reviews is undertaken on the earlier of the following dates:

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- One year after the granting of the first reserved matters consent.
- Commencement of the development (excluding demolition and preparatory works).

9.90 A second late-stage review should also be undertaken, and it is recommended that this is undertaken 3 years after the first review.

9.91 These reviews would protect the Council's position and potentially enable it to achieve a level of affordable housing closer to the 30% target set out in Core Strategy Policy BCS17.

**(E) IS THE ACCESS TO THE DEVELOPMENT ACCEPTABLE?**

9.92 Policy BCS10 states that developments should be designed and located to ensure the provision of safe streets. Development should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.

9.93 Policy DM23 of the Site Allocations and Development Management Policies outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network. With regard to parking, Policy DM23 states that this must be safe, secure, accessible and usable.

9.94 The information provided by the Applicant is sufficient to secure support from TDM subject to obligations and conditions. The proposed development is consistent with national and local transport policy.

9.95 The location of the site is accessible to pedestrians, cyclists, and public transport users.

9.96 The application proposal will increase permeability to pedestrians would integrate the site with the surrounding pedestrian routes.

9.97 Access to services, education and employment areas are within walking and cycling distance of the site, which is in line with local and national policies

9.98 Satisfactory vehicular access can be achieved. The details of which will be subject to S278 agreement.

9.99 The internal site layout is able to cater for all road users including service vehicles as shown by swept path analysis.

9.100 The level of car parking proposed is suitable for the location of the site given that local facilities are accessible by foot, cycle, and public transport, and that on-street parking is controlled by a residents parking zone for which new residents would not be able to purchase permits.

9.101 The sustainable travel measures proposed including secure cycle parking in excess of

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the minimum standards, car club car, and the implementation of a Travel Plan at the site further would encourage the use of alternative modes of transport to the private car, reducing car parking demand.

- 9.102 Comparing average traffic generation, the proposed traffic generation of the development would be in line with the previous approval.
- 9.103 There is no road safety concern on the local road network and there is no reason to suggest that that proposal would affect this situation.
- 9.104 There is no requirement for a S38 agreement (adoption) for this site.

**TDM Assessment**

- 9.105 The submitted Transport Assessment (TA) is considered to provide an adequate appraisal of the relevant transport and highway related matters including an assessment of the potential for journeys to be made by sustainable modes of transport as well as detailed estimates of vehicular trips resulting from the development.
- 9.106 Officers have reviewed this application and identified the following areas for detailed comments:
- Road network - Access and Road Safety – The safe movement of all modes entering and exiting the public highway
  - Trip Generation –The existing and proposed trips related to the site
  - Active Transport – Walking and cycling and behaviour change
  - Public Transport – Current access and future potential
  - Servicing and Delivery – How the development will manage the vehicular trips required
  - Car Parking - How the development will manage the vehicular trips required

*Location*

- 9.107 The site is bounded to the North by Ryde Road and Redcatch Road, top the East by A37 Wells Road, to the South by Broad Walk and to the West Redcatch Park
- 9.108 The site is located in the Knowle area of Bristol. The bus services 2, 8, X5. 177, 2A, 511 and 376 operate along Wells Road offering links to the City Centre and other areas towards the South of Bristol.

**Road Network***Wells Road*

- 9.109 The A37 Wells Road a primary distributor road and, as such, is a wide two-way single carriageway road with an approximate carriageway width of 10.3 metres. The road provides two running lanes and a bus lane (providing Bus Priority through key junctions), which alternates between the southbound and northbound side of the carriageway is subject to a 30-mph speed limit with footways on both sides of the carriageway with a minimum width of approximately 3 metres. Parking on Wells Road

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within the vicinity of the site is limited to lay-bys providing operational parking for local retail and services.

*Redcatch Road*

- 9.110 Redcatch Road is part two way and part one-way road of strong residential character. It is considered a local distributor road, with a carriageway width of 8.5m and is subject to a 20 mph speed limit and provides controlled parking along one or both sides of its length, depending on specific location. A small section of Redcatch Road, between Wells Road and the existing site access junction is one way only (westbound). The eastbound connection from Redcatch Road to Wells Road is provided by Oakmeade Park.

*Oakmeade Park*

- 9.111 Oakmeade Park is a short one-way road, providing eastbound connection between Redcatch Road and Wells Road. It is subject to 20 mph speed limit, approximately 8.5 metres wide and with footways on both sides. It also allows controlled parking on both sides.

*Broad Walk*

- 9.112 Broad Walk is a two-way local distributor road. It is subject to a 20 mph speed limit and has a carriageway width of approximately 7.5 metres. Footways of approximately 2.0 metres wide are provided on both sides of the carriageway although the footways are more prominent adjacent to the existing Shopping Centre. The road does provide some limited controlled parking at the eastern end where there is significant widening and connects with Wells Road via an existing signalised junction.
- 9.113 Visibility from the site exit (onto Broad Walk) is currently restricted by the presence of an existing tree and associated foliage. It is understood that this Tree is not subject to a Tree Preservation Order (TPO) and it was agreed as part of application 18/05184/P that it would represent a highway safety benefit if it were to be removed.

*Priory Road*

- 9.114 Priory Road is a two-way single carriageway residential road having an approximate carriageway width of 6.5 metres. Footways with an approximate width of 1.5 metres are located on both sides.

*Ryde Road*

- 9.115 Ryde Road is a residential cul-de-sac accessed from Redcatch Road. It runs southbound away from Redcatch Road and also provides access to the yard area serving properties fronting Wells Road and Redcatch Road. The carriageway is approximately 6.8m wide and has on-street parking provided on both sides. Commercial vehicles using the service yard serving Redcatch Road and Wells Road travel on Ryde Road to gain access.

***Road Traffic casualty assessment***

- 9.116 Within the wider area, for the five-year period 2016-2021 two accidents were categorised as serious, whilst the remainder were slight. Two accidents included pedal cycles and were categorised as slight. Three accidents involved pedestrians; of

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these, one was categorised as slight, and two were categorised as serious, accounting for both serious accidents.

- 9.117 The data does not indicate any design errors or need for immediate improvement as is common as more accidents are related to distraction.

***Proposed changes to the public highway***

- 9.118 The changes to the public highway will be subject to the S278 works which will include but are not restricted to cycle, bus and pedestrian Footway and carriageway upgrades required for the surrounding of the site.

***Active Transport******Walking***

- 9.119 Broadwalk Shopping Centre is considered a satisfactory walking environment where all streets providing appropriate footway facilities on one or both sides of the carriageway with some crossing point locations access to all local facilities, schools, places of interest and leisure facilities and public transport nodes. This was supported in the TA where all reasonable points of interest can be walked to between 5 and 20 minutes.

- 9.120 Pedestrian access to the development will be to the new pedestrian area from:

- Wells Road
- Redcatch Park
- Ryde Road
- Redcatch Road (via Ryde Road or the north vehicle access)

To the proposed residential units (with multiple lobby entrance points) from:

- Redcatch Road
- Broad Walk

- 9.121 The proposed public realm area will provide a new pedestrian link from Wells Road to Redcatch Park, allowing a vehicle free route from Wells Road to the park to the west.

- 9.122 Contributions have been proposed for road safety and sustainable transport improvements within the vicinity of the site

***Cycling***

- 9.123 There are no on-road or off-road cycle routes in the immediate vicinity of the site. Although the bus lane on Wells Road provides some.

- 9.124 The TA provided demonstration of reasonable cycling time for the site to City Centre and Temple Meads.

- 9.125 Contributions have been proposed for road safety and sustainable transport improvements within the vicinity of the site.



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- 9.126 A total of 1280 cycle parking spaces are proposed. There will be a mix of types and locations to suit the various needs for resident and visitor parking. This is an acceptable quantum.

***Public Transport***

- 9.127 The site has a good level of public transport provision.

***Bus***

- 9.128 The bus services 2, 8, X5, 177, 2A, 511 and 376 operate along Wells Road offering links to the City Centre and other areas towards the South of Bristol.
- 9.129 Contributions for planned works for Wells Road to accommodate improvements to the bus services are requested.

***Train***

- 9.130 The nearest National Rail Stations are Bedminster and Bristol Temple Meads, both located approximately 2 km from the site to the north-west and north respectively with regular bus connections to Knowle.

***Trip Generation***

- 9.131 The development is expected to generate 87 two-way vehicle trips in the AM peak hour and 122 in the PM peak hour. This is in line with the prediction evidenced from TRICs in the TA.
- 9.132 These are likely to distribute as 30% north on Wells Road towards central Bristol, 20% on Priory Road and 10% south on Wells Road to connect to the A4174 and the A37 south.
- 9.133 An average of 58% of all daily trips will be by active and public transport.

***Car Parking***

- 9.134 A total of 308 car parking spaces are proposed in two areas of the site. All parking spaces will be set up for electric vehicle charging with 20% provision from the outset (i.e. "active" EV charging) and the remainder with sufficient infrastructure for future roll-out of charge points. The results of on-street parking surveys undertaken on:

***Car Club***

- 9.135 The application should use at least 2 parking bay to provide for car club vehicles and the possibility of it being an electric car club car.

***Internal parking management***

- 9.136 The internal streets around the site would be managed by a management company to make sure that no parking takes place outside of the marked parking bays. A condition for a parking management plan will be required to detail how this will be managed.

***Conclusion on the Access Arrangements***

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9.137 The access arrangements for this proposal are acceptable. They comply with relevant plan policy.

**(F) CAN LOCAL AMENITIES ABSORB THE DEVELOPMENT?**

9.138 Many representations have been received from local residents expressing concern that local amenities will be incapable of absorbing such an increase in population. Of particular concern is the capacity of local schools and GP Practices

***Local Schools***

9.139 The Council's School Partnership Team have confirmed that there is sufficient capacity in the area to accommodate a development of this scale.

9.140 They indicate that the forecast is informed by the annual return that is undertaken for the DfE. This details supply of places and projected demand. It is called the 'SCAP Return' and is submitted by the School Partnership Team each summer. Places are reported by 'planning areas'. For primary this is 2-4 city wards. For secondary the city is divided into 3 areas, so this would be 'south'. The forecast model uses birth data as well as historical school attendance and estimated yields from new housing. These returns confirm that there would be sufficient capacity in 'south' schools to absorb this development.

***GP Surgeries***

9.141 The challenges in securing GP capacity lie outside the planning process. There are no grounds to refuse this planning application on the grounds that there is insufficient GP Surgery capacity, as it is covered by separate legislation. Nevertheless, information has been sought in an attempt to address the representations received.

9.142 With reference to the capacity of GP surgeries, Table 4 of the Health Impact Assessment (page 18 and 19) outlines local GP capacity within a 1.2 mile radius, and Table 5 provides a wider search area of 5 miles. Within these areas, there are roughly 45 GP surgeries. While most operate over the patient list ratio recommended by the Royal College of GPs, a number are under this recommendation (including Birchwood Medicine Practice, 1.2 miles away), have capacity, and all are accepting patients.

9.143 It is noted that GP surgeries receive additional funding for every patient taken on. This includes funding to cover the additional costs of employing more clinicians.

9.144 The objections to the application proposal that have been received on the grounds that local GP Surgeries and Schools are unable to cope with the additional residents generated from this application proposal cannot be sustained as grounds for refusing this application.

**10.0 PLANNING OBLIGATIONS**

10.1 The recommendation to grant planning permission is subject to the completion of a legal agreement to secure:

- Affordable Housing

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- One Fire Hydrant
- Travel Plans (A Framework Travel Plan has been submitted with the application)
- Contributions towards sustainable transport measures specifically:

10.2 The extent and scope of the S278 (which must be signed prior to commencement)

10.3 Contributions of £220 per residential unit for travel plan delivery and management or £5,693 where applicant will do their own delivery. Notwithstanding additional s106 (£5,693) for each of the Classes E, F and Sui Generis uses. The exact floorspace of these individually is unknown.

10.4 Contribution to the relocation of up to 8 bus stops would be estimated at £100,000.

10.5 Contribution for restrictive parking measures (design, consultation and lines and signs) £150,000

10.6 Contribution to Traffic Regulation order for RPZ £6,000.

**11.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)**

11.1 This is an outline application. The Community Infrastructure Levy Regulations 2010 require that CIL liabilities are calculated when reserved matters applications are submitted as until the reserved matters stage it is not necessarily clear as to the exact level of CIL liable floor space.

11.2 As this is an outline application and the exact size in square metres of the proposed development has not yet been finalised, the exact CIL Liability cannot be calculated at this moment in time. However, based on the information provided, it is likely to be in the region of £4,000,000. Of this, 15% (approx £600,000) would be devolved to Area Committee 5 to allocate to local infrastructure improvements, which could include local parks and green spaces, community buildings, local highway measures etc. Whilst not related to the CIL liability of the proposed scheme, it is noted that on 4 April 2023, the Council's Cabinet specifically identified funding to be allocated to improvements to Redcatch Park, which is in close proximity to the proposed development.

**12.0 CONCLUSION**

12.1 Having considered all the information submitted in support of this application for outline planning permission, your Officers are satisfied that in principle this is an acceptable location for the mix of uses set out in the description of development.

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- 12.2 It will enable the Applicants (or their successors) to move forward with refining their detailed proposals for the site for submission as either one or multiple reserved matters applications. At that stage detailed consideration can be given to the design of the proposal and the impact of the design on neighbouring properties.
- 12.3 At this stage, outline planning permission is recommended. The proposed development affords an opportunity to secure the regeneration of this important brownfield site in the south of Bristol, consistent with Development Management policy.
- 12.4 The proposed development would contribute to the delivery of market and affordable homes on previously developed land in accordance with the NPPF and as per the requirements of Policies BCS1, BCS5 and BCS20.
- 12.5 The proposed development would provide leisure and retail space within a Local Centre, in accordance with Policy BCS7.
- 12.6 There are no material considerations that could be supported as grounds for refusing this outline application.

**RECOMMENDED GRANT subject to a Planning Agreement and the following conditions:**

**Time limit for commencement of development**

1. Application for approval of the reserved matters shall be made to the council before the expiration of 3 years from the date of this permission.

The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approval of the details of the Appearance, Scale, Layout and Form and Landscaping for a phase of development (hereinafter called "the reserved matters") shall be obtained from the council in writing before any development is commenced within the phase in question.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

**Pre commencement condition(s)**

3. Phasing Plan

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Prior to commencement of development a site-wide phasing plan of proposed demolition and construction works shall be submitted to and approved in writing by the Local Authority. The phasing plan may include details relating to the subdivision of the site into development parcels to provide a basis for the discharge of conditions (including the Reserved Matters) and subsequent construction works.

The development shall be carried out in accordance with the approved Phasing Plan or any subsequent version approved in writing by the Local Planning Authority.

Reason: in the interest of the orderly development of the site.

#### 4. Parameters

Each reserved matters submission shall conform to the following design parameters approved at Outline application stage:

- Up to 850 dwellings
- No building shall be above the heights set out for each part of the site on the Heights Parameter Plan (Dwg.1611 PA 01).
- The scale, massing and bulk of the development should be informed by an assessment of liveability conditions for future and existing occupiers.
- The orientation of the buildings should minimise single aspect flats, particularly when that aspect is north or south-facing.
- A daylight and sunlight assessment must be provided to demonstrate that existing and proposed internal spaces and amenity space meets Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a good-to-good practice guide, 2<sup>nd</sup> Edition by P.J Littlefair 2011.
- Dwellings should as a minimum meet the Nationally Described Space Standard (NDSS) for one-bedroom, two person units to allow for future flexibility.
- Any windows on the eastern elevation facing 2-16 Ryde Road and on the southern elevation facing 9-43 Broad Walk should be oblique angled to avoid overlooking.

Reason: To ensure that the final development is in accordance with the Outline submission.

#### 5. Surface Water and Foul Water Drainage Strategy

A detailed surface water drainage design for a relevant phase must be submitted with each Reserved Matters submission for the phase in question, formed in accordance with the approved Surface Water and Foul Water Drainage Strategy.

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

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build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal.

## 6. Fire Safety Statement

A suitable fire statement for a relevant phase must be submitted with each Reserved Matters submission for the phase in question.

Reason: To ensure adequate fire safety measures within the development.

## 7. Highways

No development shall take place until general arrangement plan(s) to a scale of 1:200 showing the following works to the adopted highway has been submitted to and approved in writing by the Local Planning Authority:

- (i) A signalised crossing across the left turn from Broad Walk onto Wells Road giving pedestrian access of the centre.

Redcatch Road/ Wells Road junction to be tightened and a speed table implemented along Redcatch Road.

Redcatch Road/ Oakmeade Park junction pedestrian improvements.

Reinstatement of redundant access ways and resurfacing of highway surrounding the site.

- (ii) Where applicable for any phase, indicating proposals for:

Existing levels of the finished highway tying into building threshold levels

Alterations to waiting restrictions or other Traffic Regulation Orders to enable the works

Signing, street furniture, street trees and pits

Structures on or adjacent to the highway

Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement)

No development shall take place over the route of any public right of way prior to the confirmation of a Town & Country Planning Act 1990 path diversion/stopping up order.

Prior to occupation of a relevant phase the relevant works shall be completed to the satisfaction of the Highway Authority and approved in writing by the Local Planning Authority.

Reason: In the interests of public safety and to ensure that all road works associated with the proposed development are: planned; approved in good time (including any

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statutory processes); undertaken to a standard approved by the Local Planning Authority and are completed before occupation.

**8. Construction Management Plan**

No development shall take place within a relevant phase, including any demolition works, until a construction management plan or construction method statement for the relevant phase 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 for the relevant phase. The plan/statement shall provide for the following in respect of the relevant phase:

- A construction programme including phasing of works;
- 24 hour emergency contact number;
- Hours of operation;
- Expected number and type of vehicles accessing the site:
- Deliveries, waste, cranes, equipment, plant, works, visitors;
- Size of construction vehicles;
- The use of a consolidation operation or scheme for the delivery of materials and goods;
- Phasing of works;
- Means by which a reduction in the number of movements and parking on nearby streets can be achieved (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
- Programming;
- Waste management;
- Construction methodology;
- Shared deliveries;
- Car sharing;
- Travel planning;
- Local workforce;
- Parking facilities for staff and visitors;
- On-site facilities;
- A scheme to encourage the use of public transport and cycling
- Routes for construction traffic, avoiding weight and size restrictions to reduce unsuitable traffic on residential roads;

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- locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Locations for storage of plant/waste/construction materials;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available;
- Any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (cyclists and pedestrians);
- Arrangements for temporary facilities for any bus stops or routes;
- Method of preventing mud being carried onto the highway;
- 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.

#### 9. Highway Conditions

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.



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## 10. Cycle Parking Provision

Detailed drawings at the scale of 1:100 of cycle parking provision within a relevant phase shall be submitted to and be approved in writing by the Local Planning Authority prior to commencement of the relevant phase, excluding site preparation works and demolition. The detail thereby approved shall be carried out in accordance with that approval.

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

## 11. Car Park Management Plan

No development of a relevant phase, excluding site preparation works and demolition, shall take place until a car park management plan for the relevant phase setting out how the car park within the phase will be managed has been prepared, submitted to, and approved in writing by the Local Planning Authority prior to commencement. 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).

## 12. Contamination - Intrusive Investigation and Risk Assessment

Following demolition within a phase, no construction of the relevant phase shall take place until an intrusive investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination within the phase, whether or not it originates from within the phase. The contents of the scheme should be submitted to and be approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced.

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

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

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets,
- woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,

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- archaeological sites and ancient monuments;

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

(iv) submission of a validation report for the petrol station decommissioning works

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

### 13. Contamination – Detailed Remediation Scheme

Following demolition within a phase, no construction of the relevant phase shall take place until a detailed remediation scheme to bring the relevant phase 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 must be 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 relevant phase will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

### 14. Sustainability Statement

Prior to construction of a phase a sustainability statement demonstrating how sustainable design principles and climate change adaptation measures have been incorporated into the design and construction of the development for approval in writing by the Local Planning Authority.

The development shall be constructed in full accordance with the sustainability statement prior to occupation.

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).

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## 15. Energy Statement

Prior to construction of a relevant phase (excluding demolition and site preparation works) an energy statement for the relevant phase shall be submitted to the Local Planning Authority to be approved in writing. The energy statement shall demonstrate how the energy hierarchy has been followed, how the heat hierarchy has been applied and how a 20% reduction in carbon dioxide emissions beyond residual emissions through renewable technologies has been achieved including full technology specifications and locations.

Prior to occupation of a relevant phase, evidence demonstrating that the approved measures have been implemented, together with detail of ongoing management and maintenance to ensure the measures continue to achieve the predicted CO<sub>2</sub> emissions reduction shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies BCS13 (Climate change) and BC14 (sustainable energy), DM29 (Design of new buildings).

## 16. Renewable Energy - PV

Prior to implementation of a relevant phase, details of the proposed PV system for the relevant phase including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO<sub>2</sub> emissions shall be provided within the Energy Statement for the relevant phase.

Prior to occupation of the relevant phase 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 CO<sub>2</sub> emissions by X%/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. Renewable energy – heat pumps

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Prior to implementation of a relevant phase, details of the air and/or ground source heat pumps (including the location and design/ technical specification) together with calculation of energy generation and associated CO<sub>2</sub> emissions reduction in line with the approved energy statement for the relevant phase should be submitted to the Local Planning Authority and approved in writing. The system shall be installed prior to occupation of the dwellings within the phase 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.

**18. Overheating**

No development of the relevant phase shall take place until an overheating risk assessment for the relevant phase (based on a recognised methodology and criteria such as C.I.B.S.E TM52/ TM59, or equivalent, against weather files to 2080, based on a medium emissions, 50th percentile scenario), together with details of mitigation measures (without increase to the energy use of the development and carbon dioxide emissions) in the event that the overheating risk assessment identifies risks for any units/rooms, has been submitted to and approved in writing by the Local Planning Authority.

The approved measures must then be implemented prior to the first occupation of the relevant phase to the satisfaction of the Local Planning Authority.

Reason: In order to ensure the resilience of the development to climate change and to ensure compliance with Policy BCS13 of the Bristol Core Strategy (Adopted June 2011), the overheating risk assessment and required mitigation measures must be submitted to the satisfaction of the Local Planning authority before the development commences.

**19. Employment and Skills Plan (Construction Phase)**

No development of a relevant phase shall take place, including any works of demolition, until an Employment and Skills Plan that aims to maximise the opportunities for local residents to access employment offered by the construction phase of the relevant phase has been submitted to and approved by the Local Planning Authority. The approved plan shall be implemented in accordance with an agreed timetable.

Reason: In recognition of the employment opportunities offered by the construction phase of the development.

**Pre occupation condition(s)**

## 20. BREEAM

Prior to occupation of a relevant phase, the full BREEAM Post Construction report (prepared by the registered BREEAM assessor together with confirmation that this has been submitted to the BRE (or other approved registration body), including dates/receipt confirmation email from the BRE) shall be submitted in respect of the relevant phase to the local planning authority and approved in writing.

Within 6 months of first occupation of the relevant phase the final post construction BREEAM certificate(s) for the relevant phase indicating that a BREEAM 'Excellent' rating has been achieved shall be submitted to the local planning authority and approved in writing.

Reason: To ensure the development is built in a sustainable manner in accordance with BCS15 (Sustainable design and construction)

## 21. Completion of Vehicular Access - Shown on Approved Plans

No building or use hereby permitted within a relevant phase shall be occupied or use commenced until the means of vehicular access has been constructed and completed in accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only for the lifetime of the development, notwithstanding any plans that may be submitted for approval of temporary access routes for any particular phase of development. Approved plans for temporary access routes should include details of the duration for which the access route(s) will be in use. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage.

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

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No building or use hereby permitted within a relevant phase shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists for the relevant phase have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only, notwithstanding any plans that may be submitted for approval of temporary pedestrian / cycle access routes for any particular phase of development. Approved plans for temporary pedestrian and/ or cycle access routes should include details of the duration for which the access route(s) will be in use.

Reason: In the interests of highway safety.

## 23. Car Club

No building or use hereby permitted within a relevant phase shall be occupied or use commenced until details of a car club scheme, in accordance with a contract to be entered into by the developer and an approved car club provider, shall be submitted to and approved in writing by the Local Planning Authority in relation to the relevant phase. The car club scheme shall comprise (where applicable):

- The allocation of x car club parking space(s)
- The provision of x vehicle(s)
- Provision of car club membership for all eligible residents of the development for a  
minimum of three years
- Promotion of the scheme
- The phasing at which the scheme will be introduced

Reason: In order to reduce the need for excessive car ownership

## 24. Electric Vehicle Charging Points

No building or use hereby permitted within a relevant phase shall be occupied or use commenced until details of the total number of car parking spaces, the number/type/location/means of operation and a programme for the installation and maintenance of Electric Vehicle Charging Points and points of passive provision for the integration of future charging points for the relevant phase has been submitted to and approved in writing by the Local Planning Authority prior to construction of the above ground . The Electric Vehicle Charging Points as approved shall be installed

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prior to occupation of the relevant phase and retained in that form thereafter for the lifetime of the development.

Reason: To promote sustainable travel, aid in the reduction of air pollution levels and help mitigate climate change.

**25. Refuse Store**

No building or use hereby permitted within a relevant phase shall be occupied or use commenced until the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans for the relevant phase have been completed in accordance with the approved plans.

Thereafter, all refuse and recyclable materials associated with the relevant phase of the development shall either be stored within this dedicated store/area, as shown on the approved plans for the relevant phase, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

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

**26. Car/ Vehicle Parking Area**

No building or use hereby permitted within a relevant phase shall be occupied or use commenced until the car/vehicle parking area (and turning space) for the relevant phase 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. Travel Plan Statement**

No building or use permitted within a relevant phase shall be occupied or use commenced until a Travel Plan Statement for any Class E, sui generis, and Class C3 uses within the phase comprising immediate, continuing and long-term measures

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encourage alternatives to single-occupancy car use has been prepared and approved in writing by the Local Planning Authority in relation to the relevant phase.

The Approved Travel Plan for the relevant phase shall be implemented in accordance with the measures set out in therein.

Within three months of occupation of the relevant phase, evidence of the implementation of the Approved Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority.

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

**28. Delivery and Servicing Plan**

No building or use hereby permitted within a relevant phase shall be occupied or use commenced until a delivery and servicing plan for the relevant phase has been prepared, submitted to and approved in writing by the Local Planning Authority, notwithstanding any plans that may be submitted for temporary servicing and delivery of a relevant. Any temporary servicing and delivery plan submitted for approval should include details of the duration of that plan. 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 for a relevant phase 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.

**29. Waste Management Plan**

No building or use hereby permitted within a relevant phase shall be occupied or use commenced until a waste management plan for the relevant phase setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority, notwithstanding any temporary waste management plans that may be submitted for any relevant phase. Any temporary waste management strategy submitted for approval should include details of the duration of the strategy. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.



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

30. Ecological Mitigation & Enhancement Strategy (EMES)

Prior to the commencement of development of a relevant phase hereby approved, the applicant shall submit an Ecological Mitigation & Enhancement Strategy (EMES) for the relevant phase. This shall include details of the provision of bird, bat, insect and hedgehog boxes. The location, specification, height and orientation of these features shall be shown on a site plan.

The development shall be carried out in full accordance with the approved details, or any amendments agreed in writing by Bristol City Council.

Reason: In order to protect local ecology.

31. Ecological Method Statement

Prior to commencement of development of a relevant phase hereby approved, the applicant shall submit a Method Statement prepared by a suitably qualified ecological consultant or landscape architect shall be submitted to and approved in writing by Local Planning Authority for the creation of living roofs and/or walls for the relevant phase. This shall include management details e.g watering/care schedule, species/seed mix avoiding the sole use of sedum, provision of features for invertebrates, and details of the provision of new plants should the originals fail. All details shall be shown on a scale plan of the site.

The development shall be carried out in full accordance with the details submitted or any amendments approved in writing by the Local Planning Authority.

Reason: To conform with Policy DM29 in the Site Allocations and Development Management Policies Local Plan, which states that: 'Proposals for new buildings will be expected to incorporate opportunities for green infrastructure such as green roofs, green walls and green decks'.

32. Soft Landscape Plan

Where relevant, a Soft Landscape Plan including a planting schedule must be submitted with each Reserved Matters submission.

The development shall be carried out in full accordance with the details submitted or any amendments approved in writing by the Council.

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Reason: To conform with Policy DM29 in the Site Allocations and Development Management Policies Local Plan.

**33. Biodiversity Net Gain Assessment (BNGA)**

Where relevant, a revised Biodiversity Net Gain Assessment (BNGA) based on the finalised proposals, prepared by a suitably qualified ecological consultant and using metric 4.0 must be submitted with each Reserved Matters submission to demonstrate that net gains in biodiversity will be achieved. The metric should be submitted in support of the assessment, together with condition assessment sheets and habitat maps (baseline and post-development).

The development hereby approved shall be carried out in full accordance with the habitat retention, enhancement and creation measures set out in the revised BNGA or any amendments approved in writing by the Local Planning Authority.

Reason: To comply with the revised National Planning Policy Framework (NPPF, 2021), which states in paragraph 174 (d) on page 50.

**34. Landscape and Ecological Management Plan (LEMP)**

Prior to commencement of development of a relevant phase hereby approved, the applicant shall submit a 30-year Landscape and Ecological Management Plan (LEMP) for the relevant phase. This should address retained features of ecological interest, together with mitigation and enhancements to be provided. The LEMP should set out management compartments, objectives, and prescriptions for all new proposed soft landscaping/planting. It should also show how management of the site will be resourced and monitored.

Reason: Ecological enhancement is needed to meet the requirements of the revised National Planning Policy Framework (NPPF, 2021).

**Post occupation management****35. Update of the Ecological Impact Assessment (EclA)**

Where 18 months lapses between submissions, an update walkover survey of the site shall be undertaken by a suitably qualified ecologist and an update of the Ecological Impact Assessment (EclA) will be submitted with each Reserved Matters submission to the Local Planning Authority for written approval. The updated EclA shall confirm (or otherwise) that there has been no significant change to the site since the 2022 ecological surveys and that further surveys for protected, priority or locally

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notable species or habitats are not required. The walkover survey shall also confirm (or otherwise) that invasive, non-native plant species are absent from the site.

Reason: To ensure legal and policy compliance with regard to valued ecological species and habitats as well as to invasive plant species.

## 36. Parking

Parking within a relevant phase 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.

## 37. Vehicle parking, loading and unloading

The areas allocated within a relevant phase 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.

## 38. Sewer Protection Measures

Prior to commencement of a relevant phase on-site sewer protection arrangements must be agreed with the planning authority and the incumbent undertaker.

Reason: To ensure that sewerage services crossing the site can be maintained and the risk of pollution minimised.

**List of approved plans**

## 39. 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.

1611.E.01 Site Location Plan, received 11 August 2022

1611.E.02 Existing Loading Bay Level, received 11 August 2022

1611.E.03 Existing Shopping Centre Level, received 11 August 2022

1611.E.04 Existing 1 Floor Plan, received 11 August 2022

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1611.E.05 Existing 2 Floor Plan, received 11 August 2022

1611.E.06 Existing 3 Floor Plan, received 11 August 2022

1611.E.07 Existing 4 Floor Plan, received 11 August 2022

1611.E.08 Existing Elevations A-C, received 11 August 2022

1611.E.09 Existing Elevations D-G, received 11 August 2022

1611.E.10 Existing Elevations H-K, received 11 August 2022

1611.E.11 Demolition Plan, received 11 August 2022

1611.PA.01 Heights Parameter Plan, received 11 August 2022

13707-CRH-XX-00-DR-D-6188-P2 Proposed Junction Amendments, received 11 August 2022

Reason: For the avoidance of doubt.

**Advice Notes**

- 1 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](mailto: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.

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## 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 advised to contact the Highway Authorities Network Management Team at [traffic@bristol.gov.uk](mailto: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.

## 3 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.

4 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](mailto:transportDM@bristol.gov.uk)5 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](http://www.bristol.gov.uk/highwaylicences)

## 6 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

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

7 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.travelplans.gov.uk/travelplans](http://www.travelplans.gov.uk/travelplans)

8 You are advised that to reduce the impact of delivery vehicles servicing the development a freight consolidation scheme can be utilised. Further details about freight consolidation are available at [www.travelwest.info/freight](http://www.travelwest.info/freight).

## **Supporting Documents**

### **2. Broadwalk Shopping Centre, Broad Walk, BS4 2QU.**

1. The Application Site
2. Location Plan
3. Proposed Layout
4. Indicative Layout
5. Height
6. Indicative Images

# **Broadwalk Shopping Centre (Sometimes referred to as Redcatch Quarter)**

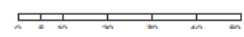
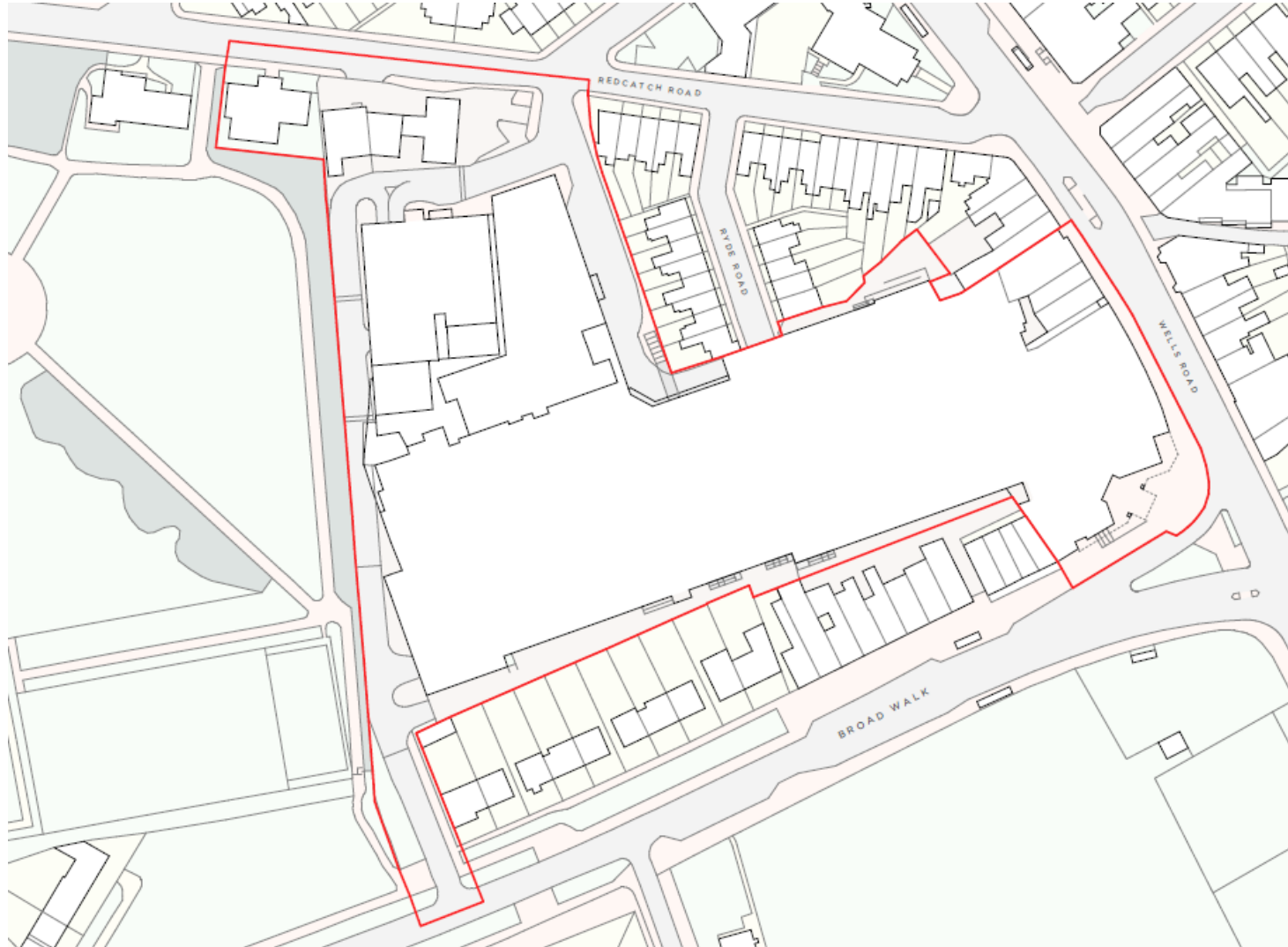
Application for Outline Planning Permission with some matters reserved  
- Demolition of existing buildings and erection of a mixed use scheme comprising residential units (Class C3), commercial floorspace (Class E), community use (flexible Class E/Class F2), library floorspace (Class F1), cinema/ theatre floorspace (Class sui generis), vehicle parking spaces, cycle parking, and associated landscaping, public realm, access and servicing arrangements, and circulation space. All matters reserved except for access.



# The Application Site



# Location Plan



# Application Details

- Outline application – Appearance, Scale, Landscaping and Layout are all reserved for subsequent approval. Only the Means of Access to the site is applied for in detail.
- Proposal includes the demolition of existing buildings and erection of a mixed use scheme comprising residential units (Class C3), commercial floorspace (Class E), community use (flexible Class E/Class F2), library floorspace (Class F1), cinema/ theatre floorspace (Class sui generis), vehicle parking spaces, cycle parking, and associated landscaping, public realm, access and servicing arrangements, and circulation space. All matters reserved except for access. (Major)



# Proposed Layout



# Consideration of the Application

- We are awaiting the outcome of the Viability Appraisal – Our assessment is that it should be 9.8%. Applicants think it is 7%.
- It is considered that the site can accommodate 850 homes, but detailed design will come at reserved matters stage. Parameter plans to be conditioned.
- Significant level of local interest – 231 objections, 27 in support.

# Indicative Layout





# Height



## MAXIMUM HEIGHT

- 68.00 m AOD
- 69.00 m AOD
- 70.00 m AOD
- 75.00 m AOD
- 76.00 m AOD
- 77.00 m AOD
- 78.00 m AOD
- 81.00 m AOD
- 82.00 m AOD
- 84.00 m AOD
- 85.00 m AOD
- 86.00 m AOD
- 87.00 m AOD
- 88.00 m AOD
- 90.00 m AOD
- 91.00 m AOD
- 95.00 m AOD
- 96.00 m AOD
- 98.00 m AOD
- 99.00 m AOD
- 101.00 m AOD
- 102.00 m AOD
- 104.00 m AOD

# Height

	Existing (AOD)	Extant Consent (AOD)	Proposed (AOD)
North west	76 m	77-82m	82-88m
North	71 m	77-82m	69-91m
Central North	81 m	94-97m	68-102
Central South	74 m	94-103m	68-102
South West	72 m	67-94m	84-96
Centre	74 m	82m	78-98
East	89 m	(as existing)	77-104



# Indicative Images







## Development Control Committee A – 31 May 2023

ITEM NO. 3

**WARD:** Westbury-on-Trym & Henleaze

**SITE ADDRESS:** St Christophers School Westbury Park Bristol BS6 7JE

**APPLICATION NO:** 22/01221/F Full Planning

**DETERMINATION DEADLINE:** 31 March 2023

**Proposed development of the site including, internal and external alterations of Listed House building and conversion of lodges fronting Westbury Park; demolition of buildings and the erection of new buildings to provide an integrated Retirement Community (Class C2) for older people; together with landscaping, car parking, refuse and other associated works (major).**

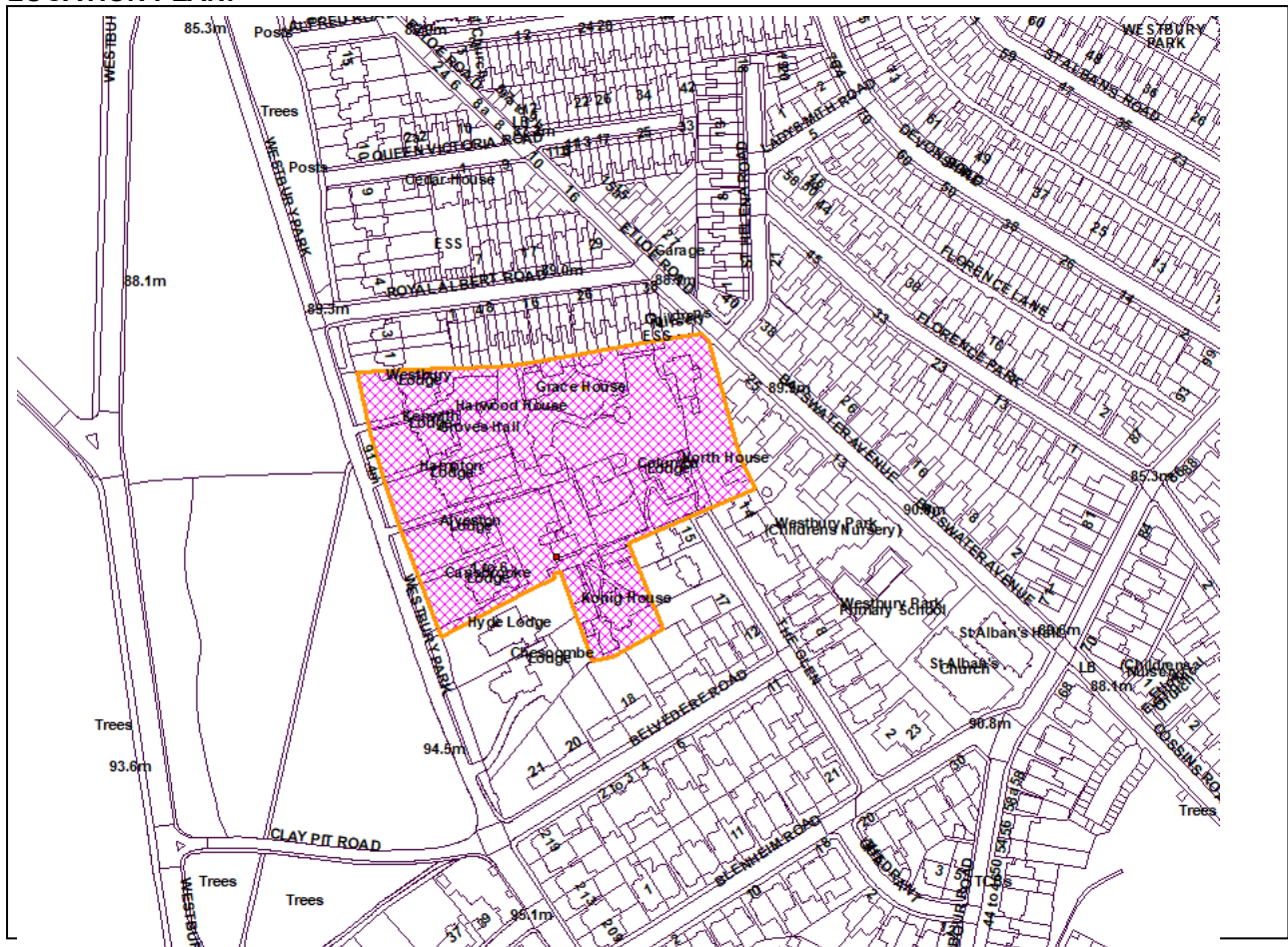
**RECOMMENDATION:** Refuse

**AGENT:** Pegasus Planning Group  
First Floor South Wing  
Equinox North  
Great Park Road  
Almondsbury  
Bristol BS32 4QL

**APPLICANT:** St Christopher's Prop Co Ltd

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

**LOCATION PLAN:**



## Development Control Committee A – 31 May 2023

Application No. 22/01221/F : St Christophers School Westbury Park Bristol BS6 7JE

**SITE DESCRIPTION**

1. The application site is located within the Westbury Park area of north Bristol and is 1.99 hectares in size. The site is bounded by the Westbury Park road to the west, Bayswater Avenue to the east and respective residential properties lining Royal Albert Road (to the north) and Belvedere Road / the Glen (to the south). The site directly adjoins the Redland Ward, which is located immediately to the south.
2. The site comprises the former St Christopher's School on Westbury Park, which was in use from 1945 until March 2020 as a residential specialist school for children and young people with Special Education Needs and Disabilities (SEND).
3. The site can be divided into three main constituent parts:
4. The first comprises 5no. large Victorian villa properties of mainly two-storeys in height, with some three-storey elements, which front onto Westbury Park Road. These buildings were constructed in the mid-19<sup>th</sup> century and are situated on generous plots with front gardens that line Westbury Park. Each of the buildings is constructed in Bath stone with similar front elevations. Two of the villas; Kenwith Lodge and Hampton Lodge have been subsequently extended and altered to the rear as part of works to expand the school.
5. Second is the Grade II Listed 'Grace House', which was constructed in 1966 and is designated on the basis of both its architectural interest and historic interest. The Historic England Listing states:
6. *"Grace House at St Christopher's School, Bristol, designed by Alec F French and Partners as a teaching block for disabled children, and built in 1966, is listed at Grade II for the following principal reasons:*

*Architectural interest:*

*\* as a one-off design for a Steiner teaching block specifically designed for disabled children; \* the physical expression of the school's educational philosophy and ethos as a Steiner school in its architectural form; \* for its meticulous planning as a series of geometric organic volumes added together in a rhythmical way to create an image of ever-expanding growth that reflects Steiner's ideology; \* for its honest and expressive use of materials which infers the building with a strong aesthetic; \* for the quality of the craftsmanship and engineering of the building that is particularly evident in features such as the folded-timber roof to the central circulation space and the pentagonal form of the structural concrete columns; \* the good level of survival both externally and internally retaining many of its original fixtures and fittings; \* as an architecturally outstanding school of the 1960s, combining its warm and welcoming interior with bold, expressive external forms.*

*Historic interest:*

*\* as a rare example of a purpose-built post-war Steiner school for disabled children; \* for its educational interest as a building designed around the educational and architectural principles of Rudolf Steiner."*

7. Finally, there are 11 further buildings that have been developed over time, comprise a mix of different designs and are in varying states of repair. These buildings are predominantly single-storey in height, with the exception of Harwood House, which is located to the rear of Kenwith Lodge and is up to three-storeys in height, and Columba Lodge, which is located to the north of the Glen, which is two-storeys. North House, in the eastern corner of the site, is two-storeys in height.



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8. The overriding character of the site is one of a landscaped environment of gardens and mature trees. A total of 94 trees, groups of trees and hedgerows were identified within the applicant's Tree Survey (Barton Hyett, February 2022). There are a number of Tree Preservation Orders across the site and the area is identified as falling within the West of England Nature Recovery Network Woodland which means that the trees on site are part of an important ecological network. The latter is not a formal designation, but it indicates that the site provides some strategic significance in terms of green infrastructure and ecology.
9. The site is located within the Downs Conservation Area, opposite the Clifton and Durdham Downs, a large area of open space and parkland. The Downs is a site of Nature Conservation Interest, Local Historic Park and Important Open Space.
10. Beyond the site to the north, east and south the area is characterised by semi-detached and terraced Victorian and Edwardian residential properties which are mainly two storeys in height, some with rooms in the roofspace. The Westbury Park Primary School, Harcourt Pre-School and Daisychain Children's Day Nursey are all located in close proximity to the site on Bayswater Avenue. Adjoining the site to the south west off Westbury Park are Hyde Lodge and Chesholme Lodge, both of which provide accommodation for adults with learning disabilities.
11. There is a small parade of shops situated on North View approximately 400m walking distance to the north of the site. There are bus stops on North View and Westbury Road providing public transport into the city centre and beyond.

**RELEVANT HISTORY**

12. The site has an extensive history given its previous use as a school. Applications on the Local Planning Authority's system cover the development of additional buildings onsite from the 1980s through to 2013. None of these are relevant to the determination of this application and are not listed in detail here.
13. One application was determined in relation to a Request for a Screening Opinion made under the Environmental Impact Assessment Regulations 2017.  
  
22/01044/SCR - Request for a Screening Opinion as to whether an Environmental Impact Assessment is required for the redevelopment of the site for an Integrated Retirement Community.  
– DETERMINED EIA IS NOT REQUIRED.
14. A number of pre-application enquiries were made in advance of and alongside the submission of the applications considered in this report. These are detailed within **APPENDIX A**.

**APPLICATION**

15. This application seeks full planning permission for the redevelopment of the application site for an integrated retirement community (Use Class C2). The application considered for determination consists of the following aspects:

The provision of 116no. extra care residential units, split as follows:

- 25no. apartments located within the retained and converted Victorian Villas fronting Westbury Park. 14no. would be two-bedroom and 11no. would be one-bedroom apartments.
- 81no. two-bedroom apartments located in four, new-build development blocks or 'Villas' within the site. (These are referred to as Villa A, B, C and D throughout.)
- 9no. new build, two-bedroom dwellings located within two terraces.

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- 1no. new build, one-bedroom detached dwelling.
16. The retention and conversion of the Grade II Listed Grace House to provide a 940sqm community hub to include:
- 'Wellbeing' facilities including hydro pool, exercise studio, gym, nutritionist and treatment room.
  - 'Belonging' facilities including café / bistro, cinema/activities room, art room and workshop.
17. The retention and conversion of the North House building to create an urban village hall that would be able to be used part time by the wider community (a minimum of 15 hours per week, has been specified in the applicant's Section 106 draft Heads of Terms).
18. New public realm and landscaping, including pedestrian permeability through the site and a range of outdoor facilities such as a village square, sensory garden, productive/allotment garden and activity garden.
19. 65no. car parking spaces, comprising:
- 48no. standard bays;
  - 6no. accessible bays;
  - 8no. EV bays;
  - 2no. car club bays; and
  - 1no. shuttle bus bay.
20. A minimum of 52no. cycle parking spaces (22 visitor spaces and 30 staff spaces) and buggy stores would also be provided.
21. The demolition of various buildings and structures within the site is proposed, including extensions adjoining the existing Victorian Villas fronting onto Westbury Park.
22. The proposed new build villas would be three to five-storeys in height. The proposed two terraces would be two-storeys in height. The new build one-bedroom detached dwelling would be a single storey in height.
23. A separate Listed building consent (ref. 22/01028/LA) is also being sought for the internal and external alteration of the Grade II Listed 'Grace House' to provide office space, staff facilities and some of the 'belonging facilities' outline above, including kitchen facilities, a café/deli/bar, a dining area and a members' club.
24. The alterations include new stairs and a lift and the removal of an existing external fire escape.
25. The application as originally submitted included the extension of Grace House, but that was removed as part of the revised scheme.
26. PRE-APPLICATION COMMUNITY ENGAGEMENT
27. The Statement of Community Involvement (SCI) submitted with the application states that the applicants undertook an extensive and robust programme of community engagement and community consultation prior to submitting the planning application.
28. The multi-phase consultation initially sought to provide information on the key principles behind the project and widen local knowledge on integrated retirement communities. Once an initial vision for

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the site had been established, near neighbours and local stakeholders were invited to discuss this and share their views. The SCI states that having taken on board the feedback received and amended the scheme where possible, a full public consultation programme took place with neighbours, local stakeholders and the communities surrounding the site. Across nine months prior to the submission of the application, the applicant sets out that it engaged with 30 different stakeholders and groups, more than 200 local residents in person and had nearly 4000 votes to an online poll from over 660 individual voters.

29. The Planning Statement comments that key changes were made in the evolution of the design in response to public feedback and these include:
- Reducing building heights close to site boundaries, with 2 storey cottages to the east and south boundaries.
  - The reduction in height of Villa A to 3 storeys to reduce the impact on neighbours and Grace House.
  - Reduction in hard landscaping, particularly around Grace House which has been softened.
  - Proposed cottages have been pulled further away from existing properties on Bayswater Avenue.
  - The proposed four Villa blocks have been re-orientated and separated to allow greater space between the villas.
  - There is a clear footpath route through the site with gates to help define public and private areas.
30. Many of the comments received from residents following public consultation on the planning application have expressed dissatisfaction with the quality of the community involvement undertaken and have felt misled. This is set out within the **PUBLICITY AND CONSULTATION** section of this report and **APPENDIX B**.

**PUBLICITY AND CONSULTATION**

## PUBLIC COMMENTS

31. Site notices were erected, and an advert placed in the local press. In addition, local addresses were notified of the proposals. Three rounds of publicity and consultation have been undertaken on iterations of the scheme.
32. In response to original application, 631 comments were received between March and July 2022. 610 of these were in objection, 13 were neutral and 8 were in support.
33. Following amendments made to the original submissions received on 1<sup>st</sup> December, a second round of consultation commenced on 8<sup>th</sup> December targeted at previous respondents.
34. In response to revised application, 681 comments were received between December 2022 and early February 2023. 11 of these were in support, 6 were neutral and 662 were in objection. 6 of the comments from this second round of engagement were made by SCAN on various aspects of the application.
35. A final round of targeted consultation was undertaken with neighbouring residents and community groups on 23<sup>rd</sup> February 2023. In response to this round of consultation, a total of 23 representations have been received. 1 of these comments was in support of the application, with the remaining 22 comments in objection.
36. In summary, the following planning issues were raised in objection to the scheme:



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- Objection to the perceived over-development of the site which is out of scale and is out of context with its surroundings.
- Concerns that the proposal would harm the setting of the listed building, Grace House, and would harm the character of the Downs Conservation Area.
- Concerns that inadequate parking is provided, increasing the demand for parking on surrounding streets. This demand is already very high as the site lies just outside the Residents' Parking Scheme and experiences high levels of commuter parking.
- Concerns that additional traffic represents a risk to highway safety, in particular the local children attending nearby schools.
- Concerns that the proposals would result in a loss of privacy and outlook for adjoining residents, the proposals would also be overbearing and cause a loss of sunlight / daylight.
- Objection to an unacceptable loss of trees and natural habitat, causing an unacceptable environmental and aesthetic impact. Concerns that there could be a net loss of biodiversity.
- Concerns about the loss of SEND facilities of which there is a shortage in Bristol.
- Objection to the fact that the proposals do not provide any affordable housing.
- Concerns about the lack of a mixed and balanced community and that this could create an adverse impact on the health and social care system from a concentration of elderly people at this location.
- Concerns that the quality of the living environment provided by the new accommodation would be poor.
- 

37. The following reasons were raised in support:

- Support for the principle of development and the type of accommodation proposed to meet the need from an increasingly elderly population.
- Support for facilities being offered for use by the local community and potential use of the community space by nearby schools.
- Support for reopening the site and providing access links through the site.
- Support for an overall biodiversity gain, despite the loss of trees.
- The development would release houses elsewhere as new residents of the scheme 'downsize' from their existing homes.

38. Further details of the responses from community groups are included within **APPENDIX B**.

**MEMBER OF PARLIAMENT AND COUNCILLOR COMMENTS**

39. An objection to scheme as originally submitted received from Councillors (Cllr) Gollop, Smith and Scott (as Local Ward Members) and then reiterated via consultation in January 2023.
40. One objection has been received from Cllr Fodor as neighbouring Ward Member (Redland directly adjoins the site).

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41. An objection has also received from Cllr Bailes as member of a scrutiny committee that looks at education including SEND based on the loss of education provision on site.
42. A comment was also received from Cllr Townsend in objection to the loss of education use / SEND provision on site and the lack of affordable housing.
43. Two objections have been received from MP Darren Jones. The first was received on the original application, with a second received in response to the December 2022 revised scheme.
44. Further details of the responses received from the MP and Cllrs are set out within **APPENDIX B**.

## EXTERNAL CONSULTEES

**Historic England – Objection**

45. The full comments from Historic England to both consultations are available on the website. In summary, the following objections were raised to the application.
46. As the backland to the former villas has already undergone a significant amount of change over the last one hundred years, we do not object to the principle of redevelopment and a change of use of the site. As the former use of the site has come to an end, we support the principal of re-use of historic buildings and replacement buildings that make a meaningful and positive response to their context. The principal impacts are two-fold: the impact upon the setting of Grace House and the impact upon the character and appearance of the Conservation Area.
47. While we task your conservation specialist with fully assessing the impact of the proposed new buildings on the setting of the Grade II building, we consider that its present garden setting would be compromised, by virtue of eroding its primacy within the garden landscape, particularly by the massing and height of Villa B at 6 stories. The key views and vistas identified on p60 of the Design and Access Statement would not provide the unchallenged views of the southern aspect of Grace House as presently experienced. These views would only provide narrow, channelled glimpses with the dominant structures of the new buildings in the foreground. The garden setting and character of the site would undergo such a degree of change, which would counter the character of this part of the Conservation Area.
48. Regarding impacts from outside the site and particularly from the open area of The Downs, where the villas are best viewed as a group, these are demonstrated in the submitted verified views. Notably, viewpoints 3 and 6 confirm that the central 6 storey block would appear above existing buildings, drawing undue attention in an area of an established ambient building height. Viewpoint 6 is particularly telling in how the mansard roof over Villa B would appear visually heavy against the common roof forms of the area. We advise that a reduction of two stories from this block may reduce this impact to a more acceptable level.
49. This is a high-density scheme that we consider to be harmful to the character and appearance of the Conservation Area. We believe that the site is capable of being redeveloped in a manner that responds positively to the setting of Grace House, while delivering a layout, massing and design that is clearly more contextual than that currently proposed.

**Twentieth Century Society - Objection**

50. The full comments from the Twentieth Century Society are available on the website. In summary, the Society objects on the basis of the harm that would be caused to the Listed Grace House and due to the total demolition of buildings which the Society states should be considered Non-Designated Heritage Assets (NDHAs). These NDHAs include Harwood Lodge and Konig House.

**Crime Reduction Unit – Comment**

51. The supporting documents include a BREEAM non domestic refurbishment report. Under section HEA06, 'Safety and Security of the building', it states that the architect has responsibility for

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appointing an SQSS to provide a security needs assessment. My office has not been contacted with regard to provision of any crime figures or local Policing priorities nor to provide a Security Needs Assessment (SNA).

52. Provision of an SNA would assist us in our consideration of this development.
53. The application for a retirement community as presented is lacking in any detail which would enable my office to make an informed comment around the safety and security provision.
54. The minimum age for residence is 65 years old, the development will be open to the wider community during day time but there is a lack of information how this will be managed to ensure security is not unduly compromised.
55. It is noted that the vehicle parking provision is by way of small parking courts located in groups along the extremity of the development, generally with poor active surveillance from the building line.
56. The parking courts may be covered by CCTV however, this is the most prevalent crime type locally. There is neither a CCTV plan nor lighting plan provided within the supporting documents, nor detail of the boundary treatments or gating and access control provision on which to base an assessment. (DAS p114)
57. It is also noted that the proposal includes 24hr on site staffing, an accompanying management plan would have been useful.
58. Nationally we are seeing a sustained rise in cycle crime, this application includes 2 staff/resident external cycle stores but does not provide any details on security specification.
59. It is suggested that the two Sheffield stands nearest to Westbury Park and adjacent to Kenwith Lodge be moved closer to the building line where they will be less remote or viewed from the building line obscured by foliage.
60. The cottage buggy storage provision creates alcoves along the building line which could be used for concealment and increase vulnerability.
61. Although we appreciate that the applicant has experience with this type of development the general lack of detail that safety and security has been robustly considered and the lack of consultation is concerning. Should this application be successful we would encourage the applicant to refer to Secured By Design Homes 2019 section 3 in order that an appropriate award may be considered.

**Avon Fire and Rescue**

62. Advised that four no. fire hydrants would be required within the site. The cost of these and maintenance would be secured via planning agreement.

**Bristol Waste**

63. Awaiting final comments to confirm that the proposed development would conform with "Waste and Recycling Storage and Collection Facilities - Guidance for Developers of Residential, Commercial and Mixed-Use Properties".

**Wessex Water**

64. Discussions are ongoing at the time of writing as to whether the proposed discharge rates are acceptable to Wessex Water.

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## INTERNAL CONSULTEES

**Education officer – No objection subject to agreement of planning obligations**

65. In submitting their planning application, the applicants included a report entitled: “Review of Special Education Needs in Bristol” prepared by Educational Facilities Management (EFM) Ltd.
66. The executive summary contained the following text:
- “The report will find that while numbers of pupils with special education needs and disabilities (SEND) have risen in the recent past and are likely to continue to do so within the immediate future, there is a multiplicity of provision to meet their needs across the area and only a small proportion of children need a special school place. With two new state-funded special schools opened in the City since 2016 (Venturer’s Academy and Soundwell Academy) and a support facility in the pipeline, it is anticipated that sufficient spaces will be available into the future.”*
67. In response, the Education Department commented that there were a number of issues with the report as follows:
68. “There are a number of issues with the wording in section 4 and I feel the writer of the report has a limited understanding of SEND.
- There are serious errors in the data here. Section 5.3 states that 1,166 pupils attend a special school. Today we have 1,209 pupils in special schools in Bristol and 219 in resource bases. The report is distinguishing between special schools and specialist units attached to mainstream schools (resource bases). However, in reality the children accessing resource bases do have complex needs and so we need to be thinking about specialist provision in terms of special schools and resource bases, and not separately.
  - I would question section 5.4, the percentage of EHCP needs assessment requests is growing rapidly, with a 17% increase seen in the month of July alone. I believe the percentage of EHCPs to be growing more rapidly than is suggested in the report.
  - Section 5.5 – ‘Soundwell is in the process of filling up’ – There is currently a phased opening at Soundwell Academy. Bristol have a pre-agreed number of places and Other Local Authorities have the same. This academic year Bristol has 57 places at the school, all of which are full. Next year Bristol will have 78 places, again all have been filled already. *‘Consequently, there is a considerable number of surplus places apparent when known capacities are compared to the numbers on roll for the Bristol special schools’* – this statement is incorrect.
  - Table 2 is incorrect, there are a number of schools where the Number On Roll (NOR) is too low. Most notably Venturers’ Academy, which states there are 165 pupils on roll. In actual fact there are currently 220 pupils on roll. For Soundwell the table states 28 pupils on roll when there are actually 57 Bristol pupils on roll and additional Other Local Authority (OLA) pupils.
  - This leads on to section 5.6 which is completely incorrect, there are not 170 spare places in Bristol and this data is wholly inaccurate. Again sections 5.10, 10.2 and 10.4 are incorrect as there is not a significant surplus of specialist provision places in Bristol.
  - To give the writer of this report some context, Bristol is spending more than 10m on Independent Places for children and young people this academic year. This is a great drain on the High Needs Block and is massively contributing to the deficit which is a severe risk to the council as a whole. More local specialist provision is needed to reduce this reliance on the independent sector. As well as this, we are seeing a great increase in the number of EHCP needs assessment requests, with an average increase of 15% per year. There are predicted to be a total of 997 EHCNA requests by end of this year. If we assume only 20% of these children



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and young people (CYP) require a special school, then 200 CYP will need a special school by September 2022. There are currently already a high number of CYP who require a specialist provision place but do not have one. Even with the projects which Bristol are working on to increase specialist provision, we will still have a deficit in places due to the rapid rise in demand.”

69. It was agreed between Council officers that despite the concerns about the justification provided by the applicant, that the loss of SEND provision onsite could be accepted if a suitable contribution towards SEND places could be secured via planning agreement.
70. The Consultee has identified an appropriate, reasonably related project of the Claremont Special School, which has planning permission to extend.
71. At the time of writing, officers are working to determine costs of a contribution towards this project.

**Transport Development Management – No objection subject to agreement of planning obligations**

72. The full comments from Transport Development Management (TDM) are available on the website. These raise an objection to the scheme on the basis that TDM considers the quantum of car parking proposed of 65 spaces to be insufficient based on the size of the scheme and the lack of capacity to accommodate overspill parking in the surrounding area.
73. In response to Technical Note 4 from the Applicant (April 2023), TDM officers have explored the potential of a scheme of area-wide parking measures. This is something that the applicant has indicated it would be willing to contribute towards the implementation of.
74. The comments also raise concerns about emergency access from the Glen, however following the submission of Technical Note 4 and Drawing 1133-013, TDM withdraws its objection.
75. At the time of writing, the scope of the area-wide parking measures or the level of contribution is yet to be agreed. This would need to be agreed prior to the removal of any objection from TDM.

**Urban Design and Landscape officers - Objection**

76. An objection has been maintained throughout the pre-application and application process from the Urban Design and Landscape officers. The full objection in response to the original submission is available on the website. There are concerns that the changes made during determination, which amount to a reduction in one storey of Villa from six to five storeys and some minor changes to the elevations.
77. The final comments below outline the main outstanding issues in relation to design.
78. The size and proximity of Villa B to Grace House affects the setting of the listed building. Villa B should be reduced to four storeys and the northwest corner of the building configured to create a better interface with Grace House. This could be achieved with an enhanced response both geometrically and architecturally to Grace House.
79. Similarly, Villa A should respond better to Grace house both geometrically and architecturally. The ‘bold’ architectural response the architect talked about at the meeting should be employ in these buildings to better address the architectural verticality of the existing Villas and Grace House.
80. The separation distances between Villas A, B, C, D and the existing, Victorian Villas combined with the building heights creates an uncomfortable public realm microclimate affecting liveability issues such as outlook, privacy and daylight/sunlight issues for the lower floors.
81. The distance between the Eastern elevation of Villa D and the Cottages is too close, and would affect the privacy of the Cottages and be overbearing. Particularly as the balcony would look directly into the cottages.

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82. The distance between Villa C and B needs to be assessed to ensure the lower floors have sufficient daylight/sunlight and the garden between isn't overshadowed. Alex said he would assess these aspects.
83. Concern is raised that further boundaries between the Villas frontages would undermined. This needs further assessment.
84. The layout locates car parking along the frontage within the front gardens and removes the boundaries between all the existing Villas except between Hampton Lodge and Alveston Lodge. This replaces parts of the front gardens with hardscape areas and removes the plot definition between the lodges downgrading the character of the Villas and their landscape setting fronting the park.
85. While the proposed buildings have a window rhythm, the proportions of the windows need to reflect the existing Villas. Further, the elevational and roofscape treatment of the new blocks are generic and lack a positive relationship with the Villas and building aesthetic within the Conservation Area. Block A is particularly jarring directly adjacent to the fine architectural detailing of Grace House due to the proximity.
86. The mansard roof storey, projecting balconies and materiality to the apartment blocks particularly is considered incongruous to the area.
87. In conclusion, the harm to the setting of Grace House is 'less than substantial'. I would recommend revisions be made in response to the above comments for the removal of an Urban Design objection.

**Conservation officer – Objection**

88. The full objection from the Conservation officer is available on the website. A summary is provided below.
89. Proposals pose harm to the architectural and historic character of a rare and architecturally distinctive Listed building through a proposal that would damage its verdant park setting and be overbearing upon it by nature of scale and proximity. Development would fail to preserve or enhance the special character of the Conservation Area where the urban grain, scale and massing, loss of historic boundaries, visually invasive car parking, and uninspiring architectural character would be distinctly at odds with positive aspects of the Conservation Area and the traditional garden villa typology that's so strongly expressed to Durdham Downs. Heritage significance could not be sustained where overdevelopment of a site would result in erosion of character and setting.
90. This harm is "less than substantial" under the definitions of the National Planning Policy Framework (NPPF) but to a high to moderate degree if a sliding scale of impact is used. It remains, we are required to place "great weight" in the conservation of those assets and any harm must be justified clearly and convincingly. Where alternative forms of development and more appropriate architectural character may achieve a similar or proportionate package of public benefits, the high benchmark for justifying harm is not met.
91. Whilst a high degree of public benefit would arise from development, the harm that would occur is not outweighed where great weight is placed in the balance in favour of conservation.
92. We strongly recommend that this application is withdrawn by the applicant, or refused in line with national legislation, and national and local planning policies, designed to protect the historic environment. This includes, but is not limited to, The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning policy framework, Bristol Core Strategic Policy BCS22, and Development Management Policy DM31.

**Arboriculture officer – Objection**

93. The following comment was provided in response to the scheme as originally submitted:

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94. "In general, it is clear to me that the design is generally sympathetic to significant, publicly prominent trees on the perimeter of the site. I believe the high number of dwellings proposed on site requires the removal of a number of several high quality trees including 6 category A and 3 category B trees. I consider this to be overdevelopment and the scale of the scheme should be reduced to reduce the impact of the proposed development on trees on site. The current scheme seeks to mitigate tree loss, in line with Policy DM17 – this requires a vast amount of tree planting on site, which may not be feasible considering the useable space.
95. The proposed roadside planting appears too close to the proposed building façade and the spacing of proposed garden trees appears too tightly packed. The reduction of tree removal will also reduce the burden of proposed planting. The arboricultural report is highly detailed and provided an excellent assessment of the impact of the proposals on the site. It also recommends technical foundations for several areas of the site which will allow the healthy retention of trees close to proposed buildings.
96. T65 and T52 are high quality trees with significant amenity and cultural value – I hold an objection to their removal.
97. T65 could be integrated into the proposed plans due to its proximity to an area of proposed hard landscaping.
98. Trees T09- T32 are found within a group of trees which are important for their cohesion. The proposed buildings to the east could be reduced in scale and with technical foundations (e.g. pile and beam) buildings could be considered here. A small building to the west of this group (Grace House) is very close to several tall, mature trees. Although it may be technically possible to place a building here, the presence of habitable rooms close to these trees will add pressure for the nearby trees to be regularly pruned. This pruning pressure may cause damage to these trees over the long term.
99. Tree planting: Many of the trees proposed close to building facades appear to be <1m from the building façade – considering the height of the proposed buildings this is considered too close to be a feasible planting location. The trees should be placed farther from the building façade.
100. The proposed development is highly dense and places significant pressure on existing trees on site. These proposals require the removal of several very high quality trees and will exert pressure on the remaining retained trees on site. The arboricultural consultant has provided lots of detail regarding tree protection and technical solutions to minimise damage to retained trees, however the scale of the development appears too great for the usable space on site."
101. In response to the revised scheme, the officer maintained an objection on the basis of the loss of the two category A trees onsite, which are both subject to a Tree Protection Order and the overall loss of trees. Concerns were also raised about the feasibility of planting new trees onsite in accordance with the Bristol Tree Replacement Standard.
102. Concerns were also raised about the impact upon Tree T7, which is an oak tree with suspected veteran qualities. On the basis of the Biodiversity Net Gain metric (Version 3), Veteran trees can be classified if they have four out of the five following features:
1. Rot sites associated with wounds which are decaying >400cm<sup>2</sup>;
  2. Holes and water pockets in the trunk and mature crown >5cm diameter;
  3. Dead branches or stems >15cm diameter;
  4. Any hollowing in the trunk or major limbs;
  5. Fruit bodies of fungi known to cause wood decay.
103. The Arboriculture officer has determined that the tree has characteristics 1, 2, 4 and 5, and as such falls to be a veteran.

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104. Following receipt of the final revised plans, the Arboriculture officer set out:
105. “The application still proposes to build in the Root Protection Area (RPA) of the Oak T7. As a veteran tree, then the applicant has to demonstrate that there will be no deterioration of the tree due to this process in accord with section 180 NPPF. I cannot see how they would be able to do this; as an irreplaceable habitat. If they cannot demonstrate the application should be refused.
106. Further to this, I object on the basis that the applicant is still looking to remove tree protected by TPO’s on site.”

**Nature Conservation officer – Objection**

107. Whilst the proposed development would provide a biodiversity net gain on site, this represents a quantitative assessment against Natural England’s Biodiversity Metric. The long-term management of the proposed habitats in the BNG assessment must be secured in a long-term management plan, but this could be conditioned.
108. I objection on the basis that the amount of green infrastructure loss is however high, especially important existing trees and I echo the concerns around available space for the provision of new ones in accordance with Bristol Tree Replacement Standards. The scheme is not sufficiently sympathetic towards the existing ecological/arboricultural features on this site.
109. In respect to protected species on the site, a condition would need to be applied to any permission for the closure of setts present under a licence issued by Natural England and that all works are done under a precautionary method of working with regards to badgers and foxes on site.

**Pollution Control officer – No objection**

110. I have some concerns with the construction/demolition of the development, particularly with regards to piling to be carried out. The Construction Environmental Management Plan suitable covers most of my concerns however with regards to piling it states The current proposals are to install new piles foundations across the site for each of the new buildings. Noise and vibration will be key considerations when selecting the final pile solutions/ methods of installation.
111. I would therefore need to see further information, provided by condition, once the final pile solution has been chosen. The Plan states that a detail Arboricultural Method Statement will specify on-site monitoring of piling within the Root Protection Areas (RPAs) but I assume this will only cover the protection of trees but not the control of any disturbance to nearby residents. The development also includes wellbeing and belonging facilities which will have associated plant and equipment I would therefore need to ensure, by condition, that noise or odour from any plant or equipment will not cause harm to existing residents in the area or residents of parts of this development.
112. I would therefore ask for conditions to be applied should the application be approved for a Piling Method Statement, details of noise from plant & equipment affecting residential and details of kitchen extraction/ventilation system (café/restaurant/bistro only).

**Land contamination officer – No objection**

113. The 2020 Desk Study prepared by Clarke Bond has been reviewed and is generally acceptable. No reference is made to the 2002 site investigation that took place on site, which we presume was not available to them at the time of writing. This report could have been submitted with the pre-application for review though.
114. The Desk Study recommends further site investigation and if this has been prepared already, we do ask that it is made available to us to review prior to determination as the scale of the scheme is significant and will reduce delays further on in the development process.
115. The applicants are advised that they should consider commissioning a new radon risk assessment as UK radon changed the risk areas in December 2022.



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116. Mention is made of risks from unexploded ordnance and a risk assessment is identified as required, if this is available, we do ask it is submitted prior to determination.
117. Conditions are recommended for any permission for the submission of further site investigation, submission of a remediation scheme, a radon assessment, and an unexploded ordnance risk assessment.

**Air Quality officer – No objection**

118. The revisions to the development proposals do not significantly change any of the considerations related to air pollution. As a result, the comments made in relation to air pollution for this application on the 18.07.22 are still valid. Management of emissions of dust during the demolition and construction phases will need to be carried out through a CEMP.

**Flood Risk manager – Objection**

119. We object to this application as not enough information has been provided to fully assess this application. We note that some of our previous objections have been overcome through an email to the planning case officer (providing evidence that infiltration is/ is not suitable for the site) and require the applicants Drainage Strategy is updated to state that infiltration is not suitable for this site (including the geology mapping) and to remove reference to infiltration testing throughout the document. The applicant also stated that SuDS will be included such as Green Roofs, Ponds, Rain Gardens and Porous/Permeable Paving, all of these SuDS components are welcomed and the strategy should be updated to reflect the use of these SuDS components.
120. The applicant has changed their proposed discharge rate from 2l/s to 27.3l/s, the applicant has not provided evidence of existing runoff rates and that this new rate is as close to greenfield as possible or a minimum of 50% betterment on existing in accordance with BCC's updated Level 1 SFRA.
121. This site has not adequately reduced run off rates in line with the updated requirements and as a result, we, as LLFA object to the proposals. By changing these runoff rates the applicant needs to get approval from Wessex Water that the new discharge rates are acceptable to them. The applicant should update their drainage strategy and calculations to reflect this.

**Sustainability officer – Objection**

122. The applicant has refused to consider the impacts of future climate change and demonstrate that the building includes measures to adapt to this as required by Policy BCS13. The applicant has noted compliance with Building Regulations, but the Council's Policy goes beyond the requirement of TM59 and part O. We do not generally support the use of curtains or blinds for this, instead any adaptation measures required should be integrated into the building design and not rely on user intervention.
123. The plans and elevations demonstrate a number of factors, particularly in the apartments, that are known to increase risk of overheating, specifically - single aspect units, large areas of unshaded glazing to both bedrooms and living areas (excluding where balconies are proposed on southern elevations) which would likely result in overheating. The inclusion of openable ventilation panels is noted, but much of the glazing is unopenable, reducing natural ventilation. The current modelling results for the current climate are based on inclusion of blinds, which we do not support.
124. It is also noted that the proposal is for elderly people, who are more vulnerable to the risk of overheating.
125. Based on the above, the proposal does not demonstrate that the development meets the full requirements of BCS13: The proposal does not demonstrate that the development is adapted to and provides resilience to climate change - specifically higher projected temperatures - through its site layout nor through its approach to design and construction, whilst avoiding responses to climate impacts which lead to increases in energy use and carbon dioxide emissions.

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126. As discussed, it may be possible to lift this reason for refusal through provision of an overheating risk assessment prior to a decision if this demonstrates that the current proposal is not at risk of overheating in current and future weather conditions, or through amendments to the design.

**Planning obligations manager – No objection**

127. A report has been prepared by Arup on behalf of BCC detailing the Use Class Assessment. This is available at **APPENDIX C** and detailed within **Key Issue A**.

**KEY ISSUES****A. SHOULD THE APPLICATION BE CONSIDERED AS FALLING WITHIN USE CLASS C2 (RESIDENTIAL INSTITUTIONS) OR USE CLASS C3 (DWELLINGHOUSES)?**

128. The proposed development has been submitted to the Council as a C2 Application. It is for the Council to consider whether to determine the application as falling within Use Class C2 or Use Class C3.
129. Whilst there is no debate that a traditional care home would fall within Use Class C2, and a McCarthy & Stone / Churchill type development (which is only limited by an age restriction) would fall within Use Class C3; over the past decade or so there have been differing interpretations of the Use Class that Extra Care / Retirement communities should fall within. This has resulted in a large number of planning appeals across the country where the main focus has been the Use Class that such schemes should fall within. Unfortunately, the outcome of these planning appeals has resulted in seemingly similar cases being determined differently, with the determining factor being very slight differences in facilities provided, occupancy restrictions, the level of care available and scheme design.
130. From a Bristol City Council perspective, the implications around whether the scheme falls within Use Class C2 or Use Class C3 are very significant for the following reasons:
- If the application is determined as falling within Use Class C2, its CIL Liability will be £nil, whereas if it falls within Use Class C3, its CIL Liability will be more than £1.8 million; and
  - If the application is determined as falling within Use Class C2, the Council's planning policies (specifically the Planning Obligations Supplementary Planning Document) would not allow it to seek affordable housing from the scheme as this restricts affordable housing obligations to developments falling within Use Class C3. Clarification has been sought from the Council's solicitors on this matter and they have confirmed this to be the case.
131. The Council initially sought a QC (now KC) opinion as to "whether there is a line of argument that would support the use being classified as something other than C2".
132. In his summary, the QC (now KC) concluded the following:
- "In summary there is potentially a reasonably strong line of argument that the units are separate C3 dwellings as opposed to C2. This is based on the following factors.*
- i) The level of self-containment of the flats.*
  - ii) The limited amount of personal care that is provided and the scale of communal facilities provided.*
  - iii) It is supported by at least two recent appeal decisions.*
  - iv) It is reflective of the SPD in London that says that extra care accommodation is generally C3.*
- However, it should be noted that this is a judgment where Inspectors do not seem to take a completely consistent approach and there is a clearly a risk that a decision maker could take the view that it is C2."*
133. Officers subsequently commissioned Arup to investigate the application in more detail and to advise as to whether in their opinion the scheme falls within Use Class C2 or Use Class C3. This advice

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took the form of a report comprising a detailed assessment of relevant planning appeal decisions, the legal advice provided for the Council, as well as a legal opinion submitted by the applicant that supported a C2 categorisation, occupancy restrictions, and detailed consideration of the level and type of facilities and care offered by the scheme. Their report is publicly available on the Council's website and is also included in **APPENDIX C**.

134. The following is an extract from the summary of the Arup Report.

*“The argument for categorising the proposed development as either Use Class C3 or Use Class C2 is considered very finely balanced. There are reasonable arguments for each position which can be supported within the context of national policy, legal opinion and recent appeal decisions. However, it is concluded on balance that the most appropriate Use Class for the proposed development would be Use Class C2 Residential Institutions. This conclusion is reached on the basis of two fundamental aspects of the proposed development which it is considered represent the strongest argument of differentiation from a C3 Use.*

*First, it is considered that the occupation restrictions secured through the S106 Agreement are strongly indicative of a residential institution as described in the Use Classes Order, in which personal care is provided to meet a need by reason of old age or disablement. It is recognised that the type of care provided as part of a minimum care package could be variable based on what the applicant describes in the draft HoT, such that at the lesser end of the scale the services or facilities provided may not constitute personal care at all. This therefore brings into doubt the ‘care’ aspect of a Use Class C2 classification. However, it is concluded that the intent and purpose of an extra care housing model must be given due consideration within this assessment, in which a minimal level of care at point of entry is expected to increase over time. This integral aspect of the extra care model is reflected in the PPG and is key to accommodating older persons long-term and bridging a gap between sheltered housing and nursing homes.*

*The second key factor in favour of a C2 classification is the extent to which it would operate as a single unit to create a communal and institutional setting for residents. It is recognised that physically, there are aspects of the proposed development which are no different from some forms of Use Class C3 development, in which there are communal facilities and residential management or security. To some extent, these may often even be more exclusive and with less public access than proposed in this development. It is also recognised that the individual dwellings would be self-contained and that there is potential for a resident to live entirely independently of the wider site. However, a realistic appraisal of how prospective residents would perceive and use the site has concluded that it would feel and operate as a singular operation seeking to provide facilities and services for older persons, to a varying extent constituting ‘care’. The provision of a wide range of social, health and wellbeing facilities – as well as site management and security – within the central Grace House ‘community hub’ is considered indicative of an institutional setting that is likely to be used regularly by residents and may be the site of delivery of some of their minimum care package (such as the wellbeing and belonging facilities). Whilst it is recognised that some residents – particularly those who are younger or have a lesser care need – may not use communal facilities or even contract care from the operator, it can be reasonably expected that this may change over time, with the on-site provision of services and facilities more important as a resident ages and their care needs increase. It is again considered that the intention of the extra care model should be taken into account, which does seek to enable older persons to retain independence for as long as they can, whilst also providing some elements of care and institutional support.*

*In summary, it is considered that BCC should determine the proposed development under Use Class C2. Whilst it is recognised that there are aspects of the development which could reasonably be argued to constitute a C3 classification, overall it is considered to be a finely balanced judgement which reflects the complexity of this issue at a national level and the inconsistency of decision-makers to date.”*

135. Officers consider the Arup Report to be a carefully researched, detailed and thorough assessment of the issues. Based on their advice, the application is considered to fall within Use Class C2, meaning that it will not be liable for CIL and will not have to provide affordable housing.

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136. It is noted that the applicant submitted a Financial Viability Report as part of their application submission, and it is further noted that comments have been received on this Report from interested parties commenting on the application. However, as the application is considered to fall within Use Class C2, meaning that the Council's policies would not allow it to seek affordable housing from the scheme; an assessment of the scheme's viability has not been undertaken by officers. Consequently, the Financial Viability Report submitted by the applicant has been given no weight in considering the application.
137. Should members be minded to approve the application, it is recommended that appropriate conditions and planning obligations are used to secure matters such as enforceable occupancy restrictions and minimum care packages. This will ensure that the proposed scheme is restricted to delivering its stated intention and remain a use within Class C2. If any changes are subsequently proposed that would result in the scheme moving from Use Class C2 to Use Class C3, a new planning application would be required that would be considered on its merits.

**B. IS THE PROPOSED DEVELOPMENT ACCEPTABLE IN PRINCIPLE?**

138. Section 6 of the NPPF sets out the approach for 'Delivering a wide choice of high-quality homes'. It states that:
139. "Housing applications should be considered in the context of the presumption in favour of sustainable development."
140. Policy BCS5 sets out that the Core Strategy aims to deliver new homes within Bristol's existing built-up areas. Between 2006 and 2026, 30,600 new homes will be provided in Bristol.
141. Policy BCS11 states that planning obligations may be sought from any development, irrespective of size, that has an impact requiring mitigation.
142. Policy BCS12 sets out that existing community facilities should be retained, unless it can be demonstrated that there is no longer a need to retain the use or where alternative provision is made. Where community facilities are provided as an integral part of a development, they should wherever possible be within adaptable mixed-use buildings.
143. Policy BCS20 states that development should maximise opportunities to re-use previously developed land.
144. Policy DM5 states that proposals involving the loss of community facilities land or buildings will not be permitted unless it is demonstrated the loss would not result in a shortfall of provision, the site is no longer suitable for the community use, or appropriate replacement community facilities are provided in a suitable alternative location.
- Loss of education use / SEND provision
145. The site was in use from 1945 until March 2020 as a residential specialist school for children and young people with Special Education Needs and Disabilities (SEND). At the time of closing, the Aurora Group, which ran the school, advised that it provided up to 50 school places.
146. The Education projects lead has advised that whilst the school closed, there remains significant demand for SEND places within Bristol. The consultee has advised that it recently gained consent (application ref. 21/05402/FB) for an extension to the Claremont Special School in neighbouring Redland ward.
147. The applicant, in its Planning Statement addendum and discussions with officers, has advised it is willing to provide a contribution towards this project. At the time of writing, the exact figures for contribution are still to be agreed. However, officers consider that the proposed loss of education use on site is acceptable on the basis that Policies BCS12 and DM5 sets out that the loss of community facilities, such as education uses, can be accepted where alternative provision is made.



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148. Subject to the agreement of this contribution towards the Claremont School extension, it is considered that the proposed loss of the education use onsite is acceptable.
149. The proposed 'wellbeing' and 'belonging' uses are considered to be ancillary to the extra care use and given that they would not be available to the general public, with the exception of a potential community use of North House, this is not considered to weigh positively against the loss of the school in the context of Policy BCS12.

## Proposed older persons' housing

150. The proposed development would provide 116 new residential units, specified for use as 'extra care' (use class C2).
151. The proposed development would contribute towards the delivery of new homes on previously developed land in accordance with Policies BCS5 and Policy BCS20. Planning Practice Guidance "*Housing for older and disabled people*" sets out that nationally the elderly population is expected to double from 1.6 million to 3.2 million between 2016 and 2041. The proposed development would therefore provide much-needed specialist housing and would likely subsequently make 'traditional' C3 dwellinghouses available to others seeking housing.
152. Bristol's Five Year Housing Land Supply Assessment (June 2021) sets out that the Council can demonstrate only a 3.7 year supply of land for new homes, and not the 5 year land supply that paragraph 11(d) of National Planning Policy Framework requires be identified. As such, the 'Tilted Balance' is applied to this recommendation. Further information on the application of the 'Tilted Balance' is set out within the conclusion.
153. It is concluded that, subject to planning obligations, the principle of the loss of educational use and the proposed extra care use is in accordance with the local plan.

**C. WOULD THE PROPOSED DEVELOPMENT PROVIDE AN ACCEPTABLE MIX AND TYPE OF HOUSING?**

154. Policy BCS18 supports a neighbourhood with a mix of housing tenures, types and sizes to meet the changing needs and aspirations of its residents.
155. Policy DM2 of the Site Allocations and Development Management Policies sets out that a range of housing and care options that promote and maintain housing independence for older people will be encouraged. Older persons' housing schemes should be located close to shops, services, community facilities, open space, and good transport routes.
156. Policy DM2 requires that 20% of units designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.
157. The proposed development would provide 116no. extra care dwellings, in a mixture of one-bedroom and two-bedroom houses and apartments. The proposed housing mix is:
- 25no. apartments in the converted Victorian Villas.
  - 81no. apartments in new build blocks.
  - 10no. new build dwellings, including 9no. two-storey terraces and 1no. detached, single storey building.
158. There would be a total of 12no. one-bedroom dwellings and 104no. two-bedroom dwellings. All of the dwellings would be subject to an age restriction, needs based assessment and minimum care package for the development. This is proposed to be secured via planning agreement.

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159. The proposed development would result in a significant influx of elderly people to the local area. Concerns have been raised by interested parties about the impact of this on the balance of the community and the effect this would have on infrastructure and services. It is likely that some residents would move from within the area, and therefore the effect is expected to be less than at face value. The Council also collects Community Infrastructure Levy (albeit not for C2 uses) to allow for contributions towards social infrastructure. It is considered that whilst there would be a change to the balance of the community as a result of development, this is outweighed by the benefits of providing old person's housing given the demand.
160. The proposed development would provide a mix of housing types and sizes, albeit only one-bedroom and two-bedroom types. It is considered that these smaller units are likely to be more appropriate given the end users and there would be a benefit to freeing up larger family homes by enabling elderly people to move to the proposed development. 2021 Census Data shows that Westbury Park has a roughly even split between apartments/flats (44% of housing stock) and houses (56%). It is not considered that the development would unacceptably affect this balance.
161. In accordance with Policy DM2, 20% of units are proposed to be wheelchair accessible.
162. In conclusion, the proposed development would provide an acceptable mix of housing types and there would not be an unacceptable impact upon the balance of the community.

**D. WOULD THE PROPOSED DEVELOPMENT BE OUT OF SCALE OR CONTEXT WITH THE CONSERVATION AREA AND THE LISTED BUILDING?**

163. Policy BCS20 sets out that an appropriate density should be informed by the characteristics of the site and the local context.
164. Policy BCS21 advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, whilst safeguarding the amenity of existing development.
165. Policies BCS22 and DM31 expect that new development should either preserve or enhance the character of heritage assets, such as Listed buildings and Conservation Areas.
166. Policies DM26-29 (inclusive) of the Site Allocations & Development Management Policies require development to contribute to the character of an area through its layout, form, public realm and building design.
167. The application site is located in the Downs Conservation Area and Grace House is a 1960s Grade II Listed building located on the site. The area is characterised by the large Victorian Villas fronting Westbury Park, two-storey Victoria terraces along Royal Albert Road and Bayswater Avenue, and Inter-War detached and semi-detached, two-storey houses on the Glen.
168. The proposed development would include the construction of four no. large block of flats, ranging from three to five-storeys in height, the construction of two new terraces of two-storey dwellings, a detached single-storey dwelling, and the construction of a single storey spa building.
169. Some of the existing buildings onsite would be re-purposed, including Grace House and the Victorian Villas. North House would also be refurbished. Harwood House, Konig House, Groves Hall, Columba Lodge and other ancillary buildings on the site are proposed for demolition.
170. Objections have been provided in response to the application from the Historic England and Council's Urban Design and Conservation officers. A significant number of public objections have raised concerns about the design of the proposed development, and in particular the impact upon the Conservation Area and upon Grace House. Throughout the final pre-application on this scheme, the Design West Panel Review and the determination of this application, the advice from officers has been that the scale of the new build Villas is not appropriate.

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171. It is considered that the proposed development would be unacceptable by nature of its height and massing. Villa B and C would be five storeys in height, which is significantly above the prevailing heights of two-storeys on surrounding streets and three-storeys in respect of the existing Victorian Villas. This is particularly concerning given the site's nature as a backland site. This would detract from the setting of the Conservation Area by crowding and overbearing the existing Victorian Villas.
172. It is the conclusion of officers, in agreement with the Conservation officer, that the proposed development would fail to preserve and enhance the character of the Listed building. Presently, Grace House benefits from a generous, verdant setting, punctuated by a number of mature trees. The proposed development would crowd and overbear Grace House and detract from its setting by nature of its scale and massing, proximity and the loss of green infrastructure. Further commentary on the loss of green infrastructure is included in Key Issue G.
173. The proposed terraces and detached dwelling are proposed to be of an appropriate scale, which is subservient to Grace House, the Victorian Villas and consistent with a backland site of this nature.
174. Concerns have also been raised by the Urban Design officer in relation to the appearance of the proposed villas. While the proposed buildings have a window rhythm, the proportions of the windows do not correspond with either the existing Victorian Villas or Grace House. The elevational and roofscape treatment of the new blocks are out of context with the site and the Conservation Area. It is considered that Villa A and Villa B are particularly jarring directly adjacent to the fine architectural detailing of Grace House due to the proximity. The attempts to add visual interest in the latest iteration of the designs by trimming the edge off Villa A and by adding an oriel window to Villa B, but officers consider that these do not reflect the form of the Listed building nor do they relieve the sense of crowding.
175. It is concluded that the harm to the Listed building and the Conservation Area is 'less than substantial'. In accordance with para. 202 of the National Planning Policy Framework, it is then necessary to consider the public benefits of the scheme and weigh this against the harm.
176. The proposed development would open up this backland site and allow greater visibility of the Listed building and there are benefits of securing the future use of Grace House. This is however weighed against the loss of the open, landscaped setting of the Listed building and the overbearing nature of the new build proposals. This would reduce any benefit gained from reopening the site to a negligible effect.
177. It is concluded that the proposed development would fail to preserve or enhance the setting of the Listed Building and the Conservation Area contrary to the Listed Buildings and Conservation Areas Act 1990 and Policies BCS22 and DM31.
178. The proposed height and massing of the new build Villas would be out of character with surrounding area. This would fail to retain or enhance important views from the Downs Conservation Area contrary to Policies BCS22 and DM31, and would result in a development that fails to respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings, contrary to Policy DM26.

**E. WOULD THE IMPACT OF THE PROPOSED DEVELOPMENT UPON TRANSPORT AND HIGHWAYS ACCEPTABLE?**

179. Policy BCS10 states that developments should be designed and located to ensure the provision of safe streets. Development should create places and streets where traffic and other activities are integrated and where buildings, spaces and the needs of people shape the area.
180. Policy DM23 outlines that development should not give rise to unacceptable traffic conditions and will be expected to provide safe and adequate access onto the highway network. Development Proposals should provide an appropriate level of safe, secure, accessible and usable parking and provide appropriate servicing and loading facilities.

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181. The application site is located within a sustainable location, with bus stops located 200m south east of the site on Westbury Road and 300 metres to the north on North Road. Shops are within walking distance at the North View (Westbury Park) District Centre, which is located 300 metres to the north of the site. The Coldharbour Road Local Centre is located 500 metres from the eastern part of the site.
182. The proposed development would provide 65no. car parking spaces for the 116no. dwellings. This would include 6no. accessible bays, 8no. EV bays; 2no. car club bays; and 1no. shuttle bus bay, with the remainder being 'standard' bays. 52no. cycle parking spaces (22 visitor spaces and 30 staff spaces) would also be provided.
183. Significant concerns have been raised by interested parties and Transport Development Management (TDM's) in relation to the level of parking proposed compared to the number of residential units proposed. It is TDM's view based on similar developments nearby, such as the Vincent (ref. 15/01681/F), that there would be an amount of overspill parking arising from the development. The Vincent provides parking levels of approximately 1 car parking space for each dwelling, equivalent to 66 spaces for 65 flats.
184. The area immediately surrounding the application site suffers from parking stress, particularly given the location on the edge of Bristol Residential Parking Scheme. Recent appeal decisions for a care home on Belvedere Road, which assessed parking demands on surrounding streets such as Belvedere Road and the Glen (refs. APP/Z0116/W/20/3263935 and APP/Z0116/W/22/3299847), demonstrate highway safety concerns in respect of parking. The Planning Inspector's comments from the site visit for one of these appeals, sum up the assessment of the current situation; *"As I saw several times on my site visit, the parking situation results in vehicles often having to park in the middle road. This causes congestion and conflict which is exacerbated by two-way working and creates a hazard for all road users."*
185. As a result, it is TDM's position that the surrounding area would not be able to cope with any overspill parking and the application must be refused unless a scheme of area-wide parking measures can be implemented to ensure that residents, staff and visitors of the proposed development would not be eligible to park on surrounding streets. The applicant has indicated that they would be willing to contribute towards the implementation of such a scheme, however the extent of this scheme and the cost would require additional work from officers.
186. It is therefore requested that if Members were minded to approve this application, that this is delegated to officers to determine an appropriate scheme of area-wide parking measures and a report brought back to Committee to demonstrate that officers are satisfied that there would be no unacceptable impacts upon highway safety due to overspill parking.
187. The application sets out the intention to open the site to the public during daytime hours, with the site closed at night for security reasons. This would support permeability through the area.
188. TDM is satisfied with the outcomes of a Road Safety Audit which identified seven issues with the proposed internal layout and the proposed accesses. It is satisfied that these could be sufficiently mitigated to ensure the proposed development would not result in harm to highway safety and are acceptable in principle, subject to further approvals being required by the Highway Authority.
189. In respect of servicing for waste collection, Bristol Waste has not provided comments on the latest Technical Notes provided by the applicant which set out that there is accordance with it's guidance "Waste and Recycling Storage and Collection Facilities - Guidance for Developers of Residential, Commercial and Mixed-Use Properties". It is expected that confirmation would be required of the removal of their objection prior to any decision being issued, or an appropriate condition be applied should Members be minded to grant planning permission.

**F. WOULD THE PROPOSED DEVELOPMENT RESULT IN ANY UNACCEPTABLE IMPACTS UPON RESIDENTIAL AMENITY?**

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190. Policy BCS21 outlines that development in Bristol is expected to safeguard the amenity of existing development and create a high-quality environment for future occupiers.
191. Policy DM29 sets out that new buildings will be expected to ensure that existing and proposed development achieves appropriate levels of privacy, outlook and daylight.
192. The application has been accompanied by a Daylight and Sunlight Assessment (Waldrams, November 2022). This includes an assessment of the impact upon living conditions for existing, adjacent dwellings as well as future residents.

## Existing neighbours

193. All of the neighbouring windows that have been assessed as part of the Daylight and Sunlight Assessment meet the criteria contained in the Building Research Establishment's Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022). These are referred to herein as 'the BRE Guidelines'.
194. The Daylight and Sunlight Assessment sets out that one room in an adjacent property (15 the Glen) fails to meet the BRE guidance for daylight distribution. Given the size of the development and the number of windows assessed, this is not considered sufficient to warrant refusal.
195. The relationship between the proposed Cottages H02 and 25 and 23 Bayswater Avenue is unacceptably close and has resulted in the inclusion of oriel windows. This would not constitute high quality urban design as required by Policy BCS21 and is particularly disappointing given that this is not a tight site and is symptomatic of overdevelopment. This was also raised by Design West Panel at pre-app stage.

## Future occupiers

196. Overall, a high proportion of units (88%) meet the daylight requirements set out in BRE Guidelines and a reasonable proportion meet requirements for sunlight (70%).
197. Concerns are raised in relation to the living environment in the proposed Cottages (H2). Only 11 of the 20 rooms in this block meet the BRE Guidelines for target illuminance. This is likely to be as a result of the proximity of Villa D, which is to be located approximately 10 metres to the south west. This would likely result in overshadowing and create a sense of overbearing. The windows in the eastern elevation of the Villa D would also directly overlook the H2 Cottages.
198. There are also concerns about the proximity of Villa C to Villa D, where there would be direct overlooking between the two buildings. The concerns about overbearing and overshadowing are less pronounced due to relationship between the buildings, where they are off set from one another.
199. Finally, the relationship between the proposed Villa A with Kenwith Lodge is considered to be unacceptable. The distance between the three storey Victorian Villa and three-storey proposed new build Villa A is 9 metres. This is less than the 12 metre 'rule of thumb' and the east-facing apartment at ground floor level of Kenwith Lodge will have a limited outlook.
200. Overall, the applicant has set out that 86% of the proposed dwellings have a dual aspect. There are concerns that the proximity of the new-build Villas to one another and to the Victorian Villas means that many of the 'dual aspect' apartments have at least one aspect that suffers from overbearing.
201. The Daylight and Sunlight Assessment sets out that the majority of proposed open spaces will receive acceptable levels of daylight. The only area of concern is immediately to the north of Villa C, where a large area receives less than 0.5 hours of sun, but on balance the sunlight and daylighting of proposed open spaces is considered generally acceptable.
202. It is considered that the proposed development, by nature of the proximity of Villa A to Kenwith Lodge, and the interrelationship between Villa C and Villa D would result in an unacceptable living environment for future occupiers.



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203. Paragraph 174 of the National Planning Policy Framework (NPPF) states 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.
204. Paragraph 180 of the NPPF states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
205. Policy BCS9 states that individual green assets should be retained wherever possible and integrated into new development.
206. Policy DM15 sets out that new green infrastructure assets will be expected to be designed and located to maximise the range of green infrastructure functions and benefits achieved, wherever practicable and viable. The provision of additional and/or improved management of existing trees will be expected as part of the landscape treatment of new development.
207. Policy DM17 sets out that 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.
208. The proposed development would provide a biodiversity net-gain of 56% on the basis of the Natural England Biodiversity Metric (version 3.0), however it should be noted that this is a quantitative approach and that there are a number of significant concerns in relation to losses of green infrastructure.
209. In respect to protected species on the site, a condition would need to be applied to any permission for the closure of setts present under a licence issued by Natural England and that all works are done under a precautionary method of working with regards to badgers and foxes on site.
210. The proposed development would result in the loss of 38 trees on site including two Category A trees (T52 and T65). Whilst some loss as part of a redevelopment would be likely be acceptable, the loss of Category A trees that are subject to a Tree Protection Order (TPO) is not and indicates that the proposed development has not been designed in an arboriculturally-led manner and is a symptom of overdevelopment. This would be contrary to Policies DM17 and BCS9.
211. The Arboriculture officer has also raised concerns about the impact of proposed development on tree T7, which has been classified in the applicant's tree report as a Category A tree, and is considered by the Arboriculture officer to be a Veteran Tree. The applicant has provided a rebuttal to this assessment (Barton Hyett, March 2023). The Council has sought third party advice from an external Chartered Arboriculturist, who has used the Biodiversity Net Gain metric (Version 3) to determine whether T7 is a Veteran. The metric states that Veteran trees can be classified if they have four out of the five following features:
1. Rot sites associated with wounds which are decaying >400cm<sup>2</sup>;
  2. Holes and water pockets in the trunk and mature crown >5cm diameter;
  3. Dead branches or stems >15cm diameter;
  4. Any hollowing in the trunk or major limbs;
  5. Fruit bodies of fungi known to cause wood decay.
212. The Arboriculture officer has determined that the tree has characteristics 1, 2, 4 and 5, and as such falls to be a veteran.
213. The assessment of non-veteran status by the applicant rests on insufficient stem diameter and a lack of crown retrenchment. However, the external Chartered Arboriculturist has set out that both

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deficiencies are explained by the tree's history as a pollard. This will have reduced stem increment and thus the stem diameter does not in this case reflect the tree's age; equally, the crown of today is younger than the tree and hence has no chance to develop retrenchment. It is concluded that the tree does have well-developed veteran features.

214. In response to this assessment, the latest version of the application shows an altered footprint of the proposed spa building. This would avoid the complete loss of the suspected Veteran tree but would still result in construction within the Root Protection Area (RPA) of T7. Works within the RPA are likely to result in the deterioration of the Veteran tree, contrary to para. 180 of the NPPF.
215. The application proposes the planting of 98 new trees onsite in accordance with the Bristol Tree Replacement Standard. The planting locations set out in the Landscape Addendum have been reviewed by the Arboriculture officer and it is considered that, many of these trees would be planted too close together or to proposed buildings onsite to be effective. It is concluded that, due the overdevelopment of the site, there is insufficient space onsite to provide replacement trees in accordance with the Bristol Tree Replacement Standard.
216. It is concluded that the proposed development has not been arboriculturally led and insufficient consideration has been given to minimising tree loss and retaining high value and TPO'd trees. The resultant tree loss of important existing trees and potential deterioration of a Veteran tree means that the proposed development is contrary to the aims of the NPPF and Policies BCS9 and DM17.

#### **H. DOES THE PROPOSED DEVELOPMENT GIVE SUFFICIENT CONSIDERATION OF CLIMATE CHANGE AND SUSTAINABLE DESIGN AND CONSTRUCTION?**

217. Policy BCS13 sets out that development should contribute to both mitigating and adapting to climate change, and to meeting targets to reduce carbon dioxide emissions.
218. Policy BCS14 sets out that development in Bristol should include measures to reduce carbon dioxide emissions from energy use by minimising energy requirements, incorporating renewable energy sources and low-energy carbon sources. Development will be expected to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%.
219. Policy BCS15 sets out that sustainable design and construction should be integral to new development in Bristol. Consideration of energy efficiency, recycling, flood adaption, material consumption and biodiversity should be included as part of a sustainability or energy statement.
220. The proposed development would include a heating strategy which utilises water source and air source heat pumps. This would include an 'ambient loop' which would be distributed across the development to serve the new build elements.
221. The proposed strategy would accord with the heating hierarchy set out in Policy BCS14 by including a mixture of communal and individual renewable energy sources.
222. The applicant has not demonstrated that the proposed development would reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%, and instead provided figures against Target Emission Rate (TER) as set out in Building Regulations. If Members were minded to approve this application, a pre-commencement condition should be applied for the provision of residual energy use reductions in an updated Energy Statement.
223. In respect of the requirements of Policy BCS13, the applicant has suggested that the risk of overheating in future climate scenarios will be assessed post-planning. This is not an acceptable approach as Policy BCS13 requires development to demonstrate that it is resilient to climate change and that measures to ensure this are integrated into the design.

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224. The current design raises a number of concerns from an overheating perspective, including single aspect units, large areas of unshaded glazing to both bedrooms and living areas and unopenable glazing. Despite requests from officers to demonstrate that the building is adapted to future climate impacts in accordance with Policy BCS13, modelling of future heat scenarios has not been completed and the modelling for current climate scenarios includes an assumption that blinds would be closed which is also not supported.
225. As such, it is concluded that the proposed development does not demonstrate that it meets the requirements of Policy BCS13 by being adapted to and resilient to climate change, specifically in relation to overheating, through either it's approach to design or construction.

**I. DOES THE PROPOSED DEVELOPMENT GIVE SUFFICIENT CONSIDERATION OF FLOOD RISK, DRAINAGE AND CONTAMINATION?**

226. Policy BCS16 requires that all development incorporates water management measures to reduce surface water run-off and ensure that it does not increase flood risks elsewhere. This should include the use of sustainable drainage systems (SUDS).
227. Policy BCS23 sets out that development should be sited and designed to avoid creating exposure to contaminated land.
228. Policy DM34 sets out that development should demonstrate that any existing contamination of the land will be addressed by appropriate mitigation measures.

**Flood Risk**

229. The submitted Drainage Strategy lacks confirmation of specific measures to mimic natural drainage patterns and reduce surface run-off. It sets out that a number of measures are considered such as living roofs, rain gardens and infiltration testing, but does not confirm which are feasible and where they would be located.
230. The Lead Local Flood Authority (LLFA, see Flood Risk Manager comments) has requested further information from the applicant, and it has confirmed that infiltration is/ is not suitable for the site via email. In the email, the applicant also stated that SuDS will be included such as Green Roofs, Ponds, Rain Gardens and Porous/Permeable Paving, however no specific details have been provided which would be expected for a major planning application.
231. The LLFA has objected to this application as not enough information has been provided to fully assess whether the approaches would sufficiently address issues of drainage and flood risk. The latest information from the applicant sets out that proposed run-off rate for the site would be 27.3l/s, however no evidence of existing run-off rates has been provided to compare this to. The expectation from the LLFA is that this new rate should be as close to greenfield as possible or demonstrate a minimum of 50% betterment on existing in accordance with BCC's updated Level 1 Strategic Flood Risk Assessment.
232. The run-off rate needs approval from Wessex Water as this would affect their infrastructure and a response to agree this is awaited at the time of writing.
233. In the interests of minimising the reasons for refusal, officers propose that this could be addressed by conditioning the submission of an updated Drainage Strategy to provide the necessary information and reach agreement with the LLFA and Wessex Water on acceptable run-off rates. If Members were minded to approve this application, it is recommended that a pre-commencement condition would be attached to any decision for the provision, approval and then implementation of this updated Drainage Strategy.

**Contamination**

234. The application includes a Desk Study which recommends further site investigations are undertaken to determine whether the proposed development would be exposed to land contamination. Further

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assessments and necessary remediation would need to be undertaken and secured via condition including site investigations; unexploded ordnance; remediation scheme, and the implementation and verification of any remediation.

235. Subject to these conditions being applied, there is no objection on the basis of land contamination.

**J. EQUALITIES ASSESSMENT**

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

237. "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

(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.

238. 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.

239. The proposed development would provide extra care housing to meet the needs of an aging population that would require support at home. The proposed development would not provide any affordable housing, however this is not required by the Council's policies for Use Class C2.

240. The proposed development would not provide a high-quality living environment for future residents based on the concerns about overheating, adaptation to climate change, lack of outlook and potential overshadowing. This would be exacerbated due to the elderly nature of the residents and to the detriment of the quality of life.

241. Subject to conditions, the approach to transport and highways has ensured that access and internal layout of the proposed development is sufficient for all road users. If area-wide parking measures are not agreed, there are concerns about parking which would have a detrimental impact on existing residents who may need to park close to their homes.

242. It is considered that there would be a neutral impact on equalities based on the benefits of providing much-needed accommodation for the elderly but that officers consider the accommodation to not accord with the policies of the development plan.

**PLANNING AGREEMENT**

243. Several consultees have requested financial contributions towards mitigation and/or improvements associated with the proposed development. If Members were minded to approve this application, delegated authority would need to be sought to agree a planning agreement for:

- A contribution towards the Claremont SEND School project.
- The restriction of the use of the development to C2 and restriction upon the occupancy of units to ensure a minimum level of care provision.
- A contribution towards the feasibility, design and implementation of a scheme of area-wide parking measures.

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- A contribution towards provision and maintenance of fire hydrants on the site.

244. This list is not exhaustive and there would likely be other contributions towards mitigation which would need to be defined. It is recommended that if Members were minded to approve the application, then an update report could be provided to Committee to ensure mitigation is satisfactory.

**CONCLUSION**

245. The proposed development is considered to be acceptable in principle, subject to agreement of a contribution towards SEND provision to ensure that alternate provision can be made in accordance with Policy BCS12.
246. The lack of affordable housing is accepted on the basis that the development is, on balance, likely to fall within Use Class C2, meaning that the Council's policies would not allow it to seek affordable housing from the scheme.
247. There are a number of objections from statutory and internal consultees and several issues which have not been thoroughly resolved at the time of writing this report.
248. The proposed development is considered to be unacceptable in terms of design, in particularly in relation to its scale and massing given the context of the Conservation Area and the Grade II Listed building, Grace House, on the site. The proposed new build 'Villas', which are blocks of flats ranging between three- and five-storeys in height, would be above the prevailing height of existing retained buildings on the site and in the surrounding area. This is contrary to Policies BCS21, BCS22, DM27 and DM31.
249. Concerns have been raised by local residents and Councillors about the impact the proposed development would have on transport and highways, and in particular on parking. Transport Development Management determines that there would likely be overspill parking on surrounding streets, where there is significant oversubscription of on-street parking that already leads to highway safety issues. Whilst yet to be agreed, it may be possible to address this objection with the implementation of an area-wide set of parking restrictions to stop any overspill parking from the development. This would be secured via planning agreement.
250. There are also concerns raised by officers and an objection from the Sustainability officer on the basis of the quality of living environment for future occupiers. Insufficient information has been provided to determine whether the apartments would be adapted to future climate impacts in accordance with Policy BCS13, and the new build Villas would likely create a sense of overbearing for new occupiers on lower levels based on the proximity which is often below the 12 metre rule set out in BRE Guidance.
251. The proposed development would also result in the loss of 38 trees on site, including two Category A trees that are subject to a TPO and would likely result in the deterioration of a suspected Veteran Tree. The site currently exhibits a verdant, landscaped character and this would be significantly reduced due to the overdevelopment of the site. Officers consider it unfeasible for the proposed landscape scheme to deliver sufficient tree planting in accordance with the Bristol Tree Replacement Standard.
252. Other issues, such as drainage, contamination and highway mitigation could be controlled through conditions and obligations.
253. The scheme provides a number of benefits, including the provision of much-needed housing for older persons, particularly when the Council cannot demonstrate a five-year supply of land for housing. Other benefits include the reopening of the site to the public and increased visibility of the Listed



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building (although this is reduced by the proximity and size of the new build elements), the enhanced permeability and the sustainable location of the site.

254. It is considered that the adverse impacts arising from the overdevelopment of the site, the less-than-substantial harm to heritage assets, the loss of green infrastructure and the lack of resilience to climate change demonstrably outweigh the benefits of the scheme. Officers therefore consider full planning permission should be refused, even when the tilted balance, as prescribed by Paragraph 11(d) of the NPPF, is applied.

**RECOMMENDED REFUSE**

1. The proposed development would be out of scale and context with the Downs Conservation Area and the Grade II Listed building 'Grace House'. The quantum and massing of development would result in a loss of the site's verdant character, would crowd and overbear existing buildings and create a harmful relationship between proposed buildings. This would fail to preserve or enhance the designated heritage assets on site contrary to Policies BCS22 and DM31, fail to contribute positively to the area's character and identity, contrary to Policies BCS21 and DM27, and fail to provide a high-quality living environment for future occupiers, contrary to Policy BCS21.
2. The proposed development would fail to integrate important existing trees by causing the loss of trees 'T52' and 'T65' and would likely cause tree 'T7' to deteriorate by undertaking works within the Root Protection Area. This would be contrary to Paragraph 180 of the NPPF and Policy DM17.
3. The application has not demonstrated that the development would be adapted to and provide resilience to climate change through its site layout nor through its approach to design and construction. This would be contrary to Policy BCS13.

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255. Three pre applications were submitted prior to the submission of the current application to obtain advice on the emerging proposals for the site, as follows:

20/03227/PREAPP

256. This pre application presented three options: Option 1: a hybrid scheme comprising a traditional care home and private housing by conversion and new build. Option 2: a retirement care community comprising specialist elderly living accommodation and provision of care and communal facilities, by conversion and new build. Option 3: private housing by conversion and new build.

257. In summary, the advice given was that the principle of the site's redevelopment for private housing or older person's housing could be supported, provided that the loss of the community asset could be justified. A planning application would need to demonstrate how the scheme would meet the policy criteria of Policy BCS12 and Policy DM5.

258. All three options were unsupported in design terms due to the heritage impact given the site's location within the Downs Conservation Area and the presence of the listed Grace House. Further consideration of the site layout, scale and massing was required to ensure that Grace House remained the landmark building in the backland area. A careful and considered balance had also to be achieved to prevent the site's overdevelopment and ensure that its verdant character was retained which is a feature of the Conservation Area.

21/03970/PREAPP

259. This pre application was submitted in August 2021. The advice given was that the Council supports the principle of redeveloping the site, and to optimize density in accordance with the Urban Living Supplementary Planning Document (SPD).

260. To fully realise the potential of the site, the applicants were advised that proposals should come forward with a landscape-led design strategy to ensure the informal wooded rear area of the site and leafy Westbury Park frontage character was retained.

261. Other key points made were that:

- The demolition of the back land buildings required justification from both a heritage and sustainability point of view. Further rationalisation of the car parking, movement and connectivity to the surroundings was required, with clear definition between the public and semi-private realm.
- The scale and massing of the proposals should be respectful to the setting of Grace House. The proposed buildings should not cause harm through detracting from the significance of the designated heritage asset and retain its role as a primary focal building within the site. The rationale for scale, massing, design and detailing needs to be clearly evolved and presented.
- The proposed new buildings should be no taller than the existing frontage villas along Westbury Park.
- The spaces between the buildings are sufficient to deliver positive amenity spaces that are not overshadowed, and the daylight/sunlight to the lower floors must meet the Building Research Establishment (BRE) guidelines.
- There is a need within Bristol for extra care accommodation.
- As the site was formerly in educational use, it would be essential to fully explore the potential for Special Educational Needs and Disabilities provision in the proposals.

21/06886/PREAPP

262. A second pre application was received in January 2022, and a response sent on 18<sup>th</sup> February 2022, which unfortunately left little time for its contents to be considered before the application was submitted on 1<sup>st</sup> March 2022.

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263. The proposals set out in the second pre application were different to those presented in the first pre application, and were essentially the same as those subsequently submitted in the planning application. The second pre application was a limited response due to the overlap that took place with the submission of the planning application, and sought to clarify a number of points as follows:
- Principle of Development: It was reiterated that there was no issue with the principle of redevelopment, and it was emphasised that the wording “... *to optimise density in accordance with the Urban Living SPD*” (a phrase used in the first pre application response) meant that the density will be determined by a development scheme that is appropriate in urban design terms, taking full account of its context, and the constraints and opportunities presented by the site.
  - ‘Backland’ Development: The response advised that while the site is considerably larger than the majority of ‘backland’ sites, it is nevertheless, a ‘backland’ site as it did not have a road frontage onto Westbury Park given the presence of the large villas to be converted. The proposed new built form would be to the rear of these villas in what is therefore a ‘backland’ setting. The existing access point from Bayswater Avenue was not considered a road frontage.
  - It was added that the large size of the ‘backland’ site and the distances involved from existing development allowed scope for the new built form to be equal in height to that of the properties fronting Westbury Park, but it was advised that this should not be exceeded.
  - Use Class: It was agreed that the Use Class of the proposed development was C2. (There was subsequently further research and consideration of this point and whether the proposal should be considered as Use Class C3. The final decision was that this was a C2 proposal.)

**DESIGN WEST REVIEW PANEL**

264. There was an opportunity for the proposed design submitted in the second pre application to be considered by the Design West Review Panel, an independent, not-for-profit organisation who provide professional advice on the design aspects of planning applications in the south-west of England. This organisation is served by many architects and designers who give their time to prepare reports assessing significant planning applications in the region.
265. The Design West Review Panel meeting took place on 30<sup>th</sup> November 2021 and their comments, dated 20<sup>th</sup> December 2021, can be summarised as follows:
- The effect of new buildings on each other, as well as the existing villas fronting Westbury Park and surrounding housing, is crucial in terms of massing and proximity, the overwhelming of external space as well as restriction of daylight and sunlight. This needs further consideration.
  - The relationship to Grace House should be improved. The proposed Villa B intrudes insensitively, intruding into the hint of a space suggested by the siting of blocks A & D. The layout of access ways and landscape tend to minimise rather than enhance the importance of Grace House. The preservation of a suitable setting for Grace House is an important aspect of working with listed buildings.
  - It is not clear that the design had followed a landscape-led approach. The proposed layout suggests an arrangement that where possible trees have been retained and a pedestrian access inserted to suit the favoured block layout, rather than landscape character and access requirements being seen as the main driver of the form of the development.
  - The combination of height and bulk suggest an over intensive exploitation of the site. Whilst the internal plan layouts are generous and work well, the outlook will be compromised for a number of units. This is particularly evident at the interface between villas B, C & D. There appears to be little consideration of orientation with a number of north facing units. Combined with the heights of the villas there will be considerable periods of shading at ground level.
  - The relationship of gardens and green spaces to the villa blocks, privacy and access needs further thought. The long-term success of the proposed growing areas should be reflected in their positioning within the landscape scheme.
  - The proposed pedestrian link which passes Grace House, is a rather twisting route that weaves between buildings and is confused as to whether it is public or private. There is a

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need for a single, clearly identifiable East-West public route through site, which would form a basis for the overall landscape strategy.

- The Panel would not support an overly engineered highways design for roads and streets through the site.
- The distances shown between the proposals and existing surrounding housing are generally attached to the inward rear wall on Royal Albert Road and Bayswater Avenue. This gives a slightly misleading impression of the real distance between the dwellings. The four block of cottages facing Bayswater Road would be very close to the rear of existing houses with possible living and bedroom overlooking.
- The suitability of the mansard roof arrangement was questioned as it did not to reflect the gabled and hipped roofs on the Westbury Park villas.

**Development Control Committee A – 31 May 2023****Application No. 22/01221/F : St Christophers School Westbury Park Bristol BS6 7JE****APPENDIX B – FURTHER DETAILS OF PUBLICITY AND CONSULTATION**

266. This section provides a summary of the responses received as part of the consultation undertaken on the application. Full versions of the representations are available on the website.

**COUNCILLORS AND MEMBER OF PARLIAMENT****Councillors Geoff Gallop, Steve Smith and Sharon Scott - Objection**

267. "We have attended meetings with the developers, Westbury Park Community Association, St Christopher's Action Network (SCAN) as well as a number of public consultations, We object to the planning application submitted on the grounds of mass and the overall height of the tallest building. In addition we have significant concerns about the usage of the Downs which requires separate approval in addition to the planning process, and parking and traffic issues, in an area that is already dangerously congested.

268. Most local residents would like to see the old St Christopher's site developed, but have expressed concerns over the scale of the development and it being out of keeping with the surrounding properties. We share those concerns. Whilst recognising that the site will be developed, we believe it is important that any proposal is appropriate to both the Downs environs and the existing buildings within Westbury Park and we do not believe the current application recognises either of those aspects."

269. In response to the revised plans, concerns were raised that the proposals reflect only minor changes and the mass of the building and its impact on neighbouring residents remains unacceptable. Their position remains as recorded above.

**Councillor Kerry Bailes - Objection**

270. "I am a Bristol City Councillor, I currently sit on a scrutiny committee that looks at education including SEND. I am also a parent and advocate for my son who is autistic.

271. I am objecting to this planning application because there are simply not enough Specialist school places to meet demand in Bristol and many children are without a school placement at all. Not having the required Specialist school placement affects the educational opportunity for some of the most vulnerable children with complex needs that cannot be met in a mainstream school, and the consequences of those children's needs not being met are incalculable. Millions of pounds of public money is being spent on Alternative Providers of education instead of specialist schools, this can't go on, children with disabilities desperately need financial investment in specialist schools including residential placements for the children with severe or complex needs otherwise they end up in hospitals that aren't adequately equipped and with staff that aren't trained to educate them.

272. Education is a right not a privilege, a right that has already been stolen from so many children with additional needs in Bristol. Building homes on this site is not the answer, there are many other sites more suited for this development. Building housing will only widen the gap in Bristol's SEN provision and the ever increasing inequality children with SEND face, the families of these children already battling the local authority will be financially penalised through court action fighting for a specialist school placement that currently doesn't exist."

**Councillor Sylvia Townsend - Objection**

273. "This site has been specialist education provision for children and young people with SEND for decades. The proposals from this developer tell us that this legacy is currently 'ongoing to investigate the feasibility to make the space within the Urban Village Hall available for the provision of SEND spaces, or, if that is not possible, a proportional financial contribution for SEND places in North Bristol, secured via a S106 Agreement'

274. SEND provision is, by definition, in need of being fully understood by the designers in order to meet the needs of those attending. The statement, apparently updated, does not provide me with confidence that the needs of the children are being considered as central to the proposals. SEND provision can only be effective when these needs are central, this is further backed up in the



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statement involving S106 funds for off-site provision - this developer is not interested in providing SEND provision.

275. SEND is this council's largest budget deficit year on year with much caused by the need for out-of-area provision - our children need more specialist provision, not less. If SEND provision is lost from this geographical location now it will never return. Children and their families need local provision in their communities not somewhere in 'North Bristol' as the developer states. I refer the committee to the comments made by the Education officer that describes the claims made by the developer as demonstrating a 'limited understanding of SEND' that there are 'serious errors in the data' used by the developer in relation to SEND needs of Bristol's children that the developer makes 'incorrect statements', that 'Table 2 is incorrect', that whole sections of the report are 'wholly inaccurate' and 'incorrect'.
276. I also object to the 0% of affordable housing proposed. This developer quotes an apparent letter from the council agreeing that 0% is needed. As a member of that council I disagree that any development can be permissible without affordable housing to at least that required in policy."

**Councillor Martin Fodor - Objection**

277. "Local residents are clearly immensely concerned about this proposal. The site shares a boundary and an access gate with the ward I represent and there have been a great many objections.
278. I've met with developers and residents and weighed up the need to redevelop the site with the impacts of what's proposed. Wider issues as well as local worries have to be taken into account. There are some aspects that are quite positive including access to community facilities. However, the overall impact of this project is substantial, and I think more needs to be done to shape the proposals and manage these impacts better. The site needs sensitive, sustainable development and at present the proposals seem to be too ambitious. This includes large scale impacts from large and tall development blocks, impacts on heritage and nature, loss of trees, and traffic concerns. I'd like to see a more sensitive approach and have tried to make this clear when meeting the proponents. I think there's more to be done before it gets approval."

**Darren Jones MP - Objection**

279. The following comment was provided in response to the original application:
280. "I'm writing to share my constituents' reservations about plans to build a luxury retirement community at the St Christopher's School site in Henleaze in my constituency. Local residents have noted the risk of environmental damage, lack of affordable housing and lack of SEN provision as concerns about this development.
281. I note that over 300 objections to this proposal have been submitted. While residents do not oppose developing this land with sustainable and affordable housing, I understand that this development is a high-density, luxury and car-centric development.
282. Current plans allocate only 65 parking spaces for over 240 permanent residents and additional care staff and visitors. This area has limited public transport connectivity and constituents are concerned that the lack of on-site parking in the proposals will worsen traffic, air pollution and pedestrian safety in the narrow neighbourhood streets surrounding the development. I hope that appropriate consideration is given to the concerns raised by my constituents on this issue."
283. In response to the revised plans, the MP stated:
284. "I am writing to you again following the publication of revised plans in December. Constituents have contacted me to say the revised plans do not go far enough to address their concerns. For example, the number of apartments has only been reduced by 5%, meaning there would still be 116 households on the grounds.

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285. I hope that appropriate consideration is given to the concerns raised by my constituents on this issue.”

**COMMUNITY GROUPS****Westbury Park Community Association - Objection**

286. Full comments from the Westbury Park Community Association are available on the website. In summary, an objection to the scheme was raised on the basis of:

- The level of parking demand generated from the development, how this has been calculated by the applicant and the capacity of adjoining roads to accommodate overspill parking.
- Concerns about the lack of travel plan measures and lack of accordance with BCC’s guidance.
- Objection to the traffic generated by the development and concerns about how this has been assessed by the applicant.
- Objections relating to the scale, height, mass and positioning of the buildings proposed as a ‘backland’ site, and the effect this has on the Listed building.
- Concerns about a loss of privacy as a result of the proposed development and the effect of it upon the outlook of neighbouring houses.
- Objection to the loss of trees.
- Insufficient public engagement undertaken by the applicant.

287. Further responses to the revised consultations were submitted, reiterating the objections above.

**St Christopher’s Action Network (SCAN) - Objection**

288. A number of submissions have been made by SCAN, all of which are available on the website. In summary, an objection to the scheme was raised on the basis of:

- Concerns about overdevelopment in a conservation area. The proposed scale, mass and bulk are inappropriate within the sensitive heritage context of Westbury Park and the listed Grace House, and the scheme would give rise to unacceptable impacts on the townscape.
- Concerns about damage to the environment and that too many trees would be lost and a detrimental impact on nature & wildlife, losing high quality specimens that make a valued contribution to the character and appearance of the Conservation Area.
- Road Safety, Traffic & Parking: The proposal is not appropriate in transport and highway terms, owing to insufficient on-site parking provision and inappropriate access/egress arrangements, which will increase the road safety risks in an area where this is already a significant concern. SCAN is providing its own research and analysis to show that on-site parking will be insufficient, with no capacity for overspill in surrounding roads.
- Lack of Affordable Housing: The proposal includes no affordable housing and is not supported by any evidence to justify such a lack of provision.
- Loss of SEND provision: In the context of an increasing need for SEND accommodation in Bristol, the developers have failed to comply with council policies that seek to safeguard community facilities.
- Insufficient public engagement undertaken by the applicant.

289. Further responses to the revised consultations were submitted, reiterating the objections above.

**Development Control Committee A – 31 May 2023****Application No. 22/01221/F : St Christophers School Westbury Park Bristol BS6 7JE****Bristol Civic Society - Objection**

290. An objection was provided in response to the application, which is available in full on the website. In summary, objections were raised to:

- Redevelopment which must be fully justified having regard to its impact on carbon emissions
- Failure to relate sensitively to the Grade II listed Grace House and would harm the character and appearance of the Downs Conservation Area. Concerns about proposed massing and height of the flat block.
- The proposal which, in combination with the flat block, risk adversely dominating the street scene and existing residential amenity.
- More attention should be given to biodiversity and to reducing the proposal's impact.

**Conservation Advisory Panel - Objection**

291. The following comments were provided in response to the original application:

292. "There would be significant damage to the setting of the listed Grace House and the unlisted buildings facing Westbury Park. The scale and height of the new buildings would be too great. The proposed mansards and flared dormers would be very prominent and overbearing and Block B would be actually a 6 storey flat roofed building.

293. The arrangement of the new buildings would not refer to the setting and symmetry of the listed building in any way. Any new buildings must be subservient to the listed building and more restrained in appearance. Further details of the works to the villas, which should be classified as Unlisted Buildings of Merit in the Conservation Area, such as replacement of plastic windows, should be provided.

294. The loss of existing trees, some Grade A and some subject to TPOs, would change the character of the site and was not acceptable. The proposed planting should be more substantial with larger trees."

**Henleaze Society - Objection**

295. The Henleaze Society provided the following objection to the planning application:

- The proposed St Christopher's School development ignores the character of the surrounding Westbury Park Area.
- The proposed development is over-development, because of the number of proposed buildings, their scale, mass and height.
- No shadow diagrams were submitted as part of the original application.
- The proposed development would result in a loss of green space.
- Provision should be made for on-site parking for residents and visitors so that on-street parking in nearby streets will not be necessary.

**Friends of the Downs and Avon Gorge (FODAG) - Objection**

296. An objection was received which, in summary, raised the following concerns:

- Change to the visual scenery of the current lodges alongside the Westbury Park frontage.
- This is a loss to the biodiversity of the Downs conservation area from the loss of trees proposed.

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- Objection to a new footpath to the site from Westbury Park Road across the 'Granny Downs' and the impact upon trees.
- Objection to signage proposed in the Design and Access Statement.
- Concerns about the lack of engagement by the applicant.

**Downs Committee**

297. A comment has been received from the Downs Committee, which is a custodian of the land immediately adjoining the site, and because small elements of the development (such as proposed new footpaths) cross land which is managed by the committee. The following issues were raised:

- Objection to the height of the proposed development and the impact on existing views from the Downs.
- Support for the creation of a new footpath across the "Granny Downs", but would wish to be consulted over the detailed design, materials etc before this element goes ahead.

**Bristol Tree Forum:**

298. An objection was received from the Bristol Tree Forum. The following issues were raised in summary:

- Objection to the loss of green infrastructure, and consideration that the development fails to avoid or minimise tree loss and retain green assets contrary to BCS9. Concerns that DM15: Green Infrastructure Provision has not been considered.
- Concerns that the loss of trees has given no consideration of climate change by using green infrastructure to minimise and mitigate the heating of the urban environment.
- Criticism of the applicant's Biodiversity Net Gain calculations, which does not give sufficient weight to the existing tree habitat.

**OTHER PARTIES****Associated Retirement Community Operators Ltd. (ARCO) - Support**

299. ARCO is the trade body for private and not for profit providers of housing with care developments in the UK – Amicala (the proposed operator of the site) is part of ARCO's Accelerator Programme. In summary, the following comments were provided in support. The full comments are available on the website.

- Highlight that expanding preventative choices that sit between care homes, and care at home, are now a key part of the government's commitment to meet the health and social care needs of our ageing population.
- Outlines the options for old persons housing as set out by the Neighbourhood Planning Act 2017.
- Sets out that the Government has recently reaffirmed its commitment to expanding provision of wider housing options for older people in the White Paper, People at the Heart of Care, published on 1 December 2021 and in letters from the Housing Minister.

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APPENDIX C – USE CLASS ASSESSMENT REPO



Advice provided to Bristol City Council

## Former St Christopher's School, Westbury Park

Assessment of Use Class for Proposed Development at Former St Christopher's School (22/01221/F)

Issue | 10 October 2022



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This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 257851-20

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# 1. Introduction

## 1.1 Background

Ove Arup & Partners Ltd ('Arup') has been commissioned by Bristol City Council ('BCC') to undertake an assessment relating to the Use Class of the proposed development of a retirement community at the Former St. Christopher's School on Westbury Park in Bristol, under planning application reference 22/01221/F. The development description of that application ('the proposed development') is:

*“Proposed development of the site including, internal and external alterations of Listed House building and conversion of lodges fronting Westbury Park; demolition of buildings and the erection of new buildings to provide an integrated Retirement Community (Class C2) for older people; together with landscaping, car parking, refuse and other associated works (major).”*

BCC, as the Local Planning Authority ('LPA') determining this application, wishes to form a view as to whether the application should be determined as falling within Use Class C2 Residential Institutions or Use Class C3 Dwellinghouses of the Town and Country Planning (Use Classes) Order 1987 (as amended) ('the Use Classes Order'). BCC and the applicant, St Christopher's Prop Co Ltd., have had discussions regarding this matter and have not yet reached agreement. The difference of opinion in this case reflects an ambiguity nationally within the definition of the Use Classes Order that has also impacted other developers and LPAs, resulting in the Use Class of similar types of development generally being determined on a case-by-case basis, with no nationally consistent approach.

BCC is therefore seeking an independent assessment of the appropriate Use Class for the proposed development in order to enable the Council to determine the planning application appropriately. This includes ensuring that it applies the relevant Community Infrastructure Levy ('CIL') Charge and to establish whether the development should be providing affordable housing in accordance with the policies of the adopted Local Plan.

## 1.2 Purpose of this report

This report provides an assessment of whether the proposed development under application reference 22/01221/F should be determined by BCC as falling within Use Class C2 or Use Class C3 of the Use Classes Order. The assessment is undertaken having regard to a detailed analysis of the specific nature and circumstances of the proposed development, as well as a review of precedent through similar or comparative cases determined at appeal by the Planning Inspectorate. The approach to this assessment is also informed by legal opinions sought by both BCC and the applicant in relation to this case, and any relevant guidance or policy within both the national and local decision-making framework. This report concludes with an independent recommendation to BCC regarding the most appropriate Use Class to be applied in the determination of this application.

## 1.3 Structure of this report

This report is structured as follows:

- Section 1 - Introduction: this section, providing an overview of the report's background, purpose and structure.
- Section 2 - The Proposed Development: provides a summary of the planning application being assessed within this report.
- Section 3 – Policy and Legal Context: sets out the national and local planning policy and legislation relevant to the assessment of the appropriate Use Class for this development, as well as analysis of legal opinions obtained by the applicant and BCC and their implications for the assessment.
- Section 4 – Review of Appeal Decisions: a review of relevant appeal decisions that consider similar or comparative development and their Use Class, identifying any key messages relevant to the assessment of the proposed development.

- Section 5 - Assessment of Use Class: informed by the preceding sections, a detailed assessment of the application is undertaken in order to form a conclusion on the most appropriate Use Class for determination.
- Section 6 – Summary: provides a summary of the report and its conclusions.



## 2. The Proposed Development

### 2.1 Site location and context

The site comprises the former St Christopher's school on Westbury Park in Bristol, approximately 2.5 km to the north-east of the city centre. The site is 1.99ha in area and it is located in Westbury-on-Trym & Henleaze ward. The site comprises of 5no. Victorian villa properties which front onto Westbury Park road, as well as further buildings to the rear of the villas, including the Grade II Listed Grace House. The site is opposite the Clifton and Durdham Downs, a large area of open space and parkland and it is also located within The Downs Conservation Area.

The location of the proposed development is provided in Figure 1.

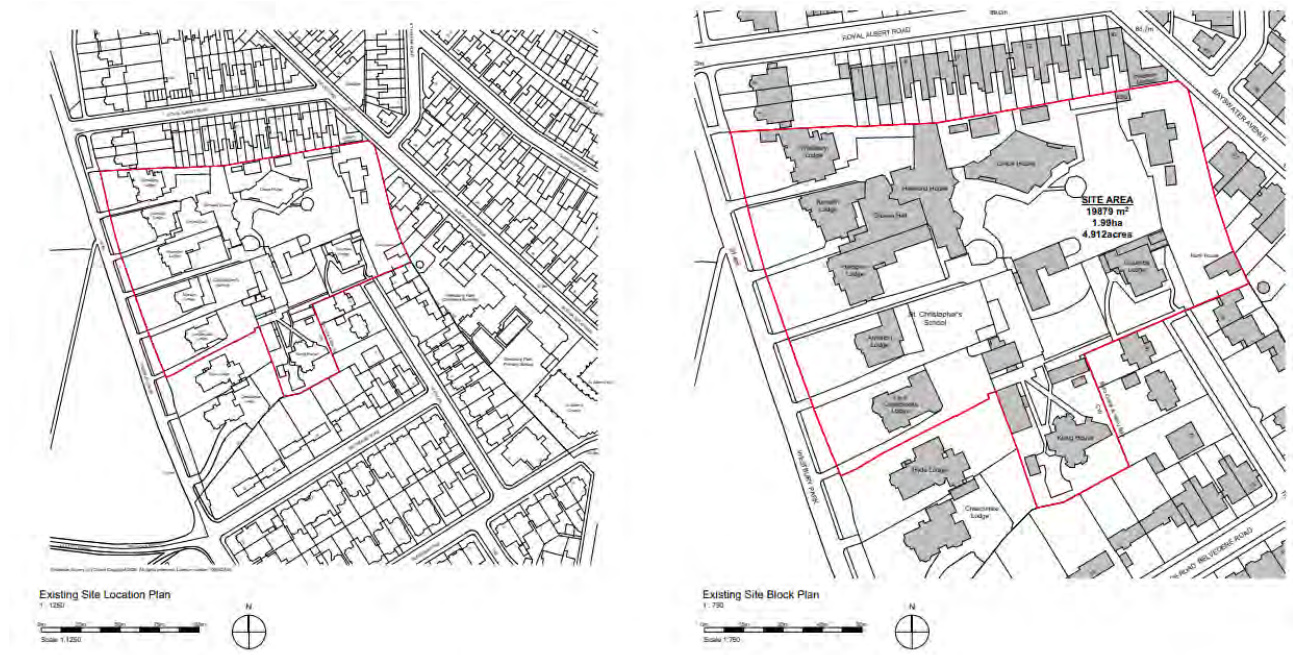


Figure 1 Site location and existing site block plan as submitted by applicant under application reference 22/01221/F

The site was in use from 1945 until March 2020 as a residential specialist school for children and young people with Special Education Needs and Disabilities (SEND).

### 2.2 Description of development

The application made under reference 22/01221/F seeks consent for development under the following description:

*“Proposed development of the site including, internal and external alterations of Listed House building and conversion of lodges fronting Westbury Park; demolition of buildings and the erection of new buildings to provide an integrated Retirement Community (Class C2) for older people; together with landscaping, car parking, refuse and other associated works (major).”*

The Planning Statement and Design and Access Statement submitted with the application provide further detail on the proposals, which can be summarised as comprising:

- The provision of 122no. self-contained extra care residential units split as follows:
  - 25no. apartments located within the retained and converted villas fronting Westbury Park;
  - 86no. apartments located in new build development blocks within the site; and
  - 11no. new build cottages located to the east and south of the site.



- The retention and conversion of the Grade II Listed Grace House to provide a 940sqm community hub to include:
  - ‘Wellbeing’ facilities including hydro pool, exercise studio, gym, nutritionist and treatment room.
  - ‘Belonging’ facilities including café / bistro, cinema/activities room, art room and workshop.
- The retention and conversion of the North House building to create an urban village hall that would be able to be used part time by the wider community (a minimum of 15 hours per week, as specified in the draft Heads of Terms).
- New public realm and landscaping, including pedestrian permeability through the site and a range of outdoor facilities such as a village square, sensory garden, productive/allotment garden and activity garden.
- 65no. car parking spaces, comprising:
  - 48no. standard bays;
  - 6no. accessible bays;
  - 8no. EV bays;
  - 2no. car club bays; and
  - 1no. shuttle bus bay.
- A minimum of 52no. cycle parking spaces (22 visitor spaces and 30 staff spaces).
- Buggy stores.
- The demolition of various modern buildings and structures within the site, including extensions adjoining the villas fronting onto Westbury Park.

It is intended that parts of the site would be open to public access, whilst other areas would be private or semi-private.

## 2.3 Proposed model of care provision

The Planning Statement submitted with the application sets out how care would be delivered within the proposed development. It states that a fully qualified nurse would act as manager, with a 24-hour presence of trained care and security staff on site. There would be monitored care buzzers and security cameras covering communal areas, and a registered nurse on call service for emergency support. Residents may also choose to have night service or care companions on a temporary or permanent basis.

The Section 106 Agreement (‘S106 Agreement’) would secure an age restriction, needs based assessment and minimum care package for the development, which the applicant considers ensures the scheme would properly operate under Use Class C2. These features are described as follows in the draft Heads of Terms submitted with the application:

### ***“Age Restricted***

*The Integrated Retirement Community will be age restricted, with a minimum age of 65 for lead residents; although experience confirms the average age of residents at the point of entry will be late 70’s and on a needs basis.*

### ***Needs Based Occupancy***

*To allow residents to occupy the development, all residents must be in receipt of a Minimum Care Package. To ensure that prospective residents are in need of the Minimum Care Package, they must under-go a Qualifying Persons Assessment.*

### ***Minimum Care Package***

*Residents must have a minimum package of 2 hours support per week in the form of care services.*

*Any personal care must be delivered under the provision of a formally assessed care plan, approved by the Clinical Manager. Staff who deliver the care plan will be trained and confirmed as competent and capable to deliver such care.”*

The Qualifying Persons Assessment will be undertaken of prospective residents to ensure they are a suitability Qualifying Person (i.e. over 65 with an identified need for the minimum care package). The draft Heads of Terms also states that this assessment will be undertaken periodically during occupation to ensure the level of care being provided is suitable. It further clarifies that a cohabitee, spouse or dependent of a Qualifying Person may continue to occupy the property following the death of the Qualifying Person, irrespective of their age.

The personal care and support activities that may constitute the Minimum Care Package are specified in the draft Heads of Terms and considered in more detail in Section 5 of this report.

## **2.4 Status of the application**

The applicant submitted two pre-application enquiries regarding the proposed development prior to its formal submission. The first of these, made in July 2021, received a response from BCC which stated the Council's view that the proposals would fall within Use Class C3. In the second pre-application enquiry made by the applicant in December 2021, the applicant reasserted their position that the proposal would constitute Use Class C2. In response to this second enquiry, BCC informed the applicant that it was seeking legal opinion on the appropriate Use Class and had not yet reached a clear position on the matter.

The application for the proposed development was submitted in March 2022 and is currently pending consideration (as of October 2022).

## 3. Policy and Legal Context

### 3.1 Use Classes Order

The Use Classes Order classifies the use of land and buildings and the proposed Use Class of a development (and the overall change of use) can determine whether a planning application is required, which planning policies apply and whether obligations such as CIL are applicable.

#### 3.1.1 Use Class C2 Residential Institutions

The Use Classes Order provides the following definition of Use Class C2 Residential Institutions under Part C of Schedule 1:

*“Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).*

*Use as a hospital or nursing home.*

*Use as a residential school, college or training centre.”*

Article 2 of the Use Classes Order defines ‘care’ as:

*“personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment”*

Personal care is not further defined, but it is one of the categories of registration by the Care Quality Commission (CQC): providers of personal care must by law be registered by the CQC.

#### 3.1.2 Use Class C3 Dwellinghouses

Part C of Schedule 1 of the Use Classes Order defines Use Class C3 Dwellinghouses as follows:

*“Use as a dwellinghouse (whether or not as a sole or main residence) by—*

*(a) a single person or by people to be regarded as forming a single household;*

*(b) not more than six residents living together as a single household where care is provided for residents; or*

*(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).”*

#### 3.1.3 Commentary

The Use Classes Order identifies two classes of building/land use applicable to care provided in a residential setting. However, they are also defined as mutually exclusive such that a use is either C2 or C3. This is specified through the stipulation in Use Class C2 which states that it is a residential institution if residential accommodation and care is being provided other than a use within Use Class C3.

Traditional models of residential care for the elderly are often a comfortable fit with the Use Classes Order<sup>1</sup>. It is generally accepted that a care home would be constitute Use Class C2, comprising of a residential institution in which residents have their own bedroom (and possibly a bathroom) but in which all other facilities are communal and personal care is provided in-house. Other established forms of more independent accommodation for the elderly, without direct care provision, such as sheltered housing, has generally been accepted as Use Class C3. However, increasingly there are new models of residential care provision for older

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<sup>1</sup> Housing Learning and Improvement Network (LIN) (2011) Planning Use Classes and Extra Care Housing, available at [Planning Use Classes and Extra Care Housing \(housinglin.org.uk\)](https://www.housinglin.org.uk)

persons – often referred to as ‘extra care’ housing - for which the application of the Use Classes Order is ambiguous, due to providing both independent or self-contained living accommodation and on-site care and support services. Reaching a conclusive categorisation of the extra care format is further complicated by the differences between schemes, with individual extra care housing developments comprising of varying levels of care provision and independent living. As a result of the ambiguity around Use Class, a number of planning appeals relating to extra care housing have considered this specific issue, as discussed in Section 4 of this report.

In relation to the proposed development, the question of Use Class has significant implications in relation to its CIL liability. Bristol City Council CIL Charging Schedule specifies that residential and non-residential institutions (Use Classes C2, C2A, D1) are not liable for CIL charging, whilst residential development (Use Class C3) is. Within the Inner Zone of Bristol, which includes Westbury-on-Trym ward where the site is located, the CIL rate for Use Class C3 is charged at £70 per square metre (sqm). Given the size of the site, the CIL liability would be substantial if the proposed development is determined to be Use Class C3, compared to £0 if found to be Use Class C2. It is therefore of utmost importance to both BCC and the applicant that thorough consideration is given to this matter.

## 3.2 National planning policy

### 3.2.1 National Planning Policy Framework

The National Planning Policy Framework (July 2021) (NPPF) does not set out policy which is specific to the determination of housing for older people. Annex 2: Glossary of the NPPF does however offer a definition of ‘older people’ which reflects the significant variations amongst the older population in terms of care and housing needs:

*“Older people: People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.”*

Paragraph 62 of the NPPF also requires planning policies to reflect the range of housing needs within a community, including older people. Paragraph 65 of the NPPF defines exemptions to the requirement for at least 10% affordable housing in major residential development, which includes ‘specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students)’.

### 3.2.2 Planning Practice Guidance

The Planning Practice Guidance (PPG) includes specific guidance on housing for older and disabled people. Paragraph 010 provides a definition of different types of specialist housing for older people:

- **“Age-restricted general market housing:** *This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.*
- **Retirement living or sheltered housing:** *This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.*
- **Extra care housing or housing-with-care:** *This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24-hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.*
- **Residential care homes and nursing homes:** *These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually*

*include support services for independent living. This type of housing can also include dementia care homes.”*

Paragraph 010 of the PPG recognises the diversity of provision for older people and therefore highlights that the above categories are not definitive. It states that a single development may contain a range of different types of specialist housing. Whilst these categories are not linked to specific Use Classes, Paragraph 014 of the PPG specifically considers the issue of applying the Use Classes Order to specialist housing for older people. It states:

*“It is for a local planning authority to consider into which use class a particular development may fall. When determining whether a development for specialist housing for older people falls within C2 (Residential Institutions) or C3 (Dwellinghouse) of the Use Classes Order, consideration could, for example, be given to the level of care and scale of communal facilities provided.”*

### 3.2.3 Commentary

In summary, the diversity of both care needs and housing provision amongst older people is recognised in national policy and it does not therefore offer clear direction on appropriate Use Class application. It does however explicitly direct that LPAs have individual discretion on determining the appropriate Use Class on a case-by-case basis and are recommend to take into account the **level of care and scale of communal facilities provided** amongst other unspecified considerations.

## 3.3 Local planning policy

### 3.3.1 Relevant local policies

The Planning Statement submitted by the applicant summarises the key Local Plan policies and supplementary guidance of relevance to the scheme and this is therefore not replicated in this report. However, the following Local Plan policies are of particular relevance to this assessment:

- Core Strategy (2011) Policy BCS11 sets out that CIL contributions will be sought in accordance with appropriate regulations, in addition to planning obligations which may be sought where any development has an impact requiring mitigation.
- Core Strategy Policy BCS17 sets a requirement for 40% affordable housing on all developments of 15 dwellings or more within the Bristol Inner West area. It confirms that where scheme viability may be affected, developers will be expected to provide full development appraisals to demonstrate an alternative affordable housing provision.
- Site Allocations and Development Management Policies (SADMP) (2014) Policy DM2 provides specific policy on the provision of older persons housing. It states that:

*"A range of housing and care options that promote and maintain housing independence for older people will be encouraged. Older persons' housing schemes should aim to meet the following criteria:*

*i. Located close to shops, services, community facilities and open space appropriate to the needs of the intended occupiers or provided on-site; and ii. Located close to good public transport routes; and*

*iii. Provision of level access; and*

*iv. All units built to the Lifetime Homes standard; and*

*v. 20% of units designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users".*

The supporting text to Policy DM2 states that it applies to all forms of purpose-built residential accommodation for older people that fall within Use Classes C2 and C3.



The applicant has highlighted in its pre-application correspondence that the Space Standards Practice Note (March 2021) refers to older persons' housing – both self-contained and non self-contained – as being a 'residential development not in Use Class C3'.

### 3.3.2 Commentary

Adopted BCC policy sets out the planning obligations that may be sought in relation to development, including CIL, S106 Agreement and affordable housing provision. Policy DM2 provides guidance on the development of older persons' housing and recognises that such development may fall within Use Class C2 or Use Class C3, however it does not offer any specific direction as to how the Use Class will be determined. Whilst it is recognised that the applicant considers the Space Standards Practice Note to clarify that older persons' housing is not within Use Class C3, it is not considered that this represents BCC's definitive position on older persons' housing. Rather, the Practice Note seeks to provide clarity on how space standards are to be applied in circumstances where one of the many forms of older persons' housing has been determined as Use Class C2. In summary, local policy does not set out any further detail beyond that of the PPG in relation to how Use Class should be determined in proposals for older persons' housing.

### 3.4 Case law: *Rectory Homes Ltd v SSCLG [2020] EWHC 2098 (Admin)*

Currently, case law is not determinative in directing how Use Classes should be applied to extra care housing. However, the *Rectory Homes* judgment is relevant to the proposed development in a broader context, as it dealt specifically with the question of whether units within an extra care housing scheme can constitute 'dwellings' whilst remaining in Use Class C2 and in doing so, provides some direction on how a C2 Use can be differentiated from C3.

*Rectory Homes* appealed against South Oxfordshire District Council's decision to refuse consent for the development of 78 units in a "housing with care" scheme. In this case, both the applicant and the LPA were in agreement that the scheme would constitute a C2 use. However, the Council's affordable housing policy applied to sites with a net gain of three or more dwellings, with *Rectory Homes* stating that 'dwellings' would mean Use Class C3 and therefore not be applicable to an agreed Use Class C2 scheme. Ultimately, the court determined that dwellings could be provided within Use Class C2 and therefore affordable housing policy could be applied.

In reaching this conclusion, the judgement does specifically explore the scope of Use Class C2. Paragraph 60 of the judgement directs that the meaning of 'institution' under Use Class C2 must be broad and may include an 'organisation' managing a whole development to ensure the needs of residential occupants for care are delivered. The judgement finds that this aligns with the model of the extra care housing proposed in the case and the S106 Agreement which secures that model of operation.

Paragraph 61 of the judgement considers the explicit exclusion of Use Class C3 from residential institutions under Use Class C2, as drafted in the Use Classes Order. The judgement determines that this specific exclusion is necessary because C2 accommodation can include units with the physical characteristics of dwellings and which provide a private or independent domestic existence, however it is the use of the dwellings which is the key differentiating factor. It states that the dwellings fall within Use Class C2 if care is provided for an occupant in each dwelling, who is in need of such care.

Paragraph 63 of the judgement further distinguishes between the provision of care and the need of care. It states that both Use Class C2 and Use Class C3 could comprise of residential accommodation/dwellings with provision of care to its occupants. What distinguishes Use Class C2 therefore is that occupants are in need of care, which is secured through the S106 Agreement and its restricted occupation to those assessed as needing care.

### 3.4.1 Commentary

The *Rectory Homes* judgement is clear in concluding that it is possible for dwellings to be provided through a Use Class C2 development, therefore triggering relevant policies relating to affordable housing as a proportion of total dwellings. It is also clear in stating that key factors differentiating Use Class C3 and Use Class C2 are: a) the overarching management of a site as an institution; and b) the occupation of the site by people who are assessed as needing care, secured through a S106 Agreement.

## 3.5 Legal opinion

In light of the discussions between the applicant and BCC regarding the appropriate Use Class for the proposals at the former St. Christopher's School, both parties have obtained legal opinion on the matter.

### 3.5.1 Legal opinion obtained by the applicant

The legal opinion obtained by the applicant takes the view that the proposed development would be most appropriately determined as Use Class C2. It considers that the proposals constitute a specialist form of accommodation, allowing for increasing levels of care over older persons' lifetime which seeks to avoid the need for a move into other specialist forms of care such as a traditional care home.

Whilst recognising that the proposed accommodation would be self-contained, the opinion states that the centralised care and service facilities integrated into the development represent a 'single institutional setting'. Within this context, the opinion posits that the site is a single planning unit, given that an individual apartment could not be separated from the wider operation; it is to be managed and operated as a whole in order to deliver the required care and assistance, which includes a 24-hour presence of staff on site and a minimum level of care provision as a condition of occupation. Furthermore, the opinion considers that design features of the proposals are specific to aiding the elderly, such as level access, accessible internal fittings and communication with staff, reflect a C2 residential institution use.

In addition to the physical form and overall operation of the site, the legal opinion obtained by the applicant considers that the requirement - secured through S106 Agreement - for the primary occupier to undergo a mandatory Qualifying Person Assessment and receive a minimum care package meets the definition of care within the Use Classes Order. The legal opinion recognises that the type of care activities and services that can be chosen to meet that minimum of two hours provision is varied and reflects a broad spectrum of care which nonetheless are 'standard' for a C2 use. Furthermore, consideration is given to the potential for that minimum care to expand over time to reflect the intention of the extra care format in meeting the changing and developing needs of an older person in the long-term, most likely increasing with age.

In summary, the legal opinion concludes that the design of the scheme and the Section 106 obligation in relation to the scheme would bring the proposed development into Use Class C2. The legal opinion also refers to a number of appeal decisions which have determined extra care housing under Use Class C2, those of relevance are considered in Section 4 below.

### 3.5.2 Legal opinion obtained by BCC

The legal opinion obtained by BCC takes a differing view to that obtained by the applicant, concluding that there is potentially a reasonably strong argument that the appropriate Use Class is C3. It states four key reasons for this position, namely: the self-containment of the residential units; the limited amount of personal care and scale of communal facilities provided; at least two recent appeal decisions; and the London Plan Housing Supplementary Planning Guidance (SPG) which identifies extra care housing as Use Class C3, in part on account of the self-contained nature of accommodation.

In assessing whether an application should be determined as Use Class C2 or Use Class C3, the legal opinion obtained by BCC states that it is important that the nature and function of the proposed operation is well understood. For example, understanding the extent to which normal living activities would occur outside of the self-contained units and the size of communal facilities comparative to private living space. Finally, the opinion refers to the 'front door test' in which the provision of an individual front door would suggest a level of self-containment that is not aligned with Use Class C2. This should also take account of the extent to which living is occurring within the shared facilities, even with individual front doors.

In assessing and understanding the level of care provision, the opinion notes that care should be taken to consider the nature of provision and not just the amount, identifying that 24-hour care could be provided within someone's private C3 dwelling without it representing a change to C2 use. Therefore, the extent to which care is provided inside or outside of the residential unit may also be a consideration taken into account.

The legal opinion obtained by BCC makes reference to two recent appeal decisions of relevance, considered further in Section 4 of this report. Whilst it concludes that a reasonably strong argument could be made that

the former St. Christopher's School development would be Use Class C3, the lack of consistency from Inspectors on this matter to date is highlighted as a key risk.

### 3.5.3 Commentary

Legal opinion has been obtained by the applicant and BCC which offer differing conclusions on the most appropriate Use Class for the proposed development. Each also refers to planning appeal decisions which support or align with the position of the opinion, reflecting the lack of consistency in decision-making on this matter. The common theme however of both opinions is that determining the Use Class requires a thorough consideration and understanding of the intended operation and function of the proposed development, in addition to its physical attributes. Whilst the residential use of the proposed development is clear, it is the nature of that residential occupation and associated care provision which is key to differentiating between Use Class C2 and Use Class C3. This depends on factors such as the extent to which living on the site is self-contained or communal; the extent of care provision and how it assessed and secured; and the overall functioning of the site as a single institutional operation.

## 4. Review of Appeal Decisions

### 4.1 Introduction

As reflected in national policy and guidance, there exists considerable diversity in the format and models available of older persons housing and care. The matters under discussion between the applicant and BCC regarding Use Class are therefore not unique and has been a challenge faced by other local authorities and developers. This has resulted in a number of appeal decisions which are relevant to this assessment and BCC has been directed to cases considered to be of particular relevance by the applicant and through the receipt of legal opinion.

The following appeal cases have been provided by the applicant to BCC for consideration:

- Cornwall (Appeal ref: 3199163)
- Westminster (Appeal ref: 3229842)
- Broadbridge Heath (Appeal ref: 3262938)
- Walton on Thames (Appeal ref: 3263347)
- Bath (Appeal ref: 3268794)
- Tunbridge Wells (Appeal ref: 3161379)
- Beckford (Appeal ref: 3167629)
- Aylesbury Vale (Appeal ref: 3181140)
- Epsom (Appeal ref: 3276483)
- Sonning Common (Appeal ref: 3265861)

These appeal cases have been reviewed and analysed to inform this assessment. A number of the appeal decisions provided by the applicant do not specifically consider the issue of Use Class as it was not a main issue of the appeal or a separate consideration. It is understood that these have therefore been provided by the applicant to demonstrate that schemes which are similar or comparative to the proposed development (in the applicant's view) have been determined on the basis of being Use Class C2. Whilst it is considered that these cases are useful in highlighting extra care housing schemes that have been determined by LPAs and by Inspectors at appeal as Use Class C2 without challenge, the decisions do not specifically address how the appropriate Use Class was or should be determined in the first instance by an LPA. As such, these cases are not considered in detail in the following section of the report. The cases discounted from this detailed analysis are:

- Broadbridge Heath (Appeal ref: 3262938)
- Epsom (Appeal ref: 3276483)
- Sonning Common (Appeal ref: 3265861)
- Beckford (Appeal ref: 3167629)
- Bath (Appeal ref: 3268794)

This review is not intended to be exhaustive but to identify the key issues identified by various decision makers in assessing whether a use purported to be C2 can be so classified.

### 4.2 Analysis of relevant appeal decisions

#### 4.2.1 Cornwall (Appeal ref: 3199163), decision issued February 2019

##### *Overview of case*

The proposed development within this appeal case was 'the erection of circa 30 age-restricted (55+ years) Use Class C2 bungalow/chalet bungalow dwellings, warden's office/accommodation, community facilities, open space and footpath connection (details of means of access only, all other matters reserved)'. The appeal was made against Cornwall Council for a refusal to grant outline planning permission.

Cornwall Council had determined the application as Use Class C3 despite the reference within the development description as Use Class C2. The correct Use Class was a main issue in the appeal. In

considering the use class issue, the Inspector noted that the correct categorisation of use is dependent on the specific circumstances of each scheme. Whilst the proposed scheme would require a minimum of 2 hours of care per week and an assessment to ensure occupants would need such care, the Inspector considered that the facilities and services provided would not fall within the definition of ‘personal’ care, instead comprising of ‘additional’ or ‘extra care’. The services referred to in the appeal decision include ‘support for bed changing, cleaning, help with shopping, access to disability equipment, management of heating systems, some personal care, help with cooking and a range of other support’.

The Inspector concluded that the range of services and facilities available would in many respects be little different to forms of support available to older persons living in Use Class C3 accommodation, although they would be more easily accessible. The Inspector found that whilst the appellant had expressed intention to provide an element of personal care to some residents, it remained unclear as to what it would involve, how individual needs would be assessed and what would happen if their personal care requirement fell under 2 hours. On that basis the Inspector concluded the scheme should be within Use Class C3 and the appeal was determined as such, ultimately being allowed. A condition was attached to the consent requiring that the occupation is limited to persons aged 55 or above, or a dependent/cohabitee following the death of the qualifying person.

### ***Commentary***

This appeal decision demonstrates that the Inspector considered the nature of the care being provided to be central to the determination of the Use Class. A further review of the application and appeal documents has clarified that due to the proposal being in outline, the details of care provision were not clearly defined within the application and the requirement for a minimum care package was not to be secured through S106 Agreement, with the appellant instead proposing that the older persons use would be secured through condition. As such, this case may not be considered as directly comparable to the proposed development assessed in this report, in which more detail is provided on the care provision and a mechanism for securing the occupancy conditions for prospective residents.

### **4.2.2 Westminster (Appeal ref: 3229842), decision issued April 2020**

#### ***Overview of case***

The proposed development subject to this appeal case was for ‘redevelopment of land at 36 St John’s Wood Road for an extra care facility, ancillary medical and rehabilitation facilities, landscaping, car and cycle parking, and the redevelopment of 38-44 Lodge Road for a care home and residential units with landscaping, car parking and cycle parking’. The appeal was made against City of Westminster Council against non-determination of the scheme. The main issue of the appeal was the extent to which affordable housing was required, specifically in relation to the extra care facility, which the Council considered to be Use Class C3 in conflict with the appellant’s view that it is Use Class C2.

In determining the Use Class, the Inspector applied the definition within the London Plan Housing SPG which states extra care housing is generally Use Class C3, providing ‘self-contained residential accommodation and associated facilities designed and managed to meet needs and aspirations of people who due to age or vulnerability have existing or foreseeable physical, sensory or mental health impairment’. In comparison to the SPG’s definition of a care home under Use Class C2, in which accommodation is not self-contained and meals/personal services are routinely provided, the Inspector considered the scheme to be Use Class C3.

Outside of reference to the SPG, the Inspector also considered the level of dependence of occupants on the care services and whether a ‘significant’ element of care would be provided. The appellant provided a document detailing the operation of the development, comprising of owner-occupied tenure with a minimum of 2.5 hours care a week, emergency care available 24 hours a day and the provision of at least 1 meal a day. The apartments would be designed to enable care to take place and there would be nurses stations throughout the development.

The Inspector noted that 76% of units would be two bedroom and only one occupant may need care, calculating that in total this means 43% of total residents could not require care. The Inspector also considered that the minimum 2.5 hour care requirement could be met through health promotion or illness prevention advice, which would not constitute a ‘significant’ element of care or mean that residents are



dependent on such care. The Inspector emphasised the fact that the Use Classes Order defines care as ‘personal care’ although does not define what personal care is. However, in the Inspector’s view, there is no requirement for the residents to receive personal care, as the minimum package could be met through services the Inspector would not consider to be personal care.

In looking at the design of the proposed development, the Inspector identified that the majority of floorspace is self-contained flats whilst the majority of the remaining floorspace would not be for caring facilities but for social/sports activities such as the gym, pool, cinema and restaurant/bar. The Inspector identified that there would no ‘compunction’ for residents to use those facilities, which are therefore incidental and separate from the proposed principal use, stating that this is no different to other forms of housing with communal facilities. The requirement for staff to be able access flats in case of an emergency call was also considered a feature that other leasehold flats have in certain circumstances (i.e. allowing entry by the freeholder).

Finally, the Inspector determined that even if a significant level of care had been identified as being provided, Use Class C3(b) allows for up to six residents in a dwelling house where care is provided. The Inspector considered that such a scenario would apply to the extra care units, whilst Use Class C2 specifically excludes C3 dwellinghouses from its definition.

Taking into account all of the factors outlined above, the Inspector concluded that Use Class C3 would apply.

### ***Commentary***

The scheme considered within this appeal is comparable to the proposed development at the Former St. Christopher’s School, in that it would provide a similar provision of self-contained accommodation, associated social and wellbeing facilities and a minimum care package secured through S106 Agreement. In fact, the level of care to be provided is slightly higher at 2.5 hours and includes the requirement for at least one meal, which the proposed development considered here would not. The Inspector has considered both the design of the scheme - in terms of its functional relationship with the communal facilities – and the detail of the care provision and operation. The potential for the minimum care provision to be solely services which are not personal care – despite the lack of definition of personal care in the Use Classes Order – and the overall proportion of residents that would be required as a minimum to receive care, has been given weight by the Inspector in deciding the appropriate Use Class as C3.

### **4.2.3 Walton on Thames (Appeal ref: 3263347), decision issued June 2021**

#### ***Overview of case***

The proposed development in this appeal case was ‘Development comprising 222 units of care accommodation with associated communal facilities, landscaping, parking, accesses (vehicular and pedestrian), public realm, bicycle stores and sub-station following demolition of existing buildings’. The appeal was made against Elmbridge Borough Council against the refusal of consent.

In the case of this appeal, the Use Class of the development was not itself a matter of disagreement between the parties, in which the proposed development had been determined as Use Class C2. Instead, the main issues related to whether the type of care accommodation would represent efficient use of land in the context of a pressing unmet general housing need and whether it would undermine the viability and vitality of the town centre. However, in considering these main issues, the Inspector discusses the nature of the C2 use and makes points that are of relevance to this assessment.

The Inspector noted that the S106 for the development requires a minimum of 2.5 hours of personal care a week and that the ‘care’ element of some of the listed activities were debated, such as use of an on-site hairdresser or cleaner. However, the Inspector also noted that the S106 referred to ‘assistance’ throughout, whilst the conditional occupancy secured through the S106 (requiring an age limit, a qualifying person assessment and minimum care package) was considered sufficient to ensure the C2 use would not be ‘diluted’ to C3. On the matter of allowing spouses or partners of the qualifying person to continue to occupy a property on site once the qualifying person is deceased, the Inspector recognised that this would not in a strict sense comply with the terms of definition of a qualifying person. However, the Inspector also concluded this would not be a common occurrence such that it would tip the development to Use Class C3

and would be insensitive to expect such a resident to leave. The Inspector also identified that the remaining resident would be paying the management fee and would be likely to require care or assistance as they age.

In considering the nature of the C2 use, the Inspector gives weight to the particular model of care provision, at the core of which is the concept of providing increasing levels of care over time. Referring to the model as ‘sound and thought through’, the Inspector considered that extra care housing seeks to enable older persons, who already require care to a degree, to down-size to a home where their long-term care needs can be accommodated without the need for relocating to a nursing home. The Inspector identified that extra care as a model is the overwhelming direction of travel for the county and borough’s care provision. Having explored the nature of C2 use, the Inspector assessed the main issues of the appeal and ultimately allowed it.

### ***Commentary***

This case, whilst not specifically considering disagreement on proposed Use Class between appellant and LPA, provides a useful exploration of the ‘nature’ of extra care accommodation under an agreed Use Class of C2. The Inspector clearly differentiates the use as a particular model of institutional care in which it is expected that minimum care provision would increase for a resident over time. Therefore, the Inspector does not appear concerned that the 2.5 hours minimum care package may constitute ‘assistance’ more than it does personal care, in part because assistance is defined in the S106 Agreement and in part because the other conditions of occupation, such as an age limit and qualifying persons assessment, would in their view be sufficient to conclude C3 use. This case also offers a specific view from an Inspector on the matter of occupancy by a sole spouse/partner who does not require care, once the qualifying person is no longer present. Recognising the sympathetic intention of this policy, the Inspector relies on the rarity of this occurrence as preventing a ‘tipping point’ occurring into C3 use.

#### **4.2.4 Tunbridge Wells (Appeal ref: 3161379), decision issued June 2017**

### ***Overview of case***

The proposed development in this appeal case was ‘Erection of proposed C2 housing with care for the elderly’. The appeal was made against Tunbridge Wells Borough Council against the refusal of consent. Amongst several main issues considered, the appeal considered whether the proposal constitutes Use Class C2 or C3 and the implications on affordable housing provision.

In considering the issue of Use Class, the Inspector reiterated that it is a matter which is determined by the specific circumstances of each case. In relation to this proposal, the Inspector identified several characteristics of the proposed development which they concluded would classify it as Use Class C2.

These were:

- The requirement for an assessment prior to occupation to determine whether the resident would require at least 1.5 hours of care, and the contracting of this care by residents in order to occupy the property.
- The minimum age limit of occupants of 65 years old.
- The provision of on-call staff 24 hours a day, an alarm system in each unit and the provision of communal facilities for residents (albeit a small lounge area only).
- The requirement for service charges to be paid which exceed those which might reasonably be expected in non-institutional accommodation.
- The intention of the appellant to register with the care quality commission.

The Inspector considered that it would be unlikely that many potential residents would not be in need of, or anticipating a need soon, of regular care. The Inspector also considered that the terms of occupancy – i.e. the requirement for an assessed care need and minimum age – would reinforce a culture of care and support within the development. Finally, the Inspector noted that whilst the self-contained aspects of the units would create an ‘illusion’ of independent living, the reality would be a ‘tightly knit community unified by access to a dedicated enterprise of specialist care and security for the elderly’.

Ultimately on the matter of Use Class, the Inspector concluded that the above characteristics and scope to secure them through a planning condition would classify the development as Use Class C2. The appellant and the Council were in agreement that if found to be Use Class C2, no affordable housing was required in accordance with the development plan. The appeal was dismissed, due to heritage impacts.

### ***Commentary***

This appeal case demonstrates how secured occupancy requirements and the overall operation of a development has contributed to an Inspector's decision to classify an extra care development as Use Class C2. In particular, the Inspector has considered aspects of the development such as on-site staffing, payable service charges, communal facilities and regulatory oversight through the care quality commission as demonstrating a residential institution use. The Inspector also considered self-containment, concluding that irrespective of residents living in independent units, the actual operational experience would be one of a single unified enterprise.

#### **4.2.5 Aylesbury Vale (Appeal ref: 3181140), decision issued April 2018**

### ***Overview of case***

The proposed development in this appeal case was 'demolition of existing buildings and erection of 72 extra care units, ancillary community facilities including ancillary guest room, parking, landscaping and associated works'. The appeal was made against Aylesbury Vale District Council against the refusal of consent.

This appeal case specifically considers the matter of Use Class. Whilst the Council accepted the development to fall within Use Class C2, the appellant and the Council were not in agreement over the application of a housing policy in refusing consent and whether that policy referred equally to Use Class C2 and Use Class C3 development. In assessing this key issue, the Inspector considered the nature of the development and its operation, with points of relevance to other such extra care housing schemes.

The Council's position was that the extra care accommodation would provide independent living units due to having their own front door and being self-contained, therefore contributing households to the Housing Land Supply. Whilst the Inspector recognised that an 'impression' of independent living would be made through the self-containment of the units, the Inspector considered that the reality would be 'a community unified by access to a dedicated enterprise of specialist care for its elderly residents provided within a dedicated complex'. Therefore, the Inspector concluded that the extra care units would be 'habitably self-contained' but would not represent independent living, placing the use 'firmly' within Use Class C2.

The Inspector also gave weight to the completion of a Unilateral Undertaking to secure the occupation age limit of 55 years old and a requirement of care, which it was considered would ensure Use Class C2 occupation in perpetuity. In concluding that the development would be in C2 use, the Inspector determined that it would not contribute to Housing Land Supply and would not fall within the application of the Council's affordable housing policy. On the latter, the Inspector specifically considered that as the definition of Use Class C2 specifies it is 'other than a use within Class C3 (dwellinghouses)', a clear distinction is drawn between the residential institution use and that of general housing/residential development as cited in the Council's policy. Ultimately, the appeal was allowed.

### ***Commentary***

This appeal case illustrates how an Inspector has considered self-containment in drawing a clear distinction between Use Classes C2 and C3. Similar to the position provided in the Tunbridge Wells appeal above, the Inspector distinguishes between the physical fact of self-containment within individual units and the expected operational experience of a single communal living environment. Securing occupancy limitations through Unilateral Undertaking was also considered by the Inspector as ensuring a perpetual C2 use.

#### **4.3 Summary – key messages**

The appeal cases considered in this section demonstrate that there is not a consistent approach adopted by decision-makers in determining the appropriate Use Class for applications for extra care housing. Whilst nationally, the direction given through the PPG is that the LPA could have regard to 'the level of care and scale of communal facilities provided', the appeals highlight differences in how LPAs and Inspectors have assessed these aspects of proposals and the ultimate conclusions that have been drawn. Indeed, in some instances the Inspectors have themselves noted within their appeal decision that the Use Class of any one development will depend on the specific circumstances of that case. As such, it can be concluded that there is not a standard approach that BCC can apply to the Former St Christopher's case and a thorough and reasoned consideration of the specific circumstances of the proposed development is required.

In reviewing the approach taken in the appeals above, the following factors have commonly been considered by Inspectors, albeit the conclusions of their assessment may not be consistent:

- The nature of care being provided as a minimum, including: the proposed range of activities available; the extent to which it is 'personal care'; the method of care provision (in home / through communal facilities); regulatory oversight; and, the likelihood of increasing requirements for care over time.
- The self-containment of individual units both physically and as a 'lived' operational experience for residents.
- The extent to which occupancy is limited and how this is secured, including the age limit of occupants and subsequent likelihood of care needs.
- The provision of communal facilities and services and how it is expected that occupants will use or rely on such facilities, including the extent to which it is self-evident that such facilities would be used by someone choosing to live in extra care housing The overall intention of the extra care model as a form of housing for older persons.
- The extent to which there may be residents on site without a need for care (i.e. spouse of qualifying person).

# 5. Assessment of Use Class

## 5.1 Methodology

It has been established through the preceding sections of this report that determining the appropriate Use Class for a development such as that proposed at the Former St. Christopher’s School is complex. It is therefore considered important that such an assessment is based on a structured and reasoned methodology which seeks to assess a range of factors relevant to the proposals and which provide a holistic understanding of the development; both in its physical form and its operational function. In line with the PPG, this assessment will consider the level of care and scale of communal facilities provided in the proposed development. It will also explore the overall nature of the residential use. This assessment will draw on the legal opinions obtained by both the applicant and BCC, as well as the common factors for consideration identified through review of relevant planning appeals in Section 4.

This assessment will consider the proposed development in relation to three key questions:

1. What is the extent of care being provided?
2. What is the nature of non-residential uses within the development?
3. What is the nature of the residential use and occupation?

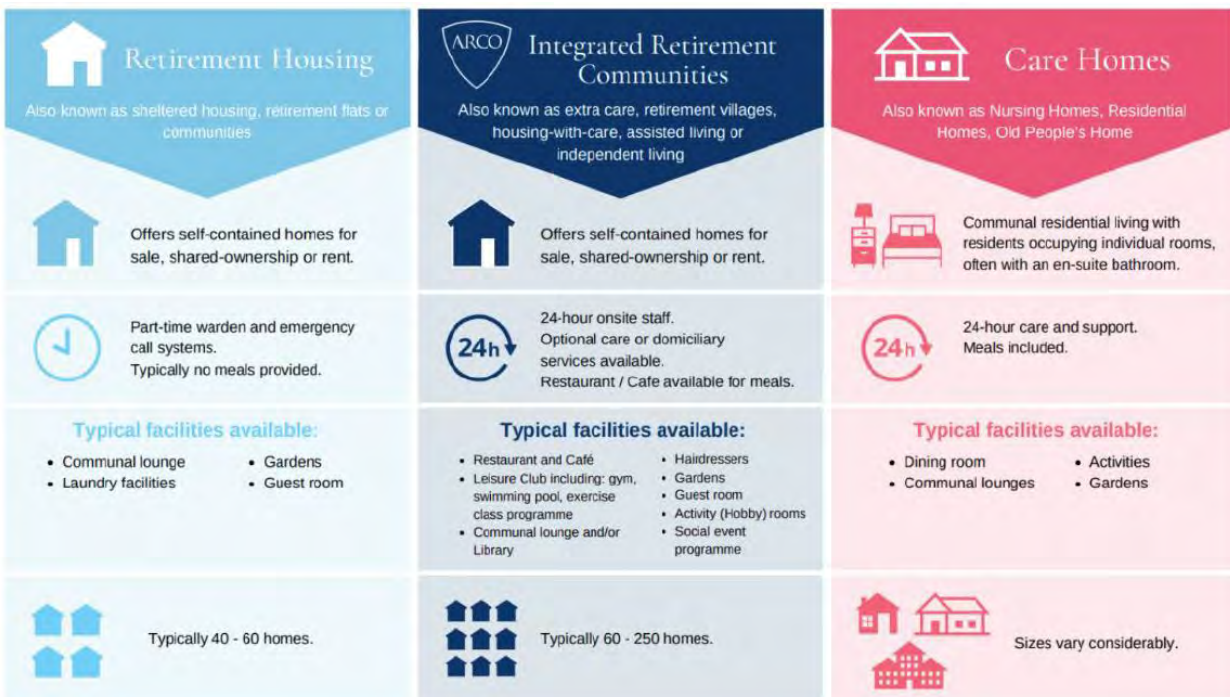
## 5.2 What is the extent of care being provided?

### 5.2.1 Analysis of planning application

#### Model of care provision

The Planning Statement and the draft Heads of Terms (HoT) submitted with the planning application detail the proposed model of care provision within the proposed development. The Planning Statement sets out in paragraphs 4.3 to 4.5 the general model of an Integrated Retirement Community (IRC) as proposed through the application, differentiating this to retirement housing and care homes. It identifies the IRC model (also known as extra care, housing-with-care, retirement villages or independent living) as providing more services and care than retirement housing, and less than a care home as depicted in Figure 2 below:

Figure 2 Extract image from Planning Statement





The Planning Statement refers to care within the IRC model as being optional, with the offer of personal care and other domestic services to be provided if and when needed. It seeks to offer a home for life to ‘age in place’.

The draft HoT sets out the specific model of care to be implemented within the proposed development. It refers to the model as ‘*an in-home privately funded care model which has the on-site oversight and engagement of a fully qualified Care Team and Support Personnel. There will be a 24-hour presence on site with trained care and support staff, monitored care buzzers and security cameras covering communal areas.*’

The draft HoT, which is offered to form part of a S106 Agreement, specifically states that its purpose is to ensure that the land use can be classified as Use Class C2 and remain so in perpetuity. It therefore seeks to secure occupation restrictions including an age limit, needs based occupancy and receipt of a minimum care package.

### ***Occupation restrictions***

The draft HoT state that the proposed development would be age restricted, with a minimum age of 65 for lead residents. The applicant states that it is anticipated that the average age of residents at entry would be late 70’s and on a ‘needs basis’. The occupation of the development would also be dependent on all residents receiving a minimum care package of ‘at least 2 hours support per week in the form of care services’. The need for this care package would be determined through a Qualifying Persons Assessment which would be undertaken for prospective residents by a suitably qualified person. This would confirm that the prospective resident is a Qualifying Person and confirm the care and assistance required to meet the minimum care package. The draft HoT also states that reassessment would take place ‘periodically’ post-occupation to ensure the care and assistance remains as required to meet their needs.

The draft HoT allows for a cohabitee, spouse or dependent of a Qualifying Person to remain living in the development following the death of the Qualifying Person, irrespective of their age. As such, the draft HoT is clear that the age limit of 65 does not exclusively mean that all residents would be 65 or above; there may be residents who are younger and occupy the property by virtue of their relationship with a Qualifying Person.

### ***Nature of care under the minimum care package***

The draft HoT sets out the types of personal care and support activities that may comprise the minimum care package of 2 hours a week. This includes some activities that would involve close personal contact, including:

- Assistance with bodily functions such as feeding, bathing and toileting
- Assistance with eating
- Assistance with grooming and personal hygiene
- Healthcare services such as blood pressure checks
- Help with incontinence care

However, a larger proportion of the care and assistance activities listed in the draft HoT are of a broader support and advisory model, including:

- Helping a person to manage their personal circumstances;
- Provision of medication reminders;
- Assistance with morning/wake up and evening bedtime preparation
- Time spent with the Care Team and Support Personnel to:
  - ensure the provision of housekeeping, property, maintenance and management of personal affairs
  - manage and arrange the delivery of prescriptions and food
  - organise and discuss the provision of care services
  - plan and agree domestic assistance to be undertaken by the Care Team and Support Personnel which includes the delivery of services such as cleaning, laundry, and assistance with personal affairs

Furthermore, the HoT also sets out separately that delivery of the minimum care package may include the provision or use of services within the development, such as:

- The provision of 24 hours a day/7 days a week emergency response system provided by a CQC registered provider;
- A Qualifying Persons Assessment at planned intervals;
- Access to the Care Team and Support Personnel who deliver the Minimum Care Package and to provide advice, encouragement and supervision of care activities;
- On-site services such as security and manned reception services; property and garden maintenance; transportation co-ordination/escort services; on-site activities and events team; on-site bistro; wellness facilities; support personnel.

The draft HoT therefore sets out that the type of ‘care’ provided under the minimum care package may vary significantly dependent on the needs of the occupier, ranging from the use of on-site communal services/staff to close contact care.

The pre-application enquiry made the Applicant also refers in paragraph 3.6 to the ability of residents to use their existing care provider. This has been clarified with the applicant, who has stated that whilst the minimum care package would be offered by the development operator, to allow for personal choice, the Qualifying Person could instead obtain some of the care and support activities from a third party care provider.

### 5.2.2 Assessment

It is clear in reviewing the application for the proposed development that an occupation restriction would be secured via S106 Agreement in which both a minimum age limit and an assessed need for care must be met. Based on the approach taken by some Inspectors, this operational aspect of the proposed development would fundamentally support a definition of Use Class C2 and would secure it as such in perpetuity. The Rectory Homes judgement also provides weight to the S106 Agreement mechanism as ensuring that all dwellings are occupied by someone who has been assessed as needing care and is therefore a C2 use. In the legal opinion obtained by the applicant, the provision of a minimum care package based on an assessed need is sufficient to meet the definition of care within Use Classes Order and support a Use Class C2 categorisation.

The draft HoT should however also be examined in relation to the specific nature of the care to be provided under the minimum care package, taking into account the approach of the Inspector in the Westminster appeal and the legal opinion obtained by BCC. As stated in Section 3.1, the Use Classes Order defines ‘care’ under Use Class C2 as: “*personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment*”. The range of services cited in the HoT as meeting the minimum care package requirement indicates that at point of entry, a prospective resident could qualify for occupation based on a minimum package with no or few activities that may traditionally be thought of as ‘personal care’. Whilst personal care is not defined, the majority of activities and services listed in the draft HoT do not involve close or physical contact as may be expected by personal care and appears to include passive access to services as a form of delivery of the package, many of which would be located outside of the home. For example, the draft HoT states that the minimum care package may be delivered through the provision or use of a 24/7 emergency response system, or access to on-site services. On this basis, the minimum 2 hours is met simply by the presence of such facilities on site, whether used or not. Some of these services may also not constitute a need ‘by reason of old age’ as they are services which are similar to those offered in general residential housing with concierge and communal facilities, such as a manned reception/security service, property maintenance and on-site wellness facilities.

On the basis that residents must be at least 65, it is perhaps reasonable to expect that even if a qualifying resident has at point of entry, a minimum care package with no or very limited element of personal care, their needs will increase over time and their package will expand to include close contact or personal care services. Indeed, whilst the PPG states in its definition of extra care housing that it provides a ‘medium to high’ level of care, it also recognises that ‘the intention is for residents to benefit from varying levels of care as time progresses’. It is in this context that the overall model of extra care housing has been considered by some Inspectors and which may be important to consider in this case. As stated in the Planning Statement, the intention of the IRC model is to enable residents to ‘age in place’. It is also the experience of the applicant that most residents will be in their late 70s at time of entry, placing a greater likelihood on the need for a more comprehensive package of care. Therefore, whilst the draft HoT sets out a possibility for a minimum care package to be quite light touch, or passive, in terms of provision, the reality of this occurrence

may be considered unlikely, particularly in the long-term as ‘younger’ qualifying residents age. To require, at point of entry, that a resident has a significant care need, may undermine the point and purpose of the IRC model, which bridges the gap between relatively unsupported retirement housing and the high-dependency model of care and nursing homes.

Finally, consideration may be given to the proportion of residents who would not be in receipt of care from the operator. The applicant has confirmed that residents may choose to receive their care package from an external care provider, which may be seen to undermine the ‘institutional’ aspect of a C2 Use, given that a resident in general C3 Use housing may also contract care. Given that a non-qualifying dependent or spouse can live on the site with a qualifying person, there is the potential that up to half of residents would not have a care need (if for example, all units were a two-person household with only one qualifying person). If a number of cohabiters stayed on site following their death of their qualifying person, this could theoretically tip into a scenario in which a majority of those on site do not fulfil the occupation restrictions, or do not contract care from the institution itself (although they may use other on-site facilities). At such a point, it may be questionable as to what extent the development can be categorised as Use Class C2. However, it is considered that determining a Use Class based on such scenario-testing may not be reasonable or realistic, particularly without evidence to suggest this has occurred in similar developments.

### 5.2.3 Conclusion

It is considered that this issue – the level and nature of care to be provided – is finely balanced in determining the appropriate Use Class for the proposed development. On the basis of some decisions reviewed in this report, the simple existence of a S106 Agreement to secure occupation restrictions and a minimum care package would be sufficient to strongly support a C2 Use Class. However, there are elements of the minimum care package that are ambiguous in terms of meeting the ‘personal care’ referred to in the Use Classes Order, comprising of services which may be found in other forms of managed accommodation generally determined as Use Class C3, whilst there could be a substantial proportion of residents occupying the site who do need care and who do not meet minimum occupancy requirements. It is a possible, though unlikely, scenario that this could constitute a majority of residents in some circumstances, which would clearly undermine a C2 classification.

On balance, it is considered that it is important to keep in mind the intention of this model of older persons’ care provision and the recognition in the PPG that extra care housing will involve varying levels of care over time. The flexibility of the minimum care package at point of entry, and the ability for this to be added to in the future to respond to increasing needs of an occupant, is critical to the model of extra care housing. It is considered reasonable to expect that even if the assessed care need at point of entry is minimal, this would increase over time in line with the concept of the IRC model that residents can ‘age in place’. It is also important to recognise that the level of care can increase over time to include services that would clearly constitute personal care such as feeding, bathing and toileting, as referred to in the Use Classes Order. It is therefore concluded that the nature of care provision and its status as a condition of occupation, would fall in favour of determining the proposed development as Use Class C2 more than it would Use Class C3.

## 5.3 What is the nature of non-residential uses within the development?

### 5.3.1 Analysis of planning application

In addition to residential accommodation, the proposed development would include a range of facilities for use by both residents and in some instances, the general public. The primary location of these communal facilities would be in Grade II Listed Grace House, in which a ‘community hub’ would provide ‘wellbeing’ facilities such as a hydro pool, exercise studio/gym, nutritionist and treatment room and ‘belonging’ facilities to including; café / bistro, cinema/activities room, art room and workshop. Additionally, an urban village hall would be located in North House and a mix of communal, private and semi-private gardens would be located throughout the site. To the north of the site would be ancillary/plant buildings.

The applicant has provided the Gross Internal Area (GIA) Schedule of all buildings in the proposed development<sup>2</sup>. The GIA of the communal/ancillary buildings would be:

- Grace House ‘community hub’: 940.9 m<sup>2</sup>
- North House ‘urban village hall’: 136.5 m<sup>2</sup>
- Plant: 291.5 m<sup>2</sup>

In total this comprises of 1,368.9 m<sup>2</sup> of non-residential internal uses within the development. The total GIA of all buildings – residential and non-residential – on the site would be 16, 255.8 m<sup>2</sup>. As such, communal or ancillary uses represents ca. 8.5% of the total GIA of the proposed development.

### 5.3.2 Assessment

The PPG provides guidance on defining forms of specialist housing for older people, which states that extra care housing is often characterised by ‘extensive communal areas, such as space to socialise or a wellbeing centre’. The legal opinion obtained by BCC advises that in determining Use Class for extra care housing, the extent to which normal living activities would occur outside the self-contained home should be understood, including the size of the communal facilities comparative to private living space. The legal opinion obtained by the applicant takes a slightly different view, which seeks to assess the extent to which the communal or centralised care and service facilities would be integrated into the development to represent a single institutional setting. The Inspector for the Westminster appeal discussed in Section 4 of this Report provided comment on the level of ‘compunction’ of residents to use such facilities and the level of care they provide, questioning the extent to which such spaces would support the case for Use Class C2 in comparison to types of Use Class C3 housing which have communal facilities (e.g. apartment complexes).

From the information provided by the applicant, clearly the communal facilities of the development constitute a relatively low proportion of total GIA, at 8.5%. As such, it is clear that in terms of floorspace, the primary use of the site would be as residential accommodation.

In relation to the types of communal uses proposed within Grace House and North House, it cannot be said that they would be providing a significant element of care. The facilities are largely centred around social and wellbeing uses which do not specifically cater for older persons in need of care. Indeed, it is proposed that some of these facilities would be open to the general public, such as the deli/café, bar and communal gardens, with the option for local groups to use facilities such as the hydro pool. Whilst it is recognised that some of the facilities may be used as part of delivering the care package (such as the hydro pool, exercise areas, activities/arts rooms), it is considered that the main function of the communal areas in the proposed development would not be for care.

Understanding the nature of the communal facilities is not just related to the type of use but also how they are used by residents and the extent to which their use would represent a single institutional setting. The main communal building, Grace House, would be located in the centre of the development as set out in the Masterplan, intended to create a ‘village square’ feel to the area around it. North House in contrast is located in the south-east corner of the site and would be less readily accessible to the residents living on the west of the site. The range of facilities and services proposed in Grace House suggest that it would be a facility that many residents would seek to use, reinforced by its central location within the development. By locating the reception, site management and care/support staff within the same building, it is considered likely that Grace House would operate as the main ‘hub’ of the development. In doing so, it might be argued to create a sense of a singular institutional setting and a focal point aligned with the ‘village square’ concept in the Masterplan. North House in providing a village hall would also potentially reinforce a sense of community amongst residents in terms of operation, if not physical location.

Despite the above, it is also considered that it is entirely possible that a resident of the site could live almost or entirely independently of the communal facilities, with little compelling need to use its facilities. As such, it could not be argued that significant amounts of care or of living would occur communally within the proposed development by default; rather, this would be based on the individual preference and needs of

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<sup>2</sup> Please see Gross Internal Area (GIA) Schedule enclosed with this Report.

residents. Given the fees payable to live in a complex with additional facilities, it may however be doubtful that a resident choosing to live in an extra care facility would subsequently choose not to use any of them.

### 5.3.3 Conclusion

It is concluded that the communal facilities provided in the development would not constitute delivery of a significant level of care and that residents would not be reliant on the communal areas for their day-to-day living. On a pure floorspace basis, the communal uses would not represent a significant proportion of the site. In that sense, the communal facilities could be argued to be functionally separate from the residential accommodation on the site and represent little difference to that provided in some forms of residential complex under Use Class C3. However, taking into account the location of Grace House central to the site and the range of facilities it would provide – including the offices of management and care staff at the development – it is considered likely that it would be viewed by residents as a ‘community hub’ of the site and would support a case that operationally, the site would be a single institutional setting. This is reflected in the Rectory Homes judgement, in which a broad definition of institution is applied as including an ‘organisation’ which manages a whole development to ensure the needs of residential occupants for care are delivered. Whilst it is recognised that some residents may choose not to use communal facilities, as noted in the section 5.2, in some instances their use may form part of the minimum care package for qualifying residents.

The matter of non-residential uses is therefore also very finely balanced in determining the appropriate Use Class for the proposed development. Taken at face value, the type and amount of non-residential space does not strongly differentiate the development from Use Class C3 housing schemes with communal facilities such as gyms, pools, gardens and management/security. However, it is considered that the range of facilities proposed and their location within a central hub of the development, would in operation act to create a sense of a community and a single functional unit for its residents, supporting the institutional element of a Use Class C2 categorisation.

## 5.4 What is the nature of the residential use and occupation?

### 5.4.1 Analysis of planning application

In total, the proposed development would provide 122 residential units, comprising of 11 no. 1-bedroom units and 111 no. 2-bedroom units. In total, 97 of the units would be new build dwellings whilst 25 would be delivered through the conversion of the existing lodges on the site.

All of the units would be entirely self-contained to include living, kitchen and bathroom facilities. The applicant has provided information to confirm that 20% of the units would be built to M4(3) Building Regulations which are wheelchair user dwellings, whilst all of the units would be designed to Lifetime Homes Standards.

In terms of floorspace, the GIA of all of the properties would range from a minimum of 66.5sqm to a maximum of 111.3sqm (Block H Cottages and Lodge Block 05-CL respectively, as noted in Appendix A). A total of 78 or 63% of the properties would have private amenity space via a balcony or terrace. It is understood that the units would be purchased on a leasehold basis.

### 5.4.2 Assessment

It is clear through the Use Classes Order that both Use Class C2 and Use Class C3 constitute a form of residential accommodation. It is also established through the Rectory Homes judgement that residential units under both Use Classes can constitute individual dwellings. As such, the key factor in assessing whether the proposed development is a C2 or C3 use is consideration of the nature of the residential living; the extent to which each unit would represent an individual household that functions independently of the wider development. There are two aspects to this, the physical features of the residential units and the way in which, operationally, the living environment is integrated into the wider development.

#### *Physical factors*

Physically, each residential unit would be entirely self-contained. Reference to the ‘front door test’ is made in several of the appeal decisions and the legal opinion reviewed in this report, in which the presence of a



front door and fully self-contained residential unit within an extra care housing scheme may be considered to be an indicator of Use Class C3. A majority of the residential units would have private amenity space, reducing reliance on the wider site for access to outdoor space. There is nothing to firmly evidence that residents would be physically reliant on other parts of the development outside of their home in order to go about their day-to-day living. On this basis, the units would appear no different to a general housing unit under Use Class C3. However, there are some factors which may be viewed to differentiate the residential use. Every unit would have an alarm system installed in order to notify on-site staff of an immediate/emergency need, whilst the design of every unit to a Lifetime Homes standards illustrates that the properties would be equipped to be adapted to the needs of care over time, at which point the resident may live less independently.

### ***Operational factors***

It is noted in both obtained legal opinions that self-containment in itself is not determinative of a C3 use because there must be a broader consideration of how residents are situated within a wider institutional setting. In the case of Aylesbury Vale and Tunbridge Wells appeals, the Inspectors referred to the self-containment of residential units as creating an ‘impression’ or ‘illusion’ of independent living whereas in reality, residents would be in a communal living environment dedicated to specialist care of older persons.

Due to the occupancy restrictions secured via S106 agreement, every unit in the proposed development would be occupied by a Qualifying Person in receipt of some level of care (except in circumstances of sole occupancy by a cohabitee/spouse after their death). All residents would have access to the communal facilities on the site. In both instances, it is recognised – as highlighted in the preceding sections - that it is not guaranteed that residents will use the care provision or the facilities provided by the site operator. In such instances, the living experience of the resident may be operationally independent from the wider site and could be reasonably considered Use Class C3b (a dwelling in which care is provided for residents).

### **5.4.3 Conclusion**

Every residential unit within the proposed development would be a self-contained dwelling and over half of units would have their own private amenity space. There is little doubt that it is physically possible for a resident to lead an almost entirely independent life from the wider site and this does therefore strongly indicate Use Class C3. However, the likelihood of a resident living so independently must be considered in the context of the overall model of extra care housing, including the occupation restrictions and an assessed care need.

Physical features of the units are clearly designed to enable and support independent living of older persons and facilitate increasing needs over time. All units would be built to a Lifetime Homes standard to enable adaptation over time, whilst 20% of units would be wheelchair accessible. An emergency call system in all homes would provide a constant link between residents and site management. As the care package of a resident may increase over time, it is likely that they would live less independently despite being in a self-contained unit – just as is often experienced through external care provided at home under Use Class C3(b). It is therefore difficult to distinguish between a C3 and C2 Use in this respect, particularly given that some residents of the proposed development may choose to receive their care from an external provider and not the on-site operator. The Rectory Homes judgement concludes that it is the assessed need of care which is the key differentiator between the Use Classes, in which case the occupation restrictions through the S106 Agreement are determinative rather than the self-containment of units.

## **5.5 Conclusion**

This section has sought to carry out a detailed and thorough assessment of the proposed development in order to determine its Use Class. It has given specific consideration to the nature and extent of care provision, non-residential uses and residential uses within the development, in order to gain a holistic understanding of how it would operate and function, as well as how residents would perceive and experience it.

The argument for categorising the proposed development as either Use Class C3 or Use Class C2 is considered very finely balanced. There are reasonable arguments for each position which can be supported within the context of national policy, legal opinion and recent appeal decisions. However, it is concluded on balance that the most appropriate Use Class for the proposed development would be Use Class C2

Residential Institutions. This conclusion is reached on the basis of two fundamental aspects of the proposed development which it is considered represent the strongest argument of differentiation from a C3 Use.

First, it is considered that the occupation restrictions secured through the S106 Agreement are strongly indicative of a residential institution as described in the Use Classes Order, in which personal care is provided to meet a need by reason of old age or disablement. It is recognised that the type of care provided as part of a minimum care package could be variable based on what the applicant describes in the draft HoT, such that at the lesser end of the scale the services or facilities provided may not constitute personal care at all. This therefore brings into doubt the ‘care’ aspect of a Use Class C2 classification. However, it is concluded that the intent and purpose of an extra care housing model must be given due consideration within this assessment, in which a minimal level of care at point of entry is expected to increase over time. This integral aspect of the extra care model is reflected in the PPG and is key to accommodating older persons long-term and bridging a gap between sheltered housing and nursing homes.

The second key factor in favour of a C2 classification is the extent to which it would operate as a single unit to create a communal and institutional setting for residents. It is recognised that physically, there are aspects of the proposed development which are no different from some forms of Use Class C3 development, in which there are communal facilities and residential management or security. To some extent, these may often even be more exclusive and with less public access than proposed in this development. It is also recognised that the individual dwellings would be self-contained and that there is potential for a resident to live entirely independently of the wider site. However, a realistic appraisal of how prospective residents would perceive and use the site has concluded that it would feel and operate as a singular operation seeking to provide facilities and services for older persons, to a varying extent constituting ‘care’. The provision of a wide range of social, health and wellbeing facilities – as well as site management and security – within the central Grace House ‘community hub’ is considered indicative of an institutional setting that is likely to be used regularly by residents and may be the site of delivery of some of their minimum care package (such as the wellbeing and belonging facilities). Whilst it is recognised that some residents – particularly those who are younger or have a lesser care need – may not use communal facilities or even contract care from the operator, it can be reasonably expected that this may change over time, with the on-site provision of services and facilities more important as a resident ages and their care needs increase. It is again considered that the intention of the extra care model should be taken into account, which does seek to enable older persons to retain independence for as long as they can, whilst also providing some elements of care and institutional support.

In summary, it is considered that BCC should determine the proposed development under Use Class C2. Whilst it is recognised that there are aspects of the development which could reasonably be argued to constitute a C3 classification, overall it is considered to be a finely balanced judgement which reflects the complexity of this issue at a national level and the inconsistency of decision-makers to date.

## 6. Summary

Arup has been commissioned by BCC to undertake an assessment relating to the Use Class of the proposed development of a retirement community at the Former St. Christopher's School on Westbury Park in Bristol, under planning application reference 22/01221/F. BCC wishes to form a view as to whether the application should be determined as falling within Use Class C2 Residential Institutions or Use Class C3 Dwellinghouses of the Use Classes Order, such that the appropriate CIL charge and policies of the Development Plan can be applied.

This report has reviewed national and local planning policy; case law and legal opinion; and relevant appeal decisions in order to provide context and inform the methodology of the assessment. A thorough assessment of the application has been undertaken, in which key determining factors of Use Class have been reviewed, namely the nature and extent of its proposed care provision, non-residential uses and residential use.

This report has concluded that, on balance, the proposed development is best categorised as Use Class C2 Residential Institutions. It is therefore recommended that BCC determines the application on that basis. It should however be recognised that this assessment has found the case for either Use Class to be finely balanced, reflecting the complexity of this issue as experienced by other LPAs and decision-makers. It should also be recognised that, as reflected in national guidance of the PPG, it is the responsibility of an LPA to determine the Use Class of specialist older persons housing and the outcome of any such case may vary depending on the specific circumstances. The conclusions of this assessment for this particular development should therefore not be assumed as informing the determination of other proposals for specialist older persons housing in Bristol.

Having concluded that the proposed development would fall within Use Class C2, CIL is not liable. Ordinarily there would be no need to impose any specific planning controls since any change of use would be limited to another use falling within Use Class C2 or the limited permitted development rights granted. However, given the ambiguity around the Use Class it is considered to be reasonable for BCC to use planning controls to ensure that the proposed development operates as a use falling within Use Class C2 and the stated intention of the proposed development providing an integrated retirement community.

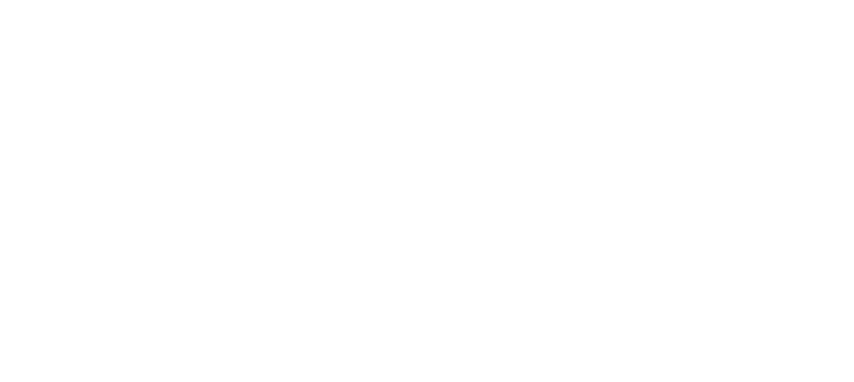
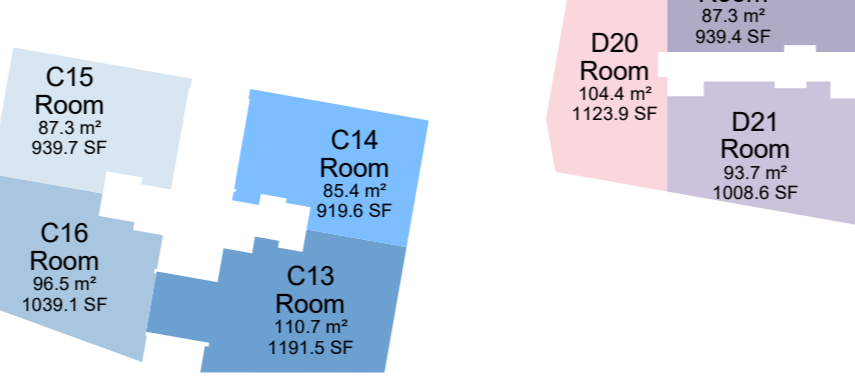
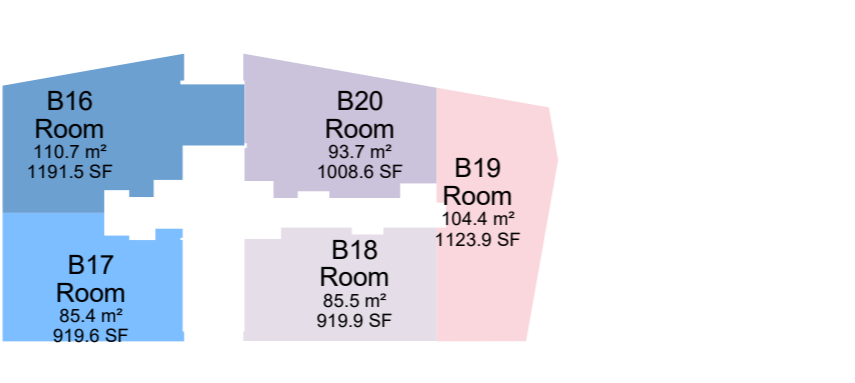
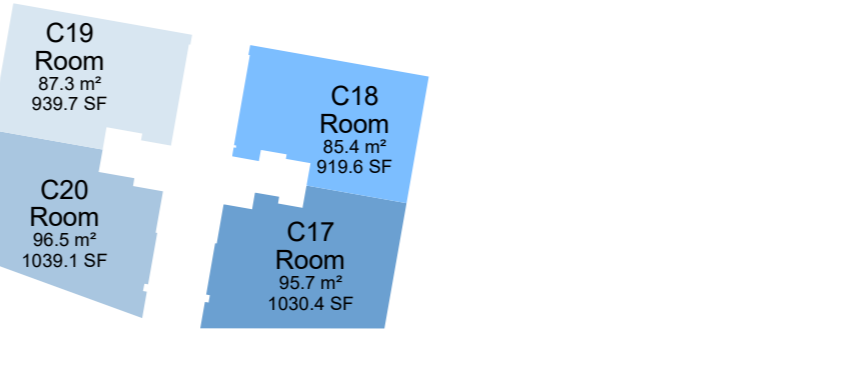
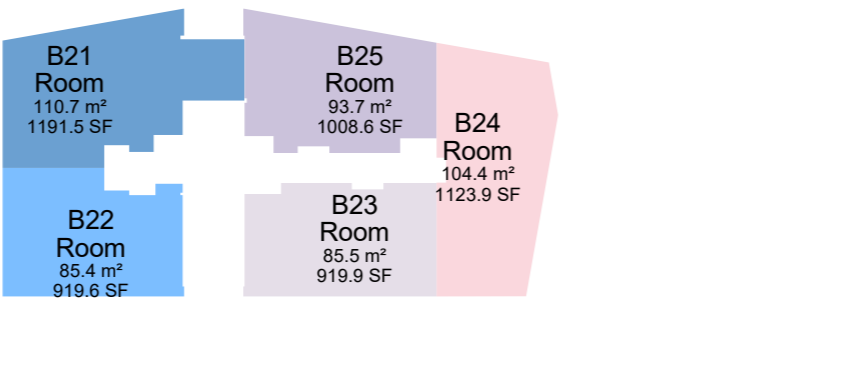
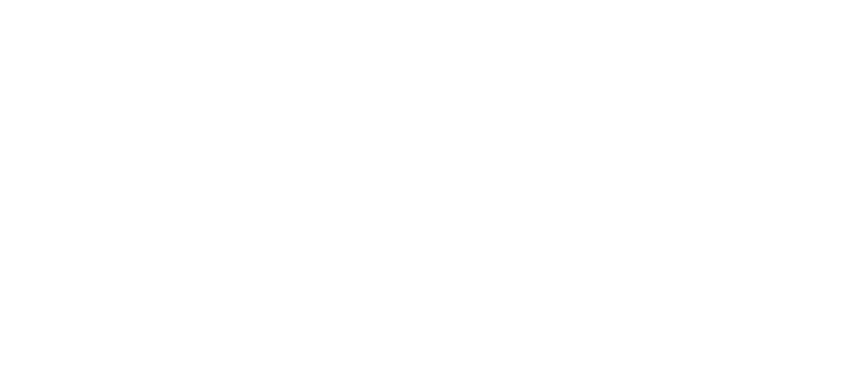
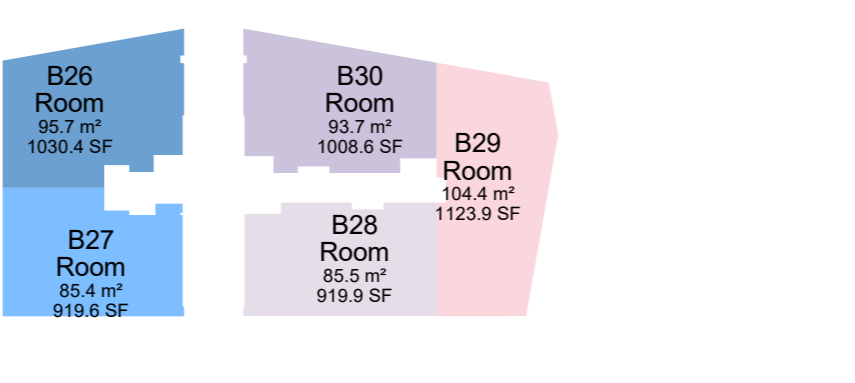
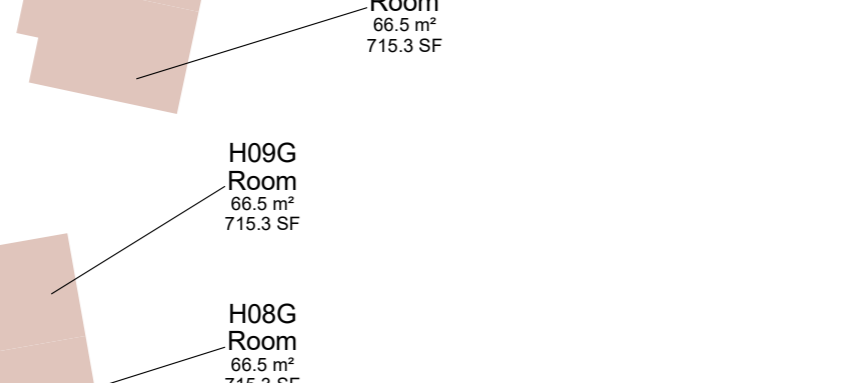
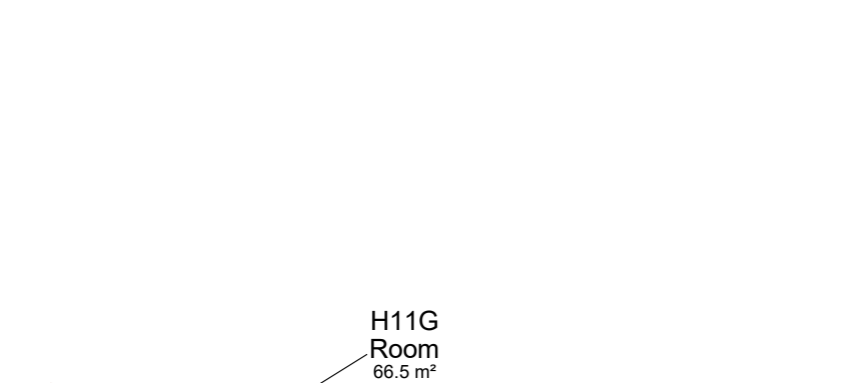
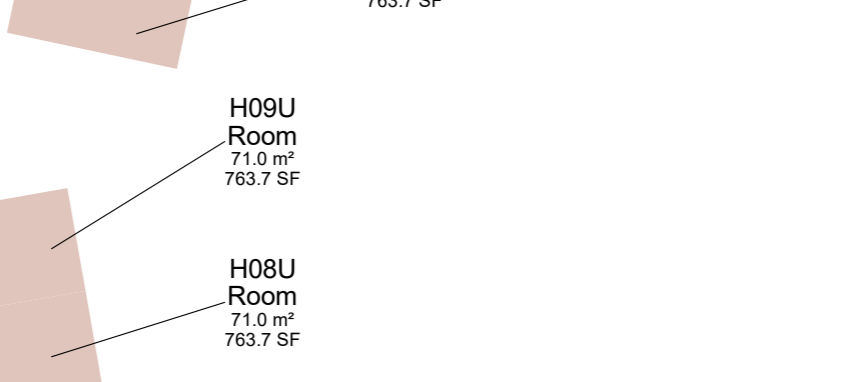
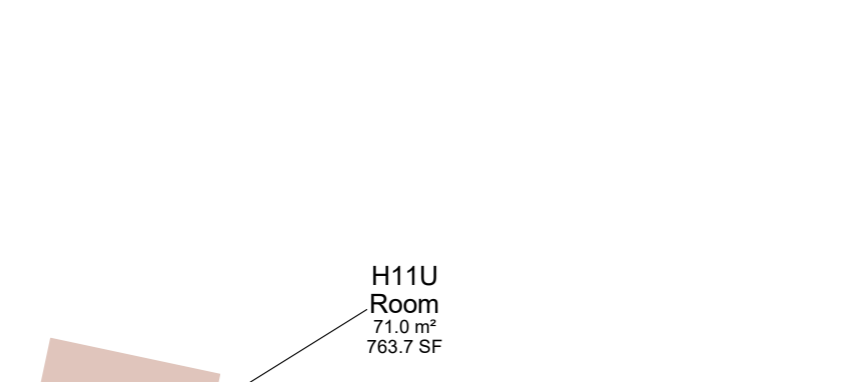
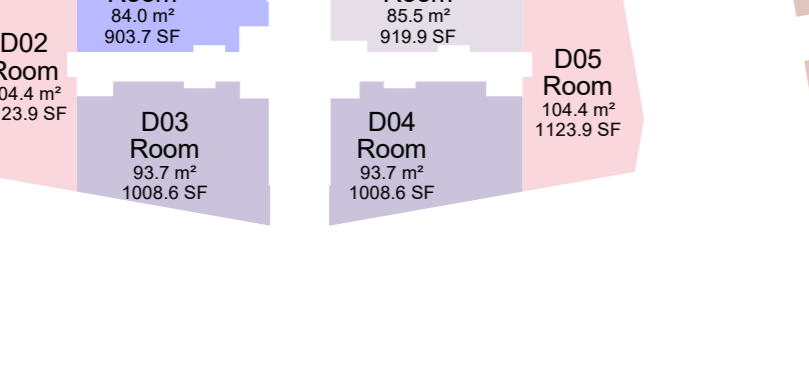
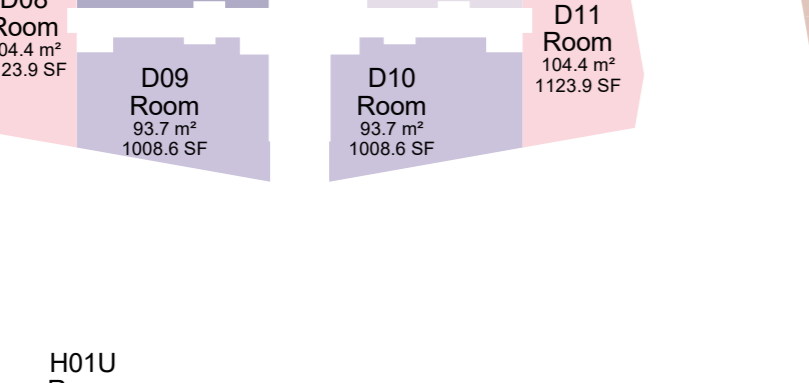
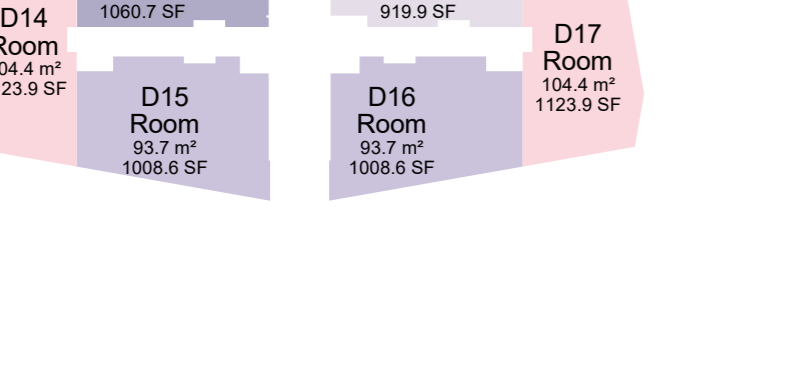
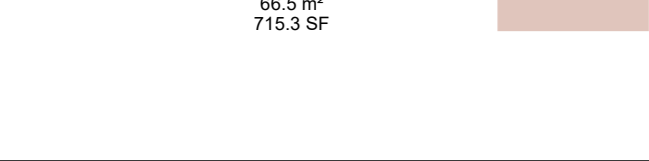
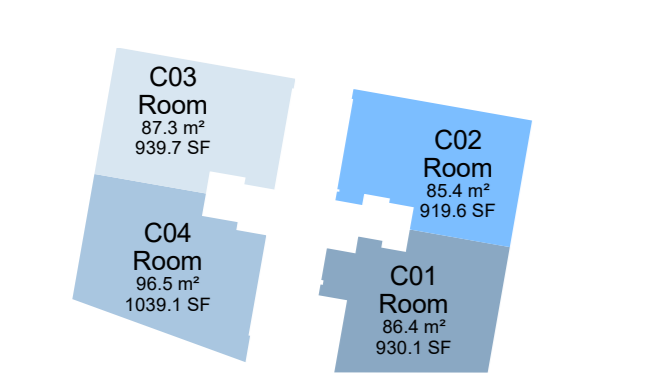
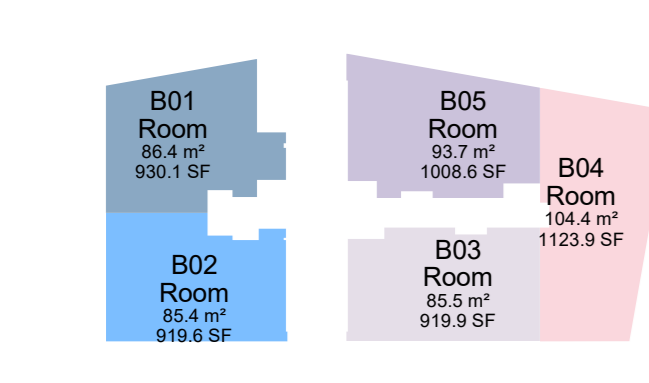
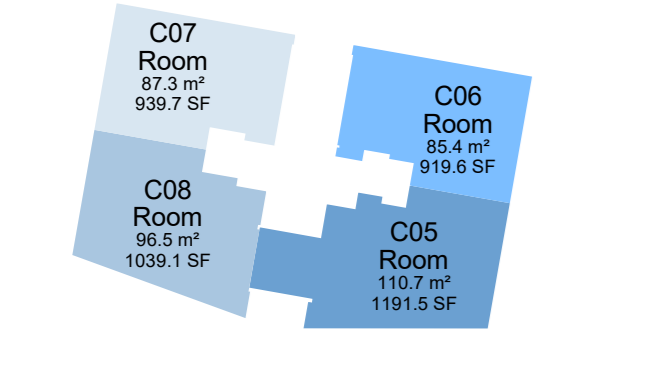
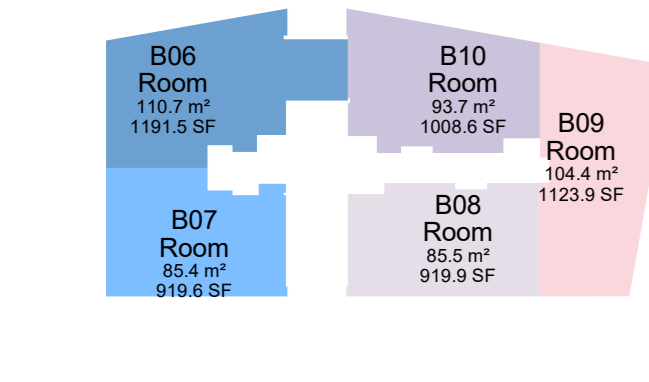
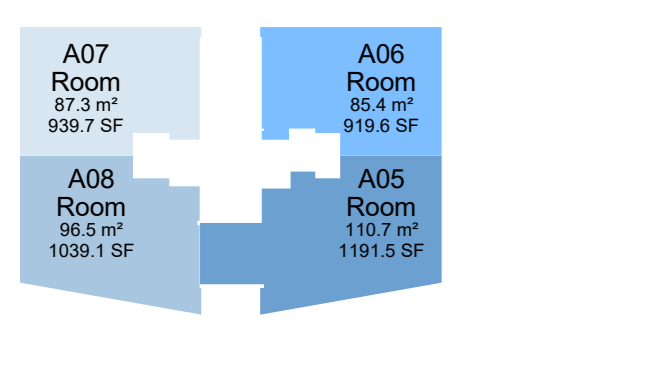
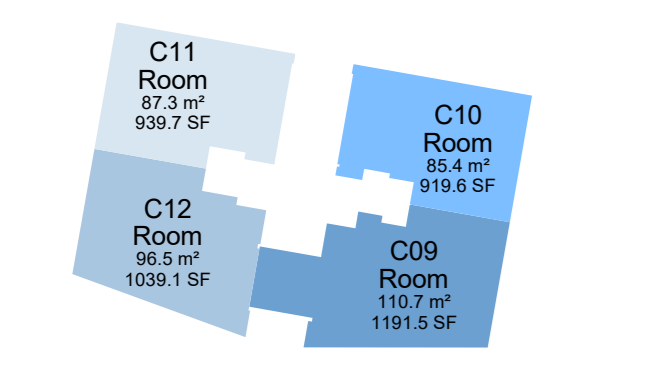
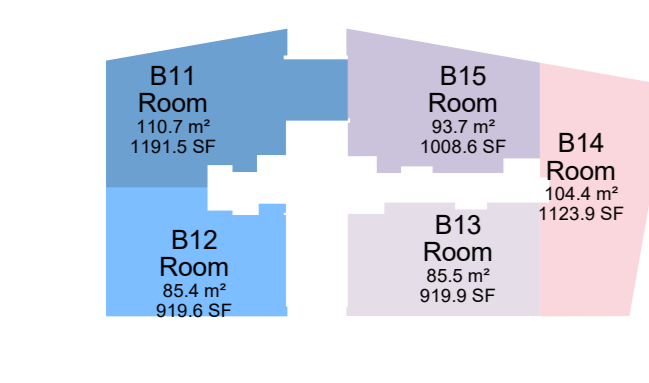
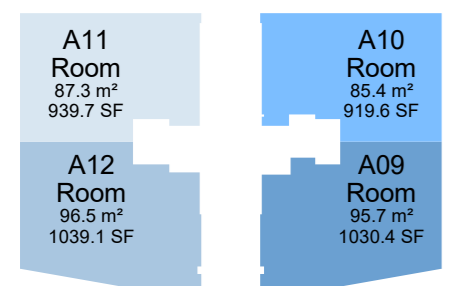
As discussions regarding the S106 obligation should progress, the provisions relevant to the definition of the use and its classification as a use falling within Use Class C2 would be:

- Restriction on the use of the property as extra care housing for older people providing accommodation, services and facilities;
- Age restriction on occupancy – minimum age of 65 years for lead residents;
- Needs Based Occupancy - Requirement for a health assessment (a ‘Qualifying Persons Assessment’) prior to occupation to determine level and type of personal care and periodic reviews post-occupation by a CQC-registered provider;
- Minimum Care Package comprising a minimum of 2 hours a week of care services, with any personal care delivered under the provision of a formally assessed care plan approved by the Clinical Manager
- Provision of a range of communal facilities to be made available to residents throughout their occupation of the development;
- On-site Transport Service: provision of a car club, valet parking services to aid on-site parking and a shuttle service, including a service suitable for disabled residents.

These controls, viewed in light of the analysis and the assessment of the proposed development, would ensure that use of the extra care units and associated facilities would comprise a use falling within Use Class C2.

**Appendix A – Communal and Residential Area Schedules Provided by Applicant**





Rm. No.	Type	Group	Level	Area m²	Area ft²	No.	Block	Aspect	Amenity	Orientation
A01	T04(G)	T03	Level 0	86.4	930.1	1	A	Dual Aspect	Terrace	
A02	T17	T17	Level 0	85.4	919.6	1	A	Dual Aspect	Terrace	
A03	T01	T01	Level 0	87.3	939.7	1	A	Dual Aspect	Terrace	
A04	T02	T02	Level 0	96.5	1039.1	1	A	Dual Aspect	Terrace	
A05	T03	T03	Level 1	110.7	1191.5	1	A	Dual Aspect	Balcony	SE/NE
A06	T17	T17	Level 1	85.4	919.6	1	A	Dual Aspect	Balcony	NW/NE
A07	T01	T01	Level 1	87.3	939.7	1	A	Dual Aspect	Balcony	NW/SW
A08	T02	T02	Level 1	96.5	1039.1	1	A	Dual Aspect	Balcony	SW/SE
A09	T07(R)	T03	Level 2	95.7	1030.4	1	A	Dual Aspect	Terrace	
A10	T18(R)	T17	Level 2	85.4	919.6	1	A	Dual Aspect	Juliette	
A11	T05(R)	T01	Level 2	87.3	939.7	1	A	Dual Aspect	Juliette	
A12	T06(R)	T01	Level 2	96.5	1039.1	1	A	Dual Aspect	Juliette	
				1100.7	11847.3	12				

B01	T04(G)	T03	Level 0	86.4	930.1	1	B	Dual Aspect	Terrace	
B02	T17	T17	Level 0	85.4	919.6	1	B	Dual Aspect	Terrace	
B03	T08	T08	Level 0	85.5	919.9	1	B	Single Aspect	Terrace	
B04	T15	T15	Level 0	104.4	1123.9	1	B	Triple Aspect	Terrace	
B05	T09	T08	Level 0	93.7	1008.6	1	B	Dual Aspect	Terrace	
B06	T03	T03	Level 1	110.7	1191.5	1	B	Dual Aspect	Balcony	SW/NW
B07	T17	T17	Level 1	85.4	919.6	1	B	Dual Aspect	Balcony	SW/SE
B08	T08	T08	Level 1	85.5	919.9	1	B	Single Aspect	Balcony	SE
B09	T15	T15	Level 1	104.4	1123.9	1	B	Triple Aspect	Balcony	NW/NE/SE
B10	T09	T08	Level 1	93.7	1008.6	1	B	Dual Aspect	Balcony	NW
B11	T03	T03	Level 2	110.7	1191.5	1	B	Dual Aspect	Balcony	
B12	T17	T17	Level 2	85.4	919.6	1	B	Dual Aspect	Balcony	
B13	T08	T08	Level 2	85.5	919.9	1	B	Single Aspect	Balcony	
B14	T15	T15	Level 2	104.4	1123.9	1	B	Triple Aspect	Balcony	
B15	T09	T08	Level 2	93.7	1008.6	1	B	Dual Aspect	Balcony	
B16	T03	T03	Level 3	110.7	1191.5	1	B	Dual Aspect	Balcony	
B17	T17	T17	Level 3	85.4	919.6	1	B	Dual Aspect	Balcony	
B18	T08	T08	Level 3	85.5	919.9	1	B	Single Aspect	Balcony	
B19	T15	T15	Level 3	104.4	1123.9	1	B	Triple Aspect	Balcony	
B20	T09	T08	Level 3	93.7	1008.6	1	B	Dual Aspect	Balcony	
B21	T03	T03	Level 4	110.7	1191.5	1	B	Dual Aspect	Balcony	
B22	T17	T17	Level 4	85.4	919.6	1	B	Dual Aspect	Balcony	
B23	T08	T08	Level 4	85.5	919.9	1	B	Single Aspect	Balcony	
B24	T15	T15	Level 4	104.4	1123.9	1	B	Triple Aspect	Balcony	
B25	T09	T08	Level 4	93.7	1008.6	1	B	Dual Aspect	Balcony	
B26	T07(R)	T03	Level 5	95.7	1030.4	1	B	Dual Aspect	Terrace	
B27	T18(R)	T17	Level 5	85.4	919.6	1	B	Dual Aspect	Juliette	
B28	T12(R)	T08	Level 5	85.5	919.9	1	B	Single Aspect	Juliette	
B29	T16(R)	T15	Level 5	104.4	1123.9	1	B	Triple Aspect	Juliette	
B30	T13(R)	T08	Level 5	93.7	1008.6	1	B	Single Aspect	Juliette	
				2838.9	30558.2	30				

C01	T04(G)	T03	Level 0	86.4	930.1	1	C	Dual Aspect	Terrace	
C02	T17	T17	Level 0	85.4	919.6	1	C	Dual Aspect	Terrace	
C03	T01	T01	Level 0	87.3	939.7	1	C	Dual Aspect	Terrace	
C04	T02	T02	Level 0	96.5	1039.1	1	C	Dual Aspect	Terrace	
C05	T03	T03	Level 1	110.7	1191.5	1	C	Dual Aspect	Balcony	SE/NE
C06	T17	T17	Level 1	85.4	919.6	1	C	Dual Aspect	Balcony	NW/NE
C07	T01	T01	Level 1	87.3	939.7	1	C	Dual Aspect	Balcony	NW/SW
C08	T02	T02	Level 1	96.5	1039.1	1	C	Dual Aspect	Balcony	SW/SE
C09	T03	T03	Level 1	110.7	1191.5	1	C	Dual Aspect	Balcony	
C10	T17	T17	Level 2	85.4	919.6	1	C	Dual Aspect	Balcony	
C11	T01	T01	Level 2	87.3	939.7	1	C	Dual Aspect	Balcony	
C12	T02	T02	Level 2	96.5	1039.1	1	C	Dual Aspect	Balcony	
C13	T03	T03	Level 3	110.7	1191.5	1	C	Dual Aspect	Balcony	
C14	T17	T17	Level 3	85.4	919.6	1	C	Dual Aspect	Balcony	
C15	T01	T01	Level 3	87.3	939.7	1	C	Dual Aspect	Balcony	
C16	T02	T02	Level 3	96.5	1039.1	1	C	Dual Aspect	Balcony	
C17	T07(R)	T03	Level 4	95.7	1030.4	1	C	Dual Aspect	Terrace	
C18	T18(R)	T17	Level 4	85.4	919.6	1	C	Dual Aspect	Juliette	
C19	T05(R)	T01	Level 4	87.3	939.7	1	C	Dual Aspect	Juliette	
C20	T06(R)	T01	Level 4	96.5	1039.1	1	C	Dual Aspect	Juliette	
				1860.6	20027.2	20				

D01	T11(G)	T10	Level 0	84.0	903.7	1	D	Single Aspect	Terrace	
D02	T15	T15	Level 0	104.4	1123.9	1	D	Triple Aspect	Terrace	
D03	T09	T08	Level 0	93.7	1008.6	1	D	Dual Aspect	Terrace	
D04	T09	T08	Level 0	93.7	1008.6	1	D	Dual Aspect	Terrace	
D05	T15	T15	Level 0	104.4	1123.9	1	D	Triple Aspect	Terrace	
D06	T08	T08	Level 0	85.5	919.9	1	D	Single Aspect	Terrace	
D07	T10	T10	Level 1	98.5	1060.7	1	D	Single Aspect	Balcony	NW
D08	T15	T15	Level 1	104.4	1123.9	1	D	Triple Aspect	Balcony	NW/SW/SE
D09	T09	T08	Level 1	93.7	1008.6	1	D	Dual Aspect	Balcony	SE
D10	T09	T08	Level 1	93.7	1008.6	1	D	Dual Aspect	Balcony	SE
D11	T15	T15	Level 1	104.4	1123.9	1	D	Triple Aspect	Balcony	NE/NW/SE
D12	T08	T08	Level 1	85.5	919.9	1	D	Single Aspect	Balcony	NW
D13	T10	T10	Level 2	98.5	1060.7	1	D	Single Aspect	Balcony	
D14	T15	T15	Level 2	104.4	1123.9	1	D	Triple Aspect	Balcony	
D15	T09	T08	Level 2	93.7	1008.6	1	D	Dual Aspect	Balcony	
D16	T09	T08	Level 2	93.7	1008.6	1	D	Dual Aspect	Balcony	
D17	T15	T15	Level 2	104.4	1123.9	1	D	Triple Aspect	Balcony	
D18	T08	T08	Level 2	85.5	919.9	1	D	Single Aspect	Balcony	
D19	T14(R)	T10	Level 3	87.3	939.7	1	D	Single Aspect	Terrace	
D20	T16(R)	T15	Level 3	104.4	1123.9	1	D	Triple Aspect	Juliette	
D21	T13(R)	T08	Level 3	93.7	1008.6	1	D	Single Aspect	Juliette	
D22	T13(R)	T08	Level 3	93.7	1008.6	1	D	Single Aspect	Juliette	
D23	T16(R)	T15	Level 3	104.4	1123.9	1	D	Triple Aspect	Juliette	
D24	T12(R)	T08	Level 3	85.5	919.9	1	D	Single Aspect	Juliette	
				2295.0	24703.4	24				

H01G	CC-G	Cottage	Level 0	H01	66.5	715.3	1	H	Triple Aspect	Garden	SW/NE
H01U	CC-U	Cottage	Level 1	H01	71.0	763.7	0	H			
H02G	CC-G	Cottage	Level 0	H01	66.5	715.3	1	H	Dual Aspect	Garden	
H02U	CC-U	Cottage	Level 1	H01	71.0	763.7	0	H			



Communal Areas - RESIDENTIAL

Communal Schedule - BLOCK A					
Name	Level	Area m²	Area ft²	RmType	
Cl. St.	Level 0	1.1	12.1 ft²	Ancillary	
IT SER / Electrical Incomer	Level 0	2.3	24.7 ft²	Ancillary	
IT/LS	Level 0	2.4	25.7 ft²	Ancillary	
Corridor	Level 0	27.9	299.8 ft²	Circulation	
Buggy Bike	Level 0	4.6	50.0 ft²	Communal	
Entrance	Level 0	12.5	134.5 ft²	Communal	
Post?	Level 0	4.1	43.9 ft²	Communal	
Lift	Level 0	4.3	46.5 ft²	Core	
Stairs	Level 0	18.6	200.7 ft²	Core	
Distribution Board	Level 0	0.9	9.3 ft²	Riser	
ASHP	Level 0	1.6	17.4 ft²	Riser	
Dry Riser	Level 0	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 0	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 0	0.4	3.9 ft²	Riser	
Cold Water	Level 0	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 0	1.6	16.9 ft²	Riser	
Corridor	Level 1	27.9	299.8 ft²	Circulation	
Lift	Level 1	4.3	46.5 ft²	Core	
Stairs	Level 1	21.6	232.0 ft²	Core	
Distribution Board	Level 1	0.9	9.3 ft²	Riser	
ASHP	Level 1	1.6	17.4 ft²	Riser	
Dry Riser	Level 1	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 1	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 1	0.4	3.9 ft²	Riser	
Cold Water	Level 1	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 1	1.6	16.9 ft²	Riser	
Corridor	Level 2	27.9	299.8 ft²	Circulation	
Lift	Level 2	4.3	46.5 ft²	Core	
Stairs	Level 2	21.6	232.0 ft²	Core	
Distribution Board	Level 2	0.9	9.3 ft²	Riser	
ASHP	Level 2	1.6	17.4 ft²	Riser	
Dry Riser	Level 2	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 2	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 2	0.4	3.9 ft²	Riser	
Cold Water	Level 2	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 2	1.6	16.9 ft²	Riser	
204.9		2206.0 ft²			
204.9		2206.0 ft²			

Communal Schedule - BLOCK B					
Name	Level	Area m²	Area ft²	RmType	
Cl. St.	Level 0	1.0	11.1 ft²	Ancillary	
IT SER / Electrical Incomer	Level 0	2.3	24.7 ft²	Ancillary	
IT/LS	Level 0	2.4	25.7 ft²	Ancillary	
Corridor	Level 0	43.5	467.9 ft²	Circulation	
Buggy	Level 0	4.6	50.0 ft²	Communal	
Entrance	Level 0	12.3	132.9 ft²	Communal	
Post?	Level 0	4.1	43.9 ft²	Communal	
Lift	Level 0	4.3	46.5 ft²	Core	
Stairs	Level 0	18.6	200.7 ft²	Core	
Distribution Board	Level 0	0.9	9.3 ft²	Riser	
Dry Riser	Level 0	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 0	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 0	0.4	3.9 ft²	Riser	
Cold Water	Level 0	1.6	16.9 ft²	Riser	
Smoke Shaft	Level 0	1.6	16.9 ft²	Riser	
ASHP	Level 0	1.3	13.7 ft²	Riser	
Cold Water	Level 0	1.7	18.8 ft²	Riser	
Cl. St.	Level 1	4.1	43.9 ft²	Ancillary	
Corridor	Level 1	43.5	467.9 ft²	Circulation	
Lift	Level 1	4.3	46.5 ft²	Core	
Stairs	Level 1	21.6	232.0 ft²	Core	
Distribution Board	Level 1	0.9	9.3 ft²	Riser	
Dry Riser	Level 1	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 1	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 1	0.4	3.9 ft²	Riser	
Cold Water	Level 1	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 1	1.6	16.9 ft²	Riser	
Corridor	Level 2	27.9	299.8 ft²	Circulation	
Lift	Level 2	4.3	46.5 ft²	Core	
Stairs	Level 2	21.6	232.0 ft²	Core	
Distribution Board	Level 2	0.9	9.3 ft²	Riser	
ASHP	Level 2	1.6	17.4 ft²	Riser	
Dry Riser	Level 2	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 2	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 2	0.4	3.9 ft²	Riser	
Cold Water	Level 2	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 2	1.6	16.9 ft²	Riser	
204.9		2206.0 ft²			
204.9		2206.0 ft²			

Communal Schedule - BLOCK C					
Name	Level	Area m²	Area ft²	RmType	
IT SER / Electrical Incomer	Level 0	2.3	24.7 ft²	Ancillary	
IT/LS	Level 0	2.4	25.7 ft²	Ancillary	
Corridor	Level 0	27.9	299.8 ft²	Circulation	
Entrance	Level 0	12.5	134.5 ft²	Communal	
Post?	Level 0	4.1	43.9 ft²	Communal	
Lift	Level 0	4.3	46.5 ft²	Core	
Stairs	Level 0	18.6	200.7 ft²	Core	
Distribution Board	Level 0	0.9	9.3 ft²	Riser	
Dry Riser	Level 0	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 0	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 0	0.4	3.9 ft²	Riser	
Cold Water	Level 0	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 0	1.6	16.9 ft²	Riser	
Corridor	Level 1	27.9	299.8 ft²	Circulation	
Lift	Level 1	4.3	46.5 ft²	Core	
Stairs	Level 1	21.6	232.0 ft²	Core	
Distribution Board	Level 1	0.9	9.3 ft²	Riser	
ASHP	Level 1	1.6	17.4 ft²	Riser	
Dry Riser	Level 1	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 1	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 1	0.4	3.9 ft²	Riser	
Cold Water	Level 1	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 1	1.6	16.9 ft²	Riser	
Corridor	Level 2	27.9	299.8 ft²	Circulation	
Lift	Level 2	4.3	46.5 ft²	Core	
Stairs	Level 2	21.6	232.0 ft²	Core	
Distribution Board	Level 2	0.9	9.3 ft²	Riser	
ASHP	Level 2	1.6	17.4 ft²	Riser	
Dry Riser	Level 2	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 2	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 2	0.4	3.9 ft²	Riser	
Cold Water	Level 2	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 2	1.6	16.9 ft²	Riser	
Corridor	Level 3	27.9	299.8 ft²	Circulation	
Lift	Level 3	4.3	46.5 ft²	Core	
Stairs	Level 3	21.6	232.0 ft²	Core	
Distribution Board	Level 3	0.9	9.3 ft²	Riser	
ASHP	Level 3	1.6	17.4 ft²	Riser	
Dry Riser	Level 3	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 3	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 3	0.4	3.9 ft²	Riser	
Cold Water	Level 3	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 3	1.6	16.9 ft²	Riser	
Corridor	Level 4	27.9	299.8 ft²	Circulation	
Lift	Level 4	4.3	46.5 ft²	Core	
Stairs	Level 4	21.6	232.0 ft²	Core	
Distribution Board	Level 4	0.9	9.3 ft²	Riser	
ASHP	Level 4	1.6	17.4 ft²	Riser	
Dry Riser	Level 4	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 4	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 4	0.4	3.9 ft²	Riser	
Cold Water	Level 4	1.4	15.2 ft²	Riser	
Smoke Shaft	Level 4	1.6	16.9 ft²	Riser	
319.7		3441.6 ft²			
319.7		3441.6 ft²			

Communal Schedule - BLOCK D					
Name	Level	Area m²	Area ft²	RmType	
IT/LS	Level 0	2.4	25.7 ft²	Ancillary	
IT SER / Electrical Incomer	Level 0	2.3	24.9 ft²	Ancillary	
Corridor	Level 0	4.1	43.9 ft²	Circulation	
Corridor	Level 0	59.3	638.5 ft²	Circulation	
Stairs	Level 0	18.6	200.7 ft²	Core	
Lift	Level 0	4.3	46.5 ft²	Core	
Dry Riser	Level 0	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 0	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 0	0.4	3.9 ft²	Riser	
Smoke Shaft	Level 0	1.6	16.9 ft²	Riser	
Distribution Board	Level 0	0.9	9.3 ft²	Riser	
Cold Water	Level 0	1.4	15.2 ft²	Riser	
ASHP	Level 0	1.3	13.7 ft²	Riser	
Corridor	Level 1	59.3	638.5 ft²	Circulation	
Lift	Level 1	4.3	46.5 ft²	Core	
Stairs	Level 1	21.6	232.0 ft²	Core	
Dry Riser	Level 1	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 1	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 1	0.4	3.9 ft²	Riser	
Smoke Shaft	Level 1	1.6	16.9 ft²	Riser	
Corridor	Level 2	59.3	638.5 ft²	Circulation	
Lift	Level 2	4.3	46.5 ft²	Core	
Stairs	Level 2	21.6	232.0 ft²	Core	
Dry Riser	Level 2	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 2	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 2	0.4	3.9 ft²	Riser	
Smoke Shaft	Level 2	1.6	16.9 ft²	Riser	
Corridor	Level 3	59.3	638.5 ft²	Circulation	
Lift	Level 3	4.3	46.5 ft²	Core	
Stairs	Level 3	21.6	232.0 ft²	Core	
Dry Riser	Level 3	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 3	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 3	0.4	3.9 ft²	Riser	
Smoke Shaft	Level 3	1.6	16.9 ft²	Riser	
Corridor	Level 4	59.3	638.5 ft²	Circulation	
Lift	Level 4	4.3	46.5 ft²	Core	
Stairs	Level 4	21.6	232.0 ft²	Core	
Dry Riser	Level 4	0.4	4.0 ft²	Riser	
ELV Comms Riser	Level 4	0.4	3.9 ft²	Riser	
ELS Cables Riser	Level 4	0.4	3.9 ft²	Riser	
Smoke Shaft	Level 4	1.6	16.9 ft²	Riser	
385.3		4147.0 ft²			
385.3		4147.0 ft²			

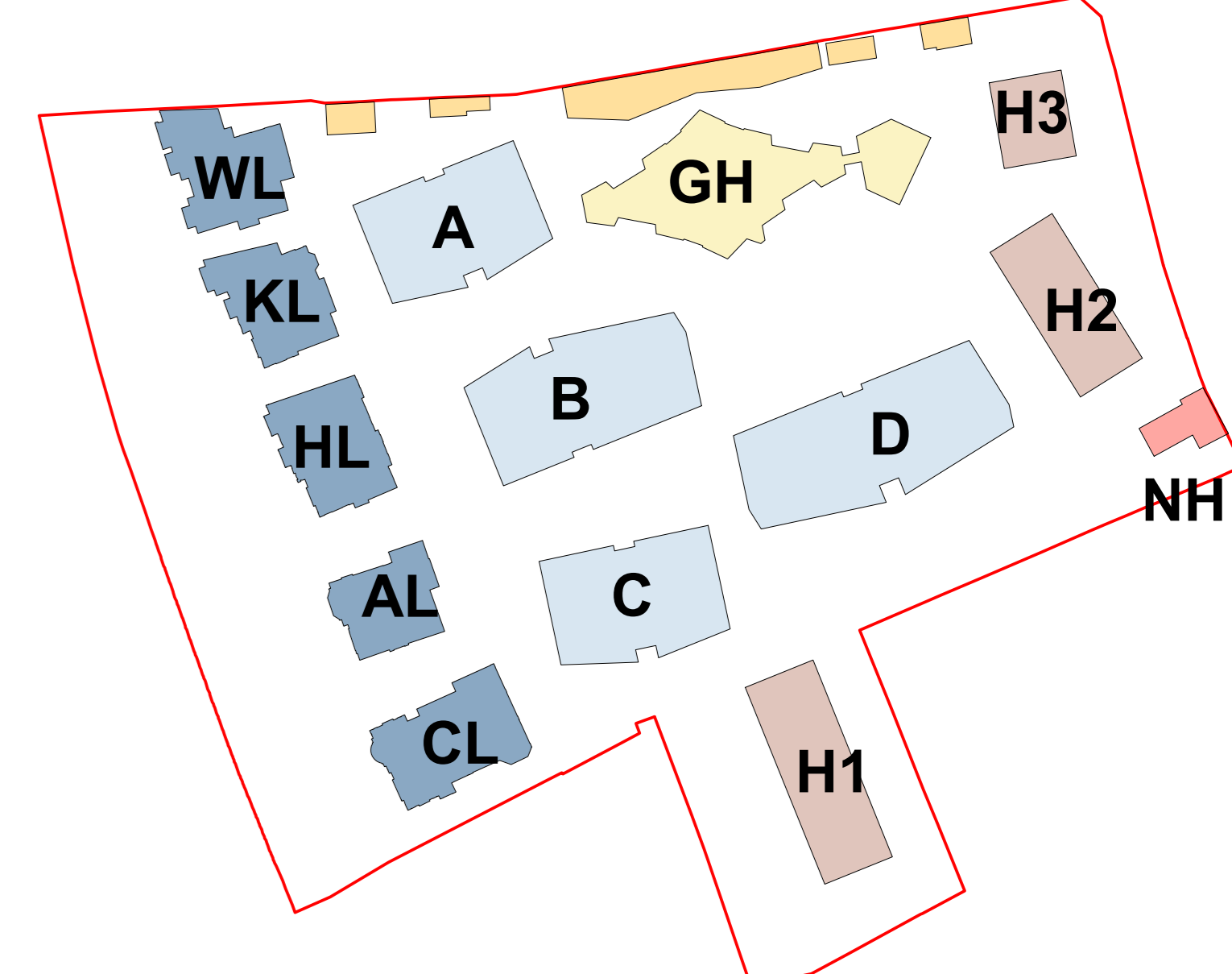
GIA

GIA ALL (SUMMARY)				
Block	Area m²	Area ft²	Existing	Proposed
01-WL	646.7	6960.5	Existing	
02-KL	575.0	6188.9	Existing	
03-HL	521.6	5614.7	Existing	
04-AL	635.2	6837.0	Existing	
05-CL	756.0	8185.7	Existing	
AA	1395.3	14997.9	Proposed	
BB	3555.5	38271.1	Proposed	
CC	2333.8	25121.2	Proposed	
DD	2853.6	30716.1	Proposed	
GH	940.9	10126.0		
H01	719.9	7748.5	Proposed	
H02	574.2	6181.2	Proposed	
H03	283.0	3046.4	Proposed	
NH	136.5	1469.6	Existing	
PP	291.5	3137.3		
	16255.8	174976.1		

Naming Key	
<b>Residential</b>	
WL	Westbury Lodge
KL	Kenwin Lodge
HL	Hampton Lodge
AL	Alveston Lodge
CL	Carisbrooke Lodge
AA	Block A
BB	Block B
CC	Block C
DD	Block C
H(01,02,03) Cottages	
Communal / Ancillary	
GH	Grace House
NH	North House
PP	Plant

Lodges GIA (SUMMARY)			
Block	Area	Area ft²	
01-WL	646.7	6960.5	
02-KL	575.0	6188.9	
03-HL	521.6	5614.7	
04-AL	635.2	6837.0	
05-CL	756.0	8185.7	
	3173.5	34158.9	

Lodges NSA (SUMMARY)			
Lodge	Area	Area ft²	
01-WL	372.7	4011.9	
02-KL	370.3	3986.2	
03-HL	369.7	3979.6	
04-AL	351.1	3779.2	
05-CL	556.5	5990.1	
	2020.4	21746.9	



- Ancillary
- Grace House - Communal
- Education-North House
- Cottages
- Residential - Existing Lodges
- Residential - New Buildings

Key Masterplan Zone  
1: 500

Communal Areas - NON-RESIDENTIAL

Communal Schedule - GRACE HOUSE (GH)						
Name	Level	Area m²	Area ft²	RmType	Dept.	
Kitchen	GH-00	53.8	579.4 ft²	Ancillary	01 - Amicita Club	
Manager	GH-00	15.1	162.8 ft²	Ancillary	01 - Amicita Club	
Admin	GH-00	14.6	157.5 ft²	Ancillary	01 - Amicita Club	
A. Reception	GH-00	9.6	103.9 ft²	Ancillary	01 - Amicita Club	
Utility intake	GH-00	4.3	46.6 ft²	Ancillary	01 - Amicita Club	
Bar	GH-00	10.4	111.9 ft²	Ancillary	01 - Amicita Club	
Post Rm	GH-00	6.1	65.1 ft²	Ancillary	01 - Amicita Club	
Chg R						

## Supporting Documents

### 3. St Christophers School, Westbury Park, BS6 7JE.

1. Existing Site Plan
2. Proposed Masterplan
3. Proposed Site Sections
4. Villa B Elevations
5. Villa C Elevations
6. Relationships With Existing Buildings
7. Tree Loss Plan





# ST CHRISTOPHER'S SQUARE

## BRISTOL

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### Key

- Planning Boundary
- Tree Roots (RPAs)

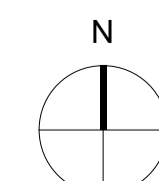
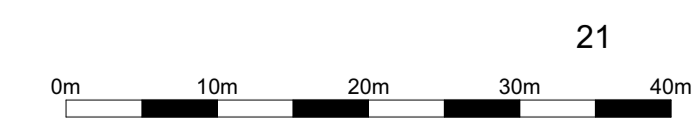
Rev	Date	Description	SB	MW	Dwn	Ckd
1	18/02/22	PLANNING				

### St Christopher's Square

#### Existing Site Plan

Project	Origin	Zone	Level	Type	Role	Number
2	STCH-PRP-ZZ	-	ZZ	DR	A	2002
Revision						
-- PLANNING						
Status						
Issue for Planning						

Drawn SB Checked MW Date FEB 2022 Scale @ A1 1 : 500



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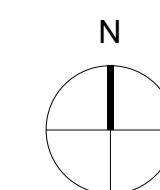
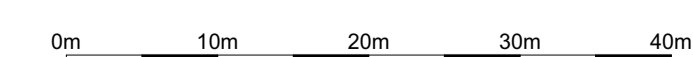


Rev	Date	Description	Dwn	Ckd
D	11/04/23	Amendments to Spa Building	EH	MW
C	20/02/23	Design Amendments	SB	MW
B	25/11/22	Issued for Planning design amendments	OS	JAB
A	18/07/22	Amendments to Gravel House, Block roof and footprint	OS	MW
-	18/02/22	PLANNING	SB	MW

### St Christopher's Square

#### Proposed Masterplan

Project	Origin	Zone	Level	Type	Role	Number
STCH-PRP-ZZ-	ZZ-	DR	A-	2004		
Revision						
D - PLANNING						
Status						
Issue for Planning						
Drawn	SB	Checked	MW	Date	FEB 2022	Scale @ A1 1 : 500







# ST CHRISTOPHER'S SQUARE

## BRISTOL

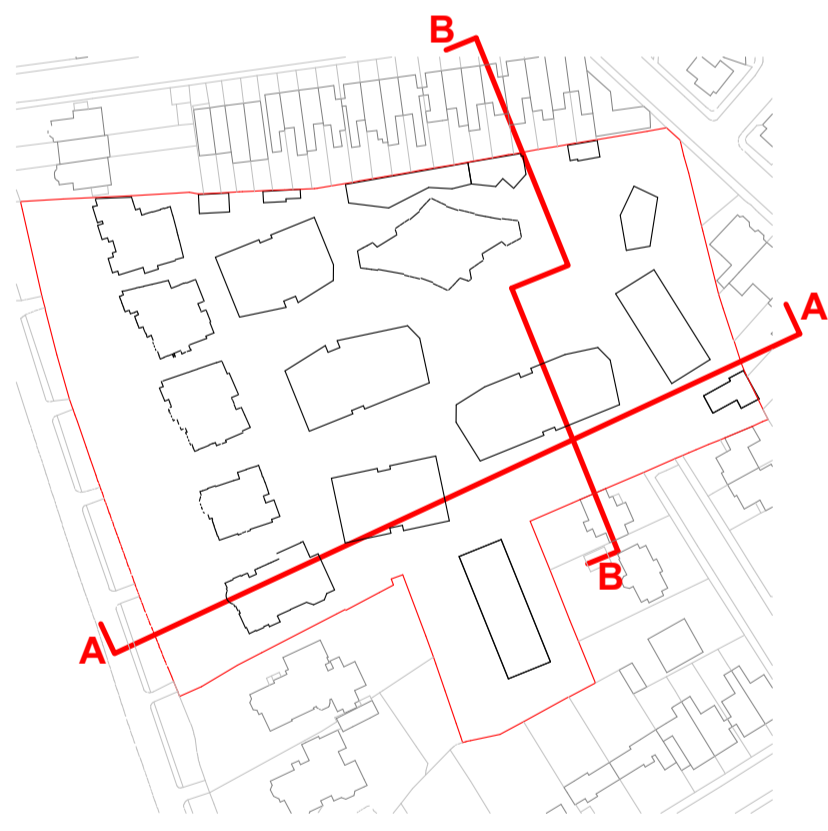
CDM REGULATIONS 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environment Assessment Record. All intellectual property rights reserved.  
Designed with reference to the surveys, information and reports listed: Topographical Survey, Arboricultural Survey, Ecology Assessment, Ground Investigation. Refer to DAS & supporting documents submitted with application.



Site Section A-A  
1 : 250



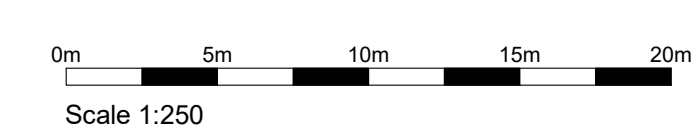
Site Section B-B  
1 : 250



Rev	Date	Description	OS	JAB
A	25/11/22	Issued for Planning design amendments	SB	MW
-	18/02/22	PLANNING	Dwn	Ckd

### St Christopher's Square Site Sections

Project	Origin	Zone	Level	Type	Role	Number
STCH -PRP - ZZ -	ZZ -	DR - A -	2006			
Revision						
A - PLANNING						
Status						
Issue for Planning						
Drawn	SB	Checked	MW	Date	FEB 2022	Scale @ A1 1 : 250



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The contractor is responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with the Architect before proceeding with the works. Where an item is covered by drawings to different scales the larger scale drawing is to be worked to.

Do not scale drawing. Figured dimensions to be worked to in all cases.

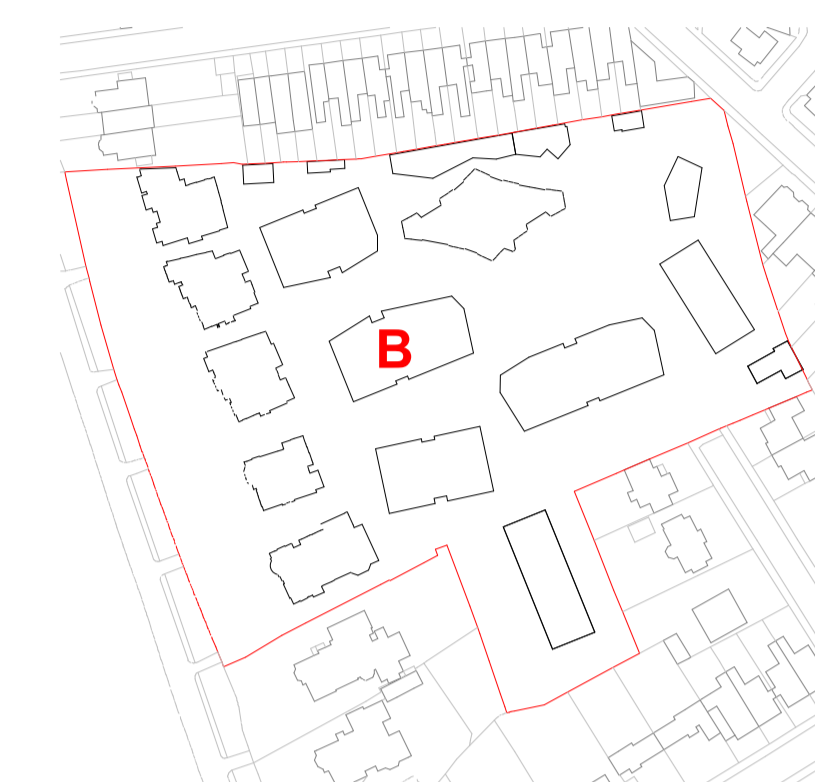
Where products have been specified, PRP have reviewed applicable products available in the UK at the time of writing the specification, from which products named in the specification have been selected.

Where the contractor wishes to propose alternative products, representative samples and a full technical appraisal should be submitted by the contractor to the employer demonstrating that their proposed alternative has equal or better performance.

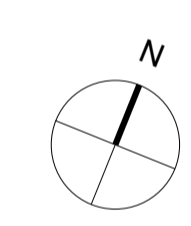
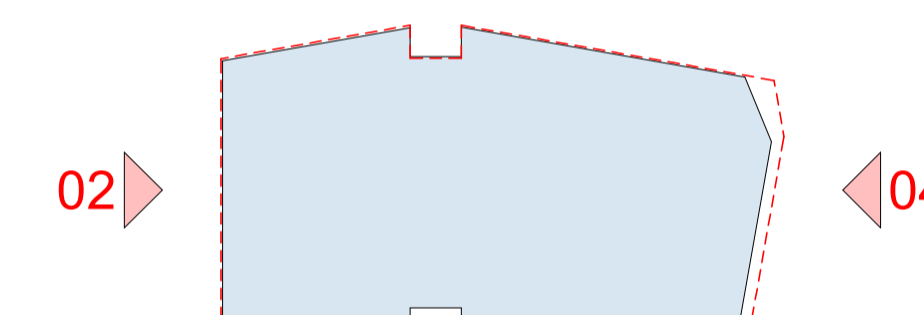
Any alternative products are subject to design team, building control, warranty provider and employer acceptance.

CDM REGULATIONS 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environment Assessment Record

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01



03

--- Outline of building footprint as submitted for at Planning Feb 2022

Rev	Date	Description	Dwn	Ckd
F	20/02/23	Design Amendments	SB	MW
E	25/11/22	Issued for Planning design amendments	OS	JAB
D	25/11/22	Issued for Planning design amendments	OS	JAB
C	21/11/22	Roof Plant reduced	OS	JAB
B	16/11/22	Issue for Coordination	OS	JAB
A	18/07/22	Amendments to Grace House, Block roof and footprint	OS	MW
-	18/02/22	PLANNING	SB	MW

**St Christopher's Square**  
Villa B Elevations

Project	Origin	Zone	Level	Type	Role	Number
STCH-PRP-BB-ZZ-DR-A-2014						
Revision						
F - PLANNING						
Status						
Issue for Planning						
Drawn	SB	Checked	MW	Date	FEB 2022	Scale @ A1
						1:100

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Sheet Originates from Model: STCH-PRP-ZZ-M3-A-00002-MASTER

**01** Villa B North Elevation - Entrance facing Villa A & Grace House  
1:100

Page 2332



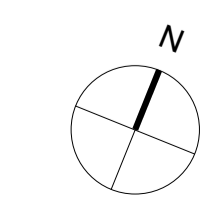
**02** Villa B West Elevation - facing The Lodges  
1:100



**03** Villa B South Elevation - facing Villa C  
1:100



**04** Villa B East Elevation - facing Sweet Gum Tree & Cottages H02  
1:100



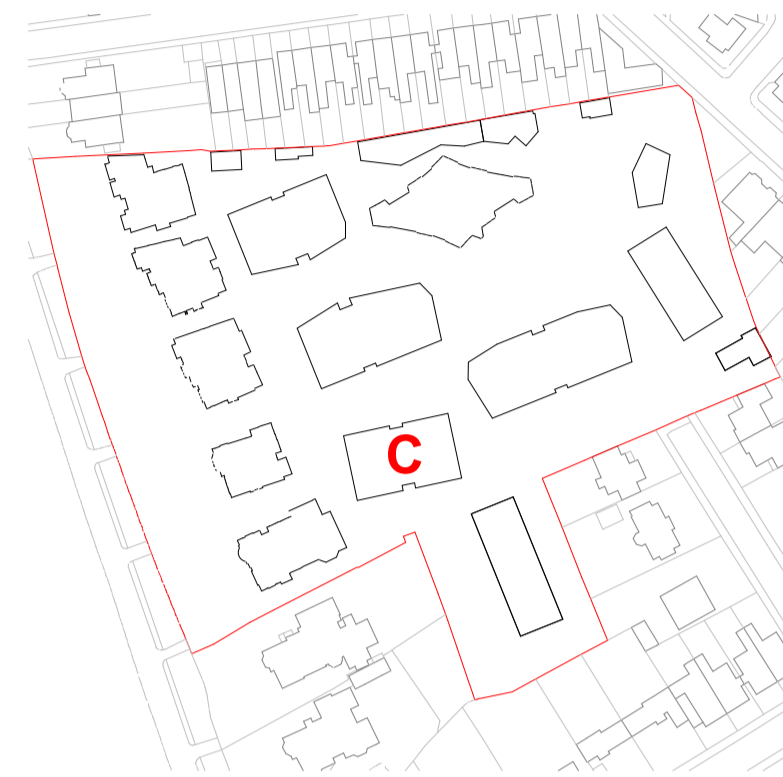




# ST CHRISTOPHER'S SQUARE

## BRISTOL

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03

02

04

01



--- Outline of building footprint as submitted for at Planning Feb 2022

Rev	Date	Description	SB	MW
E	20/02/23	Design Amendments	SB	MW
D	25/11/22	Issued for Planning design amendments	OS	JAB
C	25/11/22	Issued for Planning design amendments	OS	JAB
B	14/11/22	Issue for Coordination	OS	MW
A	18/07/22	Amendments to Grace House, Block roof and footprint	OS	MW
-	18/02/22	PLANNING	SB	MW

### St Christopher's Square

#### Villa C Elevations

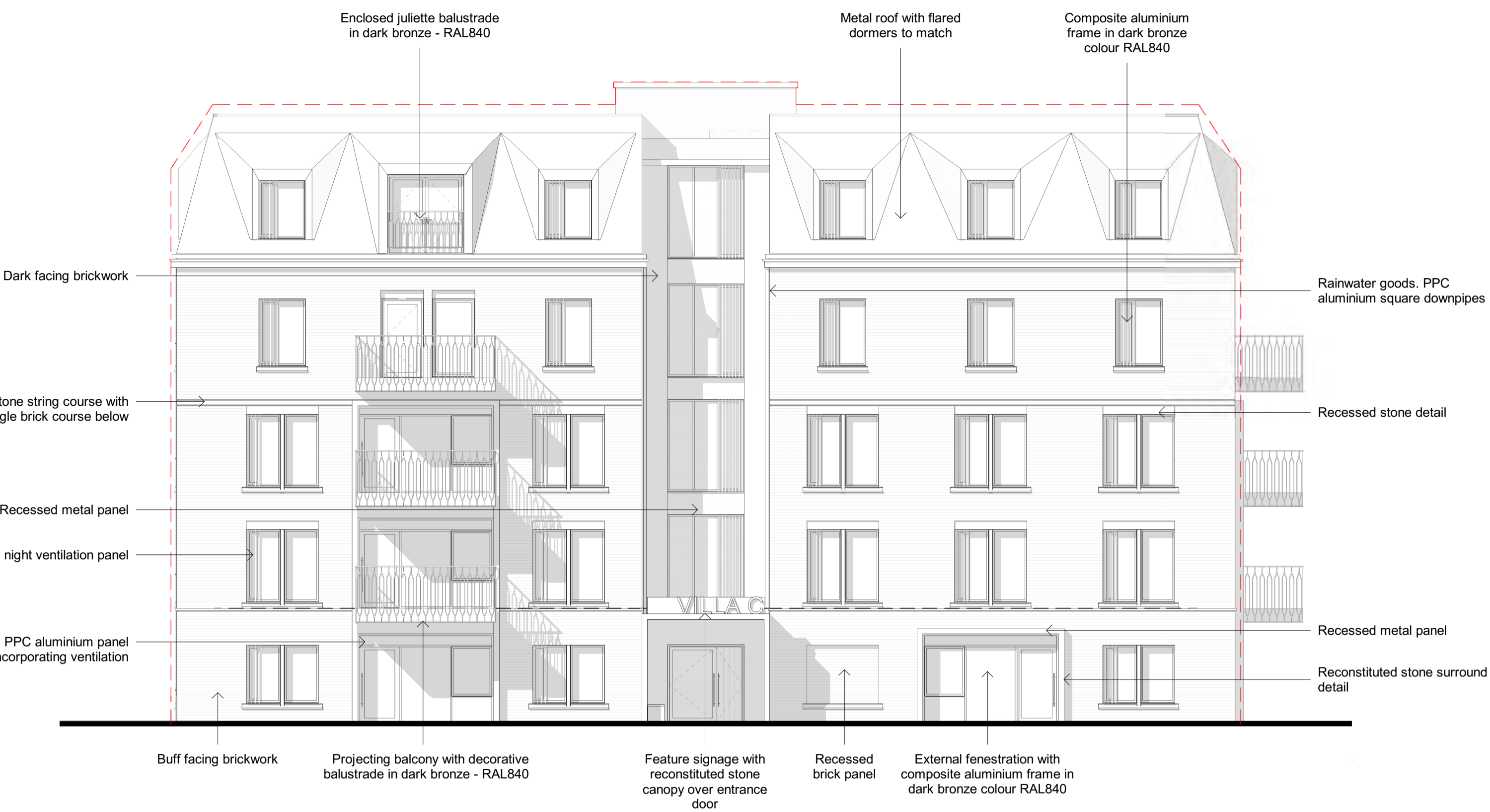
Project	Origin	Zone	Level	Type	Role	Number
STCH-PRP-CC-ZZ-DR-A-2016						
Revision						
E - PLANNING						
Status						
Issue for Planning						
Drawn	SB	Checked	MW	Date	FEB 2022	Scale @ A1 1:100

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Sheet Originates from Model: STCH-PRP-ZZ-M3-A-00002-MASTER

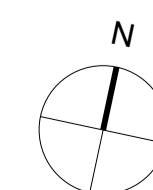
**01** Villa C South Elevation - Entrance facing Hyde & Chescombe  
1:100

**02** Villa C West Elevation - facing The Lodges  
1:100



**03** Villa C North Elevation - facing Villa B  
1:100

**04** Villa C East Elevation - facing The Glen  
1:100



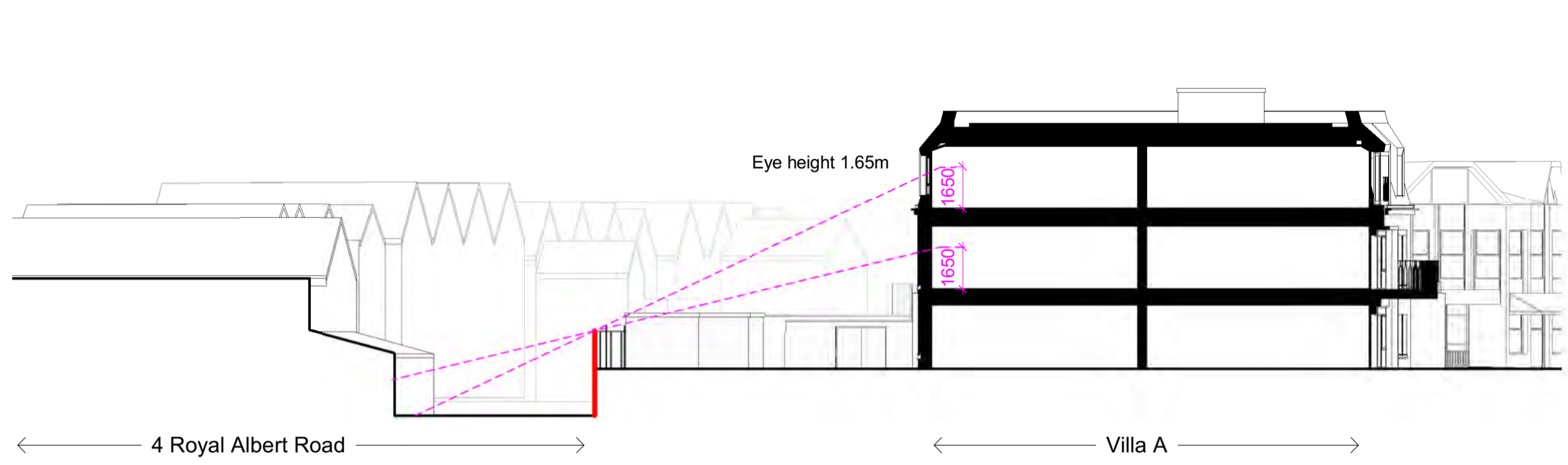




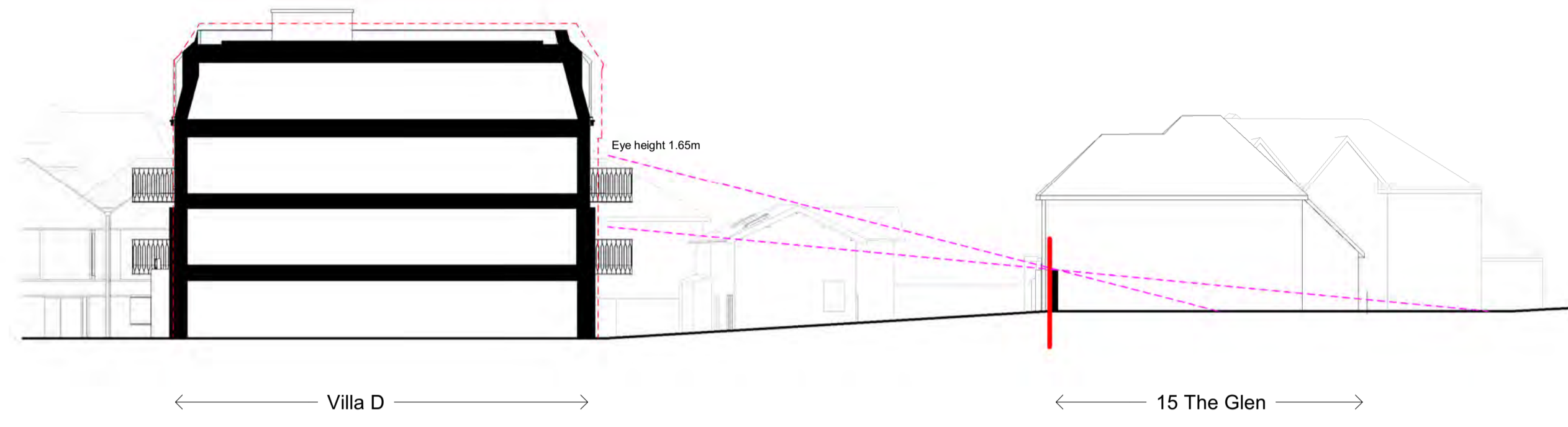
# ST CHRISTOPHER'S SQUARE

## BRISTOL

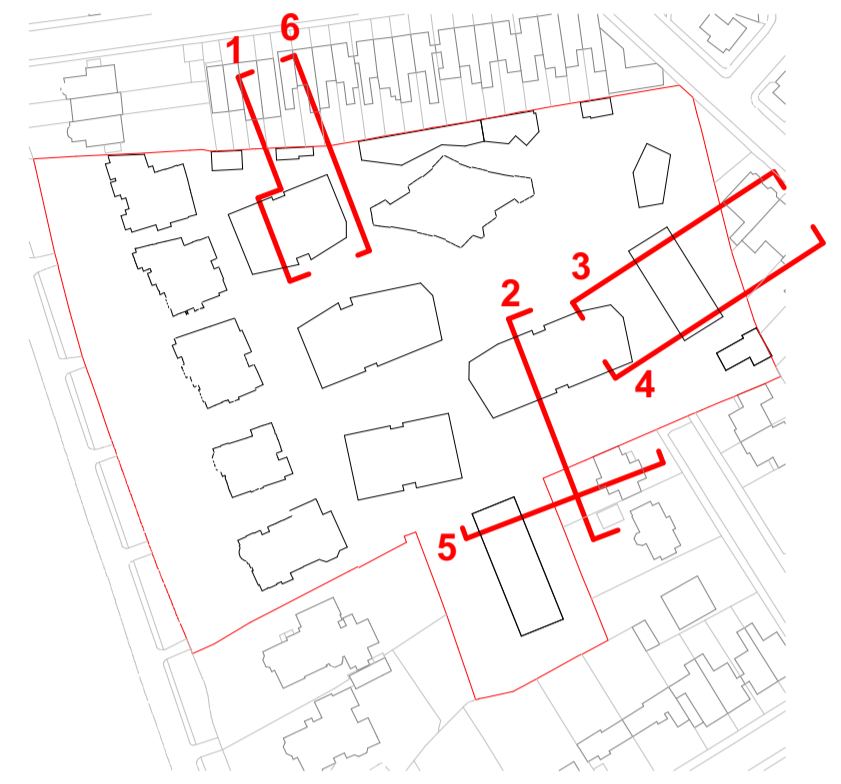
CDM REGULATIONS 2015. All current drawings and specifications for the project must be read in conjunction with the Designer's Hazard and Environment Assessment Record. All intellectual property rights reserved. Designed with reference to the surveys, information and reports listed: Topographical Survey, Arboricultural Survey, Ecology Assessment, Ground Investigation. Refer to DAS & supporting documents submitted with application.



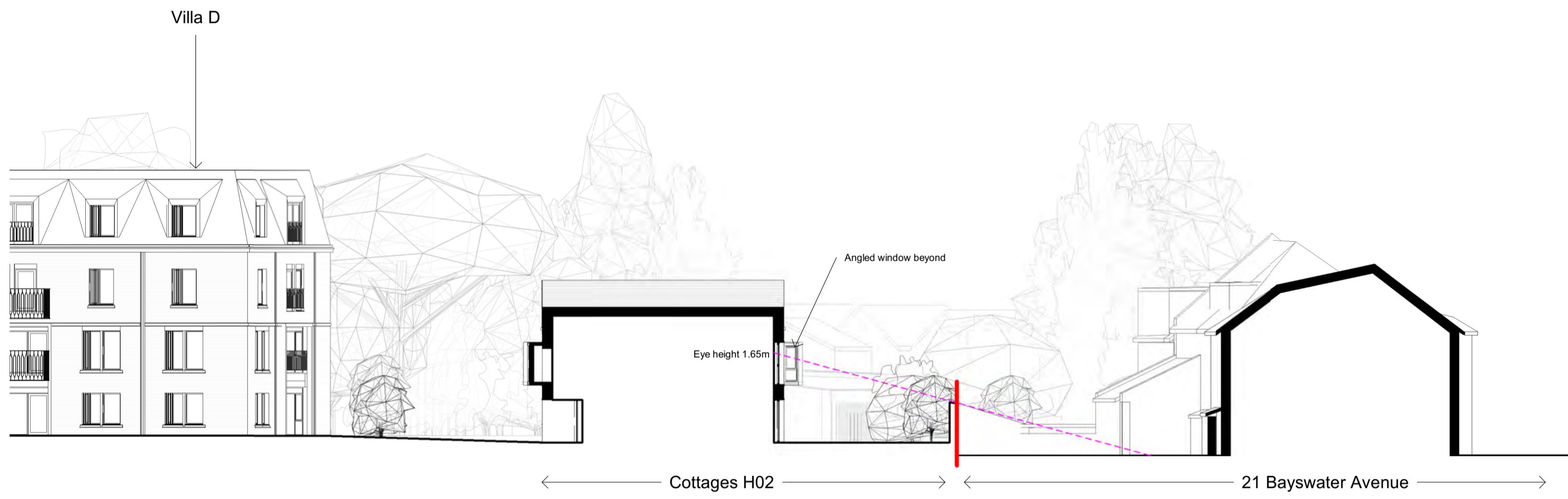
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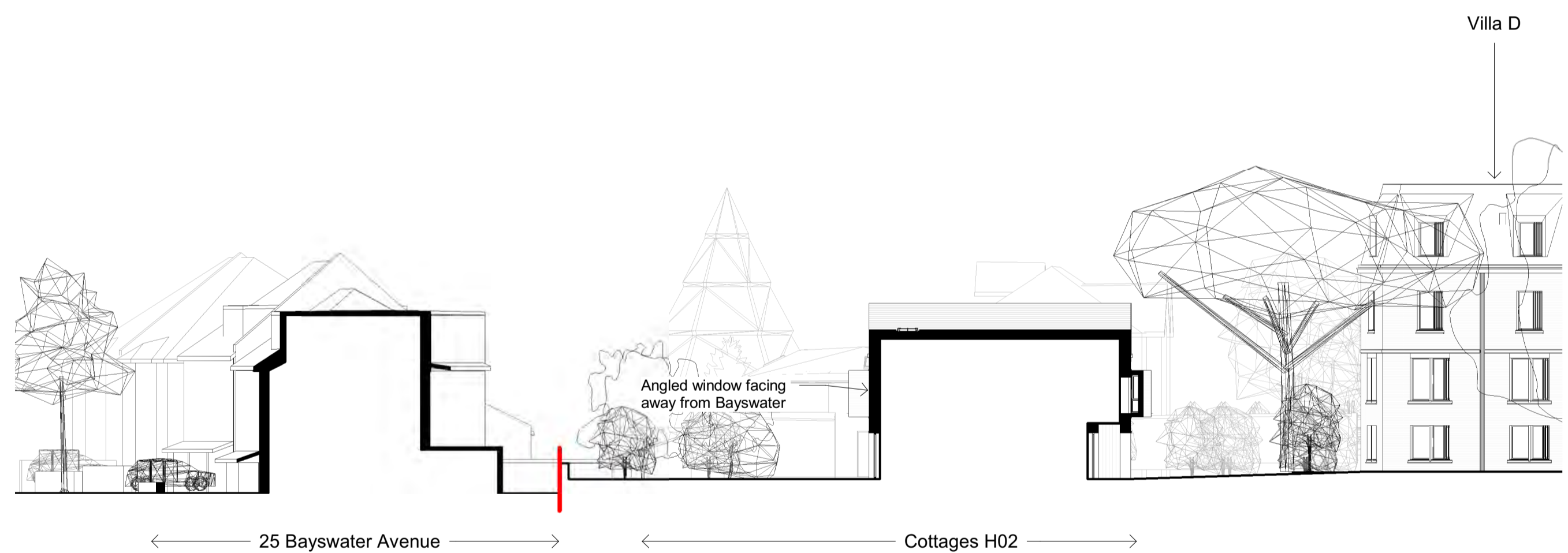
Site Cross Section 02  
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Page 234



Site Cross Section 03  
1 : 200



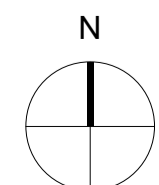
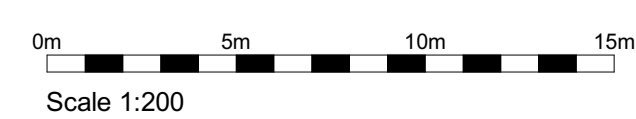
Site Cross Section 04  
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Site Cross Section 05  
1 : 200



Site Cross Section 6  
1 : 200



Rev	Date	Description	OS	JAB	Dwn	Ckd
B	20/02/23	Design Amendments	SB	MW		
A	30/01/23	Issued following comments from BCC	OS	JAB		
-	23/01/23	Issued following comments from BCC	OS	JAB		

### St Christopher's Square Site Cross Sections

Project	Origin	Zone	Level	Type	Role	Number
STCH -PRP - ZZ -	ZZ -	DR -	A -	2009		
Revision						
B - Preliminary						
Status						
Issue for Planning						
Drawn	OS	Checked	MW	Date	JAN 2023	Scale @ A1 1 : 200

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