

Development Control A Committee Agenda



Date: Wednesday, 6 March 2024

Time: 6.00 pm

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

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.

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Councillors: Richard Eddy (Chair), John Geater, Fi Hance, Tom Hathway, Philippa Hulme, Farah Hussain, Chris Jackson, Paula O'Rourke and Andrew Varney

Copies to: Philippa Howson, Stephen Peacock (Chief Executive), John Smith (Executive Director: Growth & Regeneration), Jonathan Dymond, Simone Wilding, Jane Woodhouse and Lewis Cook

Issued by: Norman Cornthwaite, Democratic Services

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www.bristol.gov.uk
Date: Tuesday, 27 February 2024

Agenda

1. Welcome, Introductions and Safety Information

(Pages 5 - 8)

2. Apologies for Absence and Substitutions

3. Declarations of Interest

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

4. Minutes of the previous meeting

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

(Pages 9 - 14)

5. Action Sheet

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

(Page 15)

6. Appeals

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

(Pages 16 - 24)



7. Enforcement

To note recent enforcement notices.

(Page 25)

8. Planning Enforcement Position Briefing Note

(Pages 26 - 28)

9. Public Forum

Up to 30 minutes is allowed for this item.

Any member of the public or Councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the Public Information Sheet at the back of this agenda. Public Forum items should be emailed to democratic.services@bristol.gov.uk and please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on Thursday 29th February 2024.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on Tuesday 5th March 2024.

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.

If you have any further questions, please see the Public Forum FAQ page on the Development Control Committee A page of the Bristol City Council website <https://democracy.bristol.gov.uk/documents/s86621/Public%20Forum%20FAQ%20for%20Development%20Control%20Committees.pdf>

Members of the press and public who plan to attend a public meeting at City Hall are advised that you will be required to sign in when you arrive and you will be issued with a visitor pass which you will need to display at all times.



10. Planning and Development

(Page 29)

a) 23/02827/F - Premier Inn The Haymarket

(Pages 30 - 70)

b) 23/01407/F - NCP Rupert Street City Centre

(Pages 71 - 131)

11. Date of Next Meeting

Wednesday 24th April 2024 at 2.00 pm.



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.

Attendance at Public meetings

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

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Please be 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 Safety Measures

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

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

Other formats and languages and assistance for those with hearing impairment

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

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

Public Forum

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

The following requirements apply:



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

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

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

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

During the meeting:

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

For further information about procedure rules please refer to our Constitution

<https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>



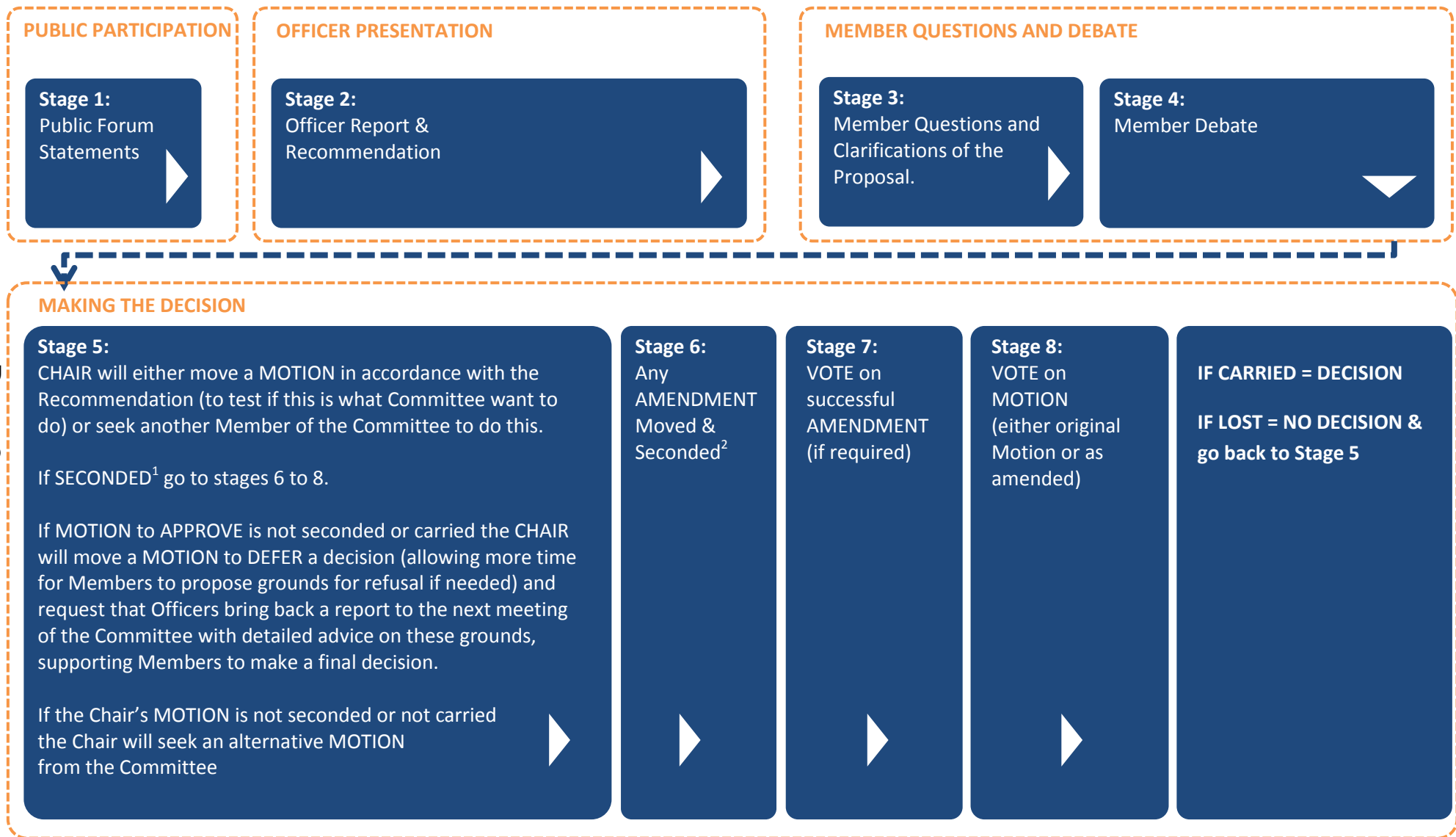
Webcasting/ Recording of meetings

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The privacy notice for Democratic Services can be viewed at www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services



Development Control Committee Debate and Decision Process



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

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



Bristol City Council
Minutes of the Development Control A
Committee Meeting
24th January 2024 at 2.00 pm



Members Present:

Councillors: Richard Eddy (Chair), Amal Ali (for Philippa Hulme), Fabian Breckels (for Farah Hussain), John Geater, Tom Hathway, Chris Jackson, Paula O'Rourke, Ani Stafford-Townsend (for Fi Hance) and Andrew Varney.

Officers in Attendance:

Jonathan Dymond (Deputy Head of Planning, Development Management), Presenting Officers (Development Management), Pip Howson (Transport Development Manager) and Norman Cornthwaite (Democratic Services)

1 Welcome, Introduction and Safety Information

The Chair welcomed everyone to the meeting and issued the safety information.

2 Apologies for Absence

Apologies were received from Cllrs Philippa Hulme (Vice Chair) and Farah Hussain, substitutes Amal Ali and Fabian Breckels; and Fi Hance, substitute Ani Stafford-Townsend.

3. Declarations of Interest

The following was received:

Cllr Jackson – Agenda Item No. 9b, the site is in his Ward.

4. Minutes of the Previous Meeting held on 13th December 2023

Resolved - that the Minutes be confirmed as a correct record of the Meeting.

5. Action Sheet



It was noted that Action No. 2 had been completed in December 2023.

6. Appeals

The Deputy Head of Planning, Development Management introduced the report.

He noted that as they clear the backlog of applications and issue decision notices, some of which will be refusals, an increase in the number of Appeals lodged is likely to occur.

He drew Members attention to Item 36 – 6 Sussex Place where the Appeal was upheld and costs awarded against BCC as a result of the delay in determining the application. He also drew Members attention to Appeals relating to Enforcement Notices – Items 37, 45 and 57; 2 were upheld and 1 was dismissed.

It was noted that applications which can be easily approved receive priority in terms of determination.

Cllr Eddy requested a copy of the decision relating to Item 39. (A copy of the decision was subsequently sent to Cllr Eddy.)

7. Enforcement

The Deputy Head of Planning, Development Management introduced the report.

It was noted that the third Meeting running there were no items to report. It was also noted that there would be a report on Enforcement the following month.

8. Public Forum

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

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

9. 22/01583/F - Rhubarb Tavern 30 Queen Ann Road Bristol BS5 9TX

The Presenting Officer introduced the report, summarised it for everyone and gave a presentation.

The application is for a change of use of upper floors to residential use at the Rhubarb Tavern and construction of 6 flats on the land to the rear. 8 dwellings in total.

The following answers were provided to questions:



- It would not make sense for the applicant to build the flats but leave the pub vacant and open to squatting and vandalism; conditions could be added to ensure that the fabric of the pub building is preserved as it is a locally listed building
- Although a condition relating to the pub landlord occupying the upper floor dwellings may not be enforceable, the applicants have indicated that they would be happy with such an arrangement; although the upstairs accommodation would no longer be ancillary to the pub it may be possible to add an advice note relating to the occupation of the upstairs accommodation
- It was noted that a report from CAMRA and a marketing report from the applicant's agent had differing views on the viability of the pub; BCC therefore commissioned an independent viability study which concluded that the pub is not viable at present but the proposed development would make it viable, including an arrangement where the landlord occupies the upstairs accommodation
- The proposed development would result in a much smaller garden area and part of which would be a communal garden for the occupiers of the proposed flats
- There is not a condition requiring the renovation of the pub to be carried out prior to the occupation of the proposed flats but if the Members wanted such a condition it could be considered; it was noted that it would not be an attractive proposition to rent out the proposed flats if the pub was still being renovated
- The Practice Note concerning the viability of pubs relates to proposed closures, however this application relates to the renovation and re-opening of the pub; the pub has been closed for some time and has been vandalised, and is in a poor state of repair; the pub is not viable at present
- It was noted that this application was submitted prior to the Practice Note being adopted; the information that Officers have relating to the viability of the pub enables them to recommend approval of the application
- Financing of the development is not a material planning consideration; should the owner not redevelop the site and offer the site for sale the pub could be considered a community asset
- The inclusion of the phasing plan governing the development is a possibility but it would have to be discussed with the applicant
- The applicant is willing to link the upstairs accommodation to the pub if this helps secure approval of the application; this would require a revised plan to be submitted
- The renovation cost for the pub was a figure calculated by the viability assessors using standard industry methodology as well as the cost of renovating the bar, kitchen, etc.
- The garden is now overgrown and there are no trees in the garden
- The application has to be considered as a whole and it includes restoring the pub, and street enhancements; there would be partial loss of the garden to facilitate the construction of the flats in the garden area, but this adds to the housing stock of Bristol
- The upstairs and the garden area are at present ancillary to the pub, although the upstairs has been used as residential accommodation for many years
- The biodiversity net gain legislation came in after the submission of the application; the application is policy compliant; noise issues would be dealt with by conditions attached to the premises licence for the pub



- The garden would still receive a significant amount of sunlight after the proposed development has been completed

Debate

- Pubs are often at the heart of the community and can enhance a community
- This application is different from a number of applications considered over the last few years as it proposes the re-opening of a pub
- The pub would be viable with the associated development
- The site is not being used for anything at present and has fallen badly into disrepair
- The application is a positive proposal; it keeps a pub in the Barton Hill area and provides much needed housing
- Officers may be able to address the concerns raised by Members by way of suitable conditions
- The garden area would be really squeezed as the proposed flats are very close to the pub
- The pub is the last one in Barton Hill and is greatly valued as is the open space on the site
- CAMRA opposes the application and there have been two offers to buy the pub indicating that it would be viable
- The pub is not viable and it is unlikely that it will remain open
- A condition requiring the renovation of the pub prior to the occupation of the proposed flats should be included
- The pub is important to the community but has now been closed for sometime and is deteriorating all the time; the application is a compromise as the garden will be partially lost but the building will be saved and the pub re-opened as well as additional housing being provided
- Over the past 5 years there has been a significant change in how people live their lives and there has been talk of the value of the pub and garden as a community asset; it is an area of the city without another pub and few gardens; there will be an influx of people into the area in the coming years
- The community want to see the pub brought back into use
- Conditions relating to a phasing plan and letting the upstairs flats to the pub landlord should be included
- All the pubs in Barton Hill have been lost except this one and it should be kept as it is an historical building; this application will not save the pub and there will be a loss of green space

Cllr Eddy moved that a decision be deferred pending Officer having discussions with the applicant concerning additional conditions relating to the phasing of the development, the letting of the upstairs accommodation, etc.; with a further report to be presented at the next Meeting of the Committee.

Cllr Varney seconded this motion.

The Deputy Head of Planning, Development Management advised that as these proposed conditions had not been previously discussed with the applicant, it may result in changes to the application.



Members raised concerns about this motion and whether it was an appropriate motion to be voted on given the concerns raised by Members during the debate.

Cllr Eddy then moved that the application be granted subject to the conditions already proposed along with any other relevant conditions that Officers can negotiate with applicant.

Cllr Varney seconded this motion.

On being put to the Vote it was LOST.

(Voting 3 for Cllrs Eddy, Varney and Geater; 6 against Cllrs Ali, Breckels, Hathway, Jackson, O'Rourke and Stafford-Townsend.)

Cllr Eddy stated that as the Committee appears minded to refuse the application, this item would be deferred until the next appropriate Meeting of the Committee to allow Officers to propose relevant reasons for refusal of the application for consideration by Members of the Committee.

It was made clear to everyone that this still left the options to Grant or Refuse the application open to the Members of the Committee when the item is considered again.

Cllr Stafford-Townsend summarised the grounds for refusal expressed by the Members of the Committee in relation to this application – does not meet the requirements of DM6 and Planning Practice Note in relation to public houses and their viability, etc.

Cllr O'Rourke added that it should be refused on DM5.

Cllr Breckels noted that the garden space would be so small and the proposed flats would be very close.

It was therefore

Resolved – that this item would be deferred until the next appropriate Meeting of the Committee to allow Officers to propose relevant reasons for refusal of the application for consideration by Members of the Committee.

(It should be noted that this still leaves the options to Grant or Refuse the application open to the Members of the Committee when the item is considered at a future Meeting of the Committee.)

10. 23/03423/FB - Filwood Park Playing Fields Creswicke Road Bristol BS4 1UA

The Presenting Officer introduced the report, summarised it for everyone and gave a presentation.



The application is for a proposal to construct a new Multi Use Games Area (MUGA) at Filwood Playing Fields including floodlighting, fencing, seating areas, fitness equipment, pedestrian and vehicle maintenance routes and landscaping.

The following answers were provided to questions:

- The entrance from Manning Road has been removed
- The issue of crime and disorder, and anti-social behaviour has been taken into account in relation to the application, this includes the Management Statement having been updated
- The application meets the guidance relating to the distance between the facility and the nearest houses
- The CCTV will be monitored by BCC

Debate

- Filwood will benefit from the scheme
- The impact on neighbours and residents has to be taken into account by way of the Management Plan
- Pleased that CCTV will be provided
- This should reduce anti-social behaviour as it provides a facility for young people

Cllr Eddy moved the Officer Recommendation to Grant the application.

Cllr Jackson seconded this motion.

On being put to the Vote it was

Resolved – (Voting 9 for, 0 against) that the application be Granted subject to Conditions.

The Meeting ended at 4.05 pm.

The next Meeting of the Committee is on Wednesday 6th March 2024 at 6.00 pm.

Chair _____



Action Sheet – Development Control Committee A

Date of Meeting	Item/report	Action	Responsible officer(s)/Councillor	Action taken / progress
20 Sept 2023	Action Sheet and Enforcement	To produce an update report on Enforcement	Chief Planner	To be completed by March 24
24 Jan 2024	<p>Appeals – Item 39 - Highways Land Between Church Road And Whitchurch Road Bristol</p> <p>Delegated Decision: Appeal against Refusal Application to Determine if Prior Approval is Required for a Proposed: Streetpole Style Telecommunications Mast</p>	Decision Record to be Sent to Councillor Richard eddy	Chief Planner	Action Completed

DEVELOPMENT CONTROL COMMITTEE A

06 March 2024

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF CURRENT APPEALS

Householder appeal

Item	Ward	Address, description and appeal type	Date lodged
1	Westbury-on-Trym & Henleaze	137 Northover Road Bristol BS9 3LG Retention of existing metal railings to roof of single storey extension to rear of property and implementation of new timber screening to sides. Appeal against refusal Delegated decision	25/08/2023
2	Windmill Hill	1 Somerset Terrace Bristol BS3 4LL Loft conversion with concealed roof terrace. Appeal against refusal Delegated decision	17/01/2024
3	Stoke Bishop	37 Glenavon Park Bristol BS9 1RW Proposed side infill single storey extension, front porch, roof replacement including raising the height and external alterations to fenestration (including velux windows), rear doors and dormer roof extensions (revision of consent granted 22/02387/H). Appeal against refusal Delegated decision	17/01/2024
4	Clifton	9 Church Lane Clifton Bristol BS8 4TX Removal of existing roof and installation of loft extension to create accommodation. Appeal against refusal Delegated decision	17/01/2024
5	Redland	7 Glentworth Road Redland Bristol BS6 7EG Alterations to the front garden area and boundary wall to accommodate one no. off street parking space (resubmission of application 21/06021/H). Appeal against refusal Delegated decision	19/01/2024

6	Redland	1 Egerton Road Bristol BS7 8HN Removal of existing rear lean-to and replacement with single storey full width rear extension. Proposed new mansard roof to replace existing hip roofs. Appeal against refusal Delegated decision	24/01/2024
7	Filwood	3 Kenmare Road Bristol BS4 1PD Double storey extension to side. Appeal against refusal Delegated decision	07/02/2024
8	Westbury-on-Trym & Henleaze	2 Broadway Avenue Bristol BS9 4SU Hip-to-gable loft conversion with rear dormer. Appeal against refusal Delegated decision	07/02/2024
9	Easton	37 Chelsea Park Bristol BS5 6AH Proposed front dormer. Appeal against refusal Delegated decision	13/02/2024

Informal hearing

Item	Ward	Address, description and appeal type	Date of hearing
10	Lockleaze	Ever Ready House Narroways Road Bristol BS2 9XB Outline application with access, layout and scale to be considered, for demolition of existing buildings and redevelopment of site to provide up to 40no. C3 dwellings and up to 3no. Class E units with associated drainage and hard/soft landscape works. (MAJOR) Appeal against non-determination	27/02/2024

Written representation

Item	Ward	Address, description and appeal type	Date lodged
11	St George Troopers Hill	106 Fir Tree Lane Bristol BS5 8BJ Demolition of dwellinghouse and erection of a three-storey building comprising 9no. self-contained flats with associated soft and hard landscaping. Appeal against non-determination	22/06/2023

12	Frome Vale	7 Hedgemoad Close Bristol BS16 1ER Appeal against High Hedge comprising cypress leylandii trees affecting 8 Stokecliffe House, 114 Park Road. Appeal against high hedge	23/10/2023
13	Hillfields	25 Dominion Road Bristol BS16 3EP Demolition of existing garage and erection of one semi detached dwelling on land to the side of existing house. Appeal against refusal Delegated decision	25/10/2023
14	Bedminster	9-11 Rear Of, Flat A Cannon Street Bedminster Bristol BS3 1BH Application for a Lawful Development Certificate for an Existing Use or Operation or Activity - Use of the rear building as 4 flats; Flat A, B, C and D. Appeal against non-determination	27/10/2023
15	Bedminster	9 South Liberty Lane Bristol BS3 2SR Roof extension and conversion of upper floors from commercial, business, and services (Use Class E) to self-contained maisonette (Use Class C3), with associated works. Appeal against non-determination Delegated decision	30/10/2023
16	Brislington East	15 Hollywood Road Bristol BS4 4LF Change of use from a dwellinghouse used by a single person or household (C3a) to a large dwellinghouse in multiple occupation (sui generis) for up to eight people. Appeal against non-determination Delegated decision	31/10/2023
17	Horfield	489 Gloucester Road Horfield Bristol BS7 8UG Outline application for demolition of the existing buildings (4no. Houses in Multiple Occupation - Class C4) - and 1no. flat (Class C3) and erection of new building comprising 9 residential apartments (Class C3) and 7 small Houses in Multiple Occupation (Class C4); associated cycle parking, waste storage, landscaping and other works (all matters reserved). Appeal against refusal Delegated decision	02/11/2023
18	Henbury & Brentry	Land To Rear Of 2 Arnall Drive Bristol BS10 7AP Proposed new dwelling including demolition of existing garage. Appeal against non-determination	06/11/2023

19	Southville	36 - 38 East Street Bedminster Bristol BS3 4HE Variation of condition 9 (approved plans) in connection with 22/04197/F for Subdivision of ground floor to provide 2 no. commercial units: first and second floor and roof extension to provide new residential accommodation. Appeal against non-determination	07/11/2023
20	Windmill Hill	21 Hill Avenue Bristol BS3 4SN Construction of a rear roof extension and fitting of rooflights to form a loft conversion. Appeal against non-determination	08/11/2023
21	Southville	52 Bedminster Parade Bristol BS3 4HS Part conversion of ground floor from A1 use to C3. Appeal against non-determination	13/11/2023
22	Southville	267 North Street Bedminster Bristol BS3 1JN Rear extension at second floor level and erection of new floor of residential; accommodation, refuse/recycling and cycle store and ancillary development. Appeal against non-determination	20/11/2023
23	Lockleaze	85 Hogarth Walk Bristol BS7 9XS Application for a Lawful Development Certificate for a Proposed Use or Development - A change of use from dwelling (C3) to small HMO (C4) is proposed. A 3 metre deep single-storey extension is proposed to the rear of the house. Appeal against non-determination Delegated decision	22/11/2023
24	St George Central	361 Two Mile Hill Road Bristol BS15 1AF Application for a Certificate of Proposed Development - change of use of the rear area of the shop into a 1 bedroom flat. Appeal against non-determination	20/12/2023
25	Southville	Top Floor Flat 7 Acramans Road Bristol BS3 1DQ Loft extension. Appeal against refusal Delegated decision	02/01/2024

26	Southville	76 East Street Bedminster Bristol BS3 4EY Change of use of part of ground floor retail space, and first floor ancillary office space, to a small house in multiple occupation for up to 6 people (Use Class C4), including the erection of front and rear roof extensions to create second-floor accommodation. Alterations to shopfront to create new access. Appeal against non-determination	03/01/2024
27	Bedminster	South Bristol Retail Park Wedlock Way Bristol BS3 2LQ Variation of Conditions 14 (opening hours) and 15 (drive-thru serving hours) of permission 22/01002/F, which approved the erection of a new building with a drive-thru facility and associated works to site layout - now proposed change to hours to allow opening from 05:00 - 23:00, seven days per week. Appeal against refusal Delegated decision	11/01/2024
28	Eastville	59 Grove Park Terrace Bristol BS16 2BL Application for a Certificate of Proposed Development - Conversion of an existing detached garage into a home office and storeroom. Appeal against non-determination	15/01/2024
29	Central	39 - 40 High Street City Centre Bristol BS1 2AT Change of use from public house to nine bedroom boutique hotel. Erection of part fourth floor to create a further bedroom and outside space. Appeal against non-determination	15/01/2024
30	Hartcliffe & Witherwood	2A Vigor Road Bristol BS13 9QH Conversion of double garage into a 1 bed dwelling. Appeal against refusal Delegated decision	17/01/2024
31	Southville	2 Stillhouse Lane Bristol BS3 4EB Change of use from Commercial Workshop to 5no. Residential Apartments. Appeal against refusal Delegated decision	18/01/2024
32	Central	14 Highbury Villas Kingsdown Bristol BS2 8BX Application for a Lawful Development Certificate for an Existing Use as a 7 Bed sui generis HMO. Appeal against non-determination Delegated decision	22/01/2024

33	Horfield	7 Maskelyne Avenue Bristol BS10 5BY Change of use from small house in multiple occupation (C4) to a large house in multiple occupation (sui generis) with a loft conversion and provision of cycle parking and bin storage. Appeal against non-determination	25/01/2024
34	Hillfields	Land Adjoining Barton Hill Rugby Club Duncombe Lane Bristol BS15 1NS Application to determine if prior approval is required for the proposed installation of a 20 metre Swann Column monopole with 6 no. antennas and 4 no. dishes, together with 6no. cabinets, fencing and associated ancillary works. Appeal against refusal Delegated decision	29/01/2024
35	Brislington East	8 St Brelades Grove Bristol BS4 4QJ First floor rear extension. Appeal against non-determination	29/01/2024
36	Bishopsworth	33 Headley Lane Bristol BS13 7QL Remove out buildings and construct single storey rear and side extension. Appeal against non-determination Delegated decision	30/01/2024
37	Bishopston & Ashley Down	74 Oak Road Bristol BS7 8RZ Partial demolition of the existing building and the construction of a three storey building containing 6no. flats. Appeal against refusal Delegated decision	30/01/2024
38	Horfield	5 Bishopthorpe Road Bristol BS10 5AA Change of use from small house in multiple occupation (C4) to a large house in multiple occupation (sui generis) with a loft conversion and provision of off-street car parking, cycle parking and bin storage. Appeal against non-determination	05/02/2024
39	Ashley	171 - 175 Gloucester Road Bishopston Bristol BS7 8BE Application for Outline Planning Permission with some matters reserved - Erection of 9no. self-contained flats (Use Class C3) with access, and associated cycle parking and bin storage. Approval sought for Access, Appearance, Layout and Scale. With all other matters reserved. Appeal against non-determination	13/02/2024

40	Brislington West	25 Braikenridge Road Bristol BS4 3SW Change of use from a dwellinghouse used by a single person or household (C3a) to a large dwellinghouse in multiple occupation (sui generis) for up to eight people. Appeal against non-determination	20/02/2024
41	Easton	Black Swan 438 Stapleton Road Easton Bristol BS5 6NR Retention of wall-mounted poster advertising display (non-illuminated). Appeal against refusal Delegated decision	22/02/2024

List of appeal decisions

Item	Ward	Address, description and appeal type	Decision and date decided
42	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 wrapround cabinet at base and associated ancillary works. Appeal against refusal Delegated decision	Appeal dismissed 06/10/2023
43	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	Appeal allowed 26/01/2024
44	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	Appeal allowed 26/01/2024
45	Clifton Down	11 Wellington Park Bristol BS8 2UR Appeal against a High Hedge. Appeal against high hedge	Appeal dismissed 06/02/2024
46	Hengrove & Whitchurch Park	Land Adjacent To 16 Belland Drive & 24 Belland Drive Bristol BS14 0EW Erection of detached dwellinghouse. Appeal against refusal Delegated decision	Appeal dismissed 16/01/2024

47	Avonmouth & Lawrence Weston	19 Capel Road Bristol BS11 0RD New dwelling. Appeal against refusal Delegated decision	Appeal dismissed 14/02/2024
48	Eastville	142 Fishponds Road Eastville Bristol BS5 6PT Two storey rear extension. Appeal against refusal Delegated decision	Appeal allowed 16/01/2024
49	Horfield	2 Bishopthorpe Road Bristol BS10 5AA Change of use from a dwelling house (Use Class C3(a)) to a large HMO (house in multiple occupation) (sui generis) for up to 7 people. Appeal against non-determination Delegated decision	Appeal allowed 12/02/2024
50	Clifton	Worlds End House Worlds End Lane Bristol BS8 4TH Works including repair/replacement of lean-to roof, doors and windows, construction of single storey rear extension. Repair/refurbishment and re-ordering of interior, and external landscaping. Appeal against non-determination	Appeal dismissed 07/02/2024
51	Clifton	Worlds End House Worlds End Lane Bristol BS8 4TH Works including repair/replacement of lean-to roof, doors and windows, construction of single storey rear extension. Repair/refurbishment and re-ordering of interior, and external landscaping. Appeal against non-determination	Appeal dismissed 07/02/2024
52	Bishopston & Ashley Down	229 - 231 Gloucester Road Bishopston Bristol BS7 8NR New building to provide 2 no. residential flats with refuse/recycling, cycle storage and associated development. Appeal against non-determination	Appeal dismissed 26/01/2024
53	Brislington West	Go Outdoors Tramway Road Brislington Bristol BS4 3DS 1no. Econoflex face sign - Internally illuminated, 1no. fabricated ACM panel - Non illuminated, 12no. flat ACM panels - Non illuminated and 1no. existing totem over clad with new ACM panels - Non illuminated. Appeal against refusal Delegated decision	Appeal allowed 02/02/2024

54	Hartcliffe & Witherwood	1 Chaundey Grove Bristol BS13 9QY Erection of a two storey extension to existing property to create new 2 bedroomed dwelling. Appeal against refusal Delegated decision	Appeal dismissed 22/02/2024
55	Hengrove & Whitchurch Park	91 Walsh Avenue Bristol BS14 9SQ New dwelling attached to side of existing. Appeal against refusal Delegated decision	Appeal dismissed 23/02/2024
56	Stoke Bishop	133 Shirehampton Road Sea Mills Bristol BS9 2EA First floor rear extension (over an existing ground floor extension). Appeal against refusal Delegated decision	Appeal allowed 23/02/2024 Costs awarded

DEVELOPMENT CONTROL COMMITTEE A
06 March 2024

REPORT OF THE DIRECTOR: DEVELOPMENT OF PLACE

LIST OF ENFORCEMENT NOTICES SERVED

Item	Ward	Address, description and enforcement type	Date issued
1	Westbury-on-Trym & Henleaze	203 Wellington Hill West Bristol BS9 4QL Erection of structure to front. Enforcement notice	23/01/2024

Briefing Note for DC committee – Planning Enforcement (PE) position

This briefing note provides a brief overview of outcomes, ongoing activity and resourcing.

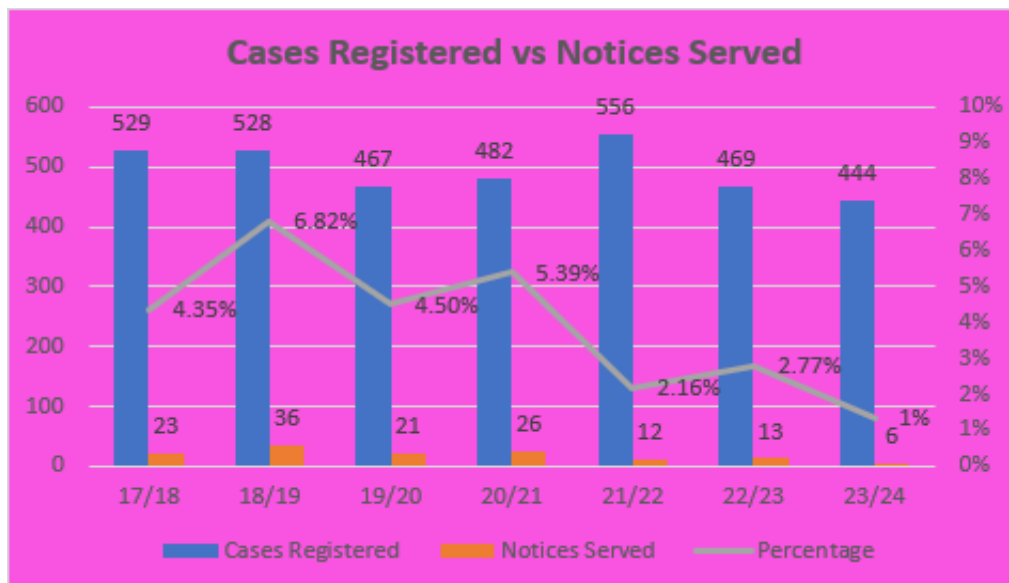
Staff resource in PE is currently limited; having lost a senior enforcement officer and graduate officer in the last year. As consecutive recruitment rounds to replace a senior planning enforcement officer in the last 8 months were unsuccessful, staff in post is currently 1.5 FTE plus the team leader. An agency resource had been brought in to help for 6 months but the cost of this is high and therefore not been continued.

Enforcement is not fee earning and budget needs to be taken from planning applications to fund enforcement function.

The major focus of the wider Development Management team has been to clear the backlog of planning applications. Putting additional resource into Enforcement by transferring two graduates has been planned once we expect the Development Management service to be in a sufficiently well performing position. We currently estimate to be able to make this change in late spring/early summer.

We recognise that there have been less Planning Enforcement Notices presented on recent DC committee agendas. However, active enforcement work is going on within the context of the resource currently available.

The table below shows cases that have been registered against previous years and the number of notices served.

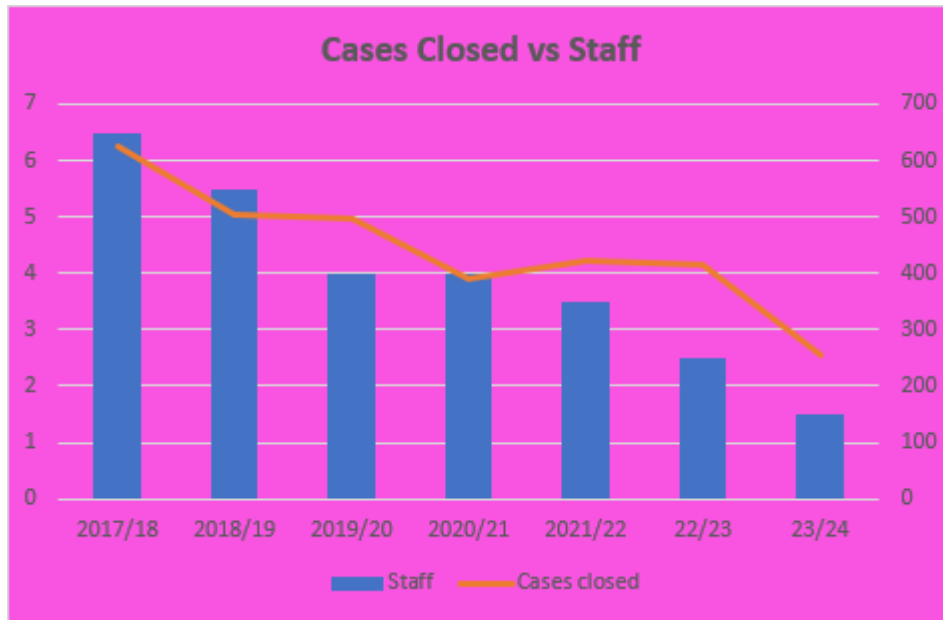


Note –23/24 is correct up to partway through Feb.

The cases registered do not include the triage work carried out by officers which is the decision to set up a planning enforcement case.

Because of the DM back log there has been an increase in the number of reports re development that does not have permission as the relevant application has been held up in the back log. This again has caused additional work for the team at the triage stage and is not currently measured.

The table below show the number of cases being closed against the resource available.



Note –23/24 is correct up to partway through Feb.

We recognise that there has been a drop in the number of cases closed year on year; however, this is attributed to the resource that is currently available and as noted above the increase in general enforcement enquiries linked to the backlog of DM applications.

The DM service has also had a period of time in this year with no Tree Officers in post. Therefore, there has not been expert support in this area to take forward tree cases. The consequence of no tree officers in post has also meant that there have been some tree applications which have become deemed approved which has also hampered planning enforcement intervention which would have otherwise been possible. Tree Officer resource is now in place, and we will see improvements in this regard.

Officers note that enforcement work has been continuing with the current resource working hard within its capacity to do so. There has been a number of cases investigated resulting breaches being remedied or closed where no ongoing planning harm exists. Note also that there are cases ongoing that will result in further serving of notices, as well as two prosecutions that are being progressed with legal colleagues. Officers have also had respond to 12 appeals of Notices served; 8 of which have been successfully dismissed, with the three allowed, and one quashed.

To improve the current position of the Planning Enforcement workload, officers have been working on several initiatives which we expect will improve efficiency. These are: -

- A joint working initiative with Neighbourhood Enforcement team colleagues has recently been set up and is being trialled helping gather data on enforcement reports and save Planning officer time in evidence gathering.
- Changes to our enforcement webpage to improve data collection to aid the flow of relevant information to make the triage assessment of a case more efficient.
- Setting a priority case closing system for historic open cases based on the likely planning harm balanced against expediency. This approach will also be tested and applied against new incoming work and allow the team to focus on cases that are of the most significance.
- Additionally, resource into the team will be increased in the Summer as noted above. The plan will be two additional officers.

As noted, we are making positive changes to current working practices by enforcement officers. We hope that these improvements and additional resource will allow more progression of cases and allow officers time to progress more serious cases effectively were expedient.

Development Control Committee A 6 March 2024

Report of the Director: Economy of Place

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Planning Applications

Item	Ward	Officer Recommendation	Application No/Address/Description
1	Central	Grant subject to Legal Agreement	23/02827/F - Premier Inn The Haymarket Bristol BS1 3LR Demolition and redevelopment to provide co-living units (sui generis) and student accommodation (sui generis), associated amenity spaces, ground floor uses (Class E), access, servicing, landscaping, public realm, and associated works. (Major)
2	Central	Grant subject to Legal Agreement	23/01407/F - NCP Rupert Street City Centre Bristol BS1 2PY Demolition of the existing multi-storey car park/retail units and site clearance to allow redevelopment of site to accommodate a new mixed-use development comprising flexible retail/commercial floorspace (Use Class E) and/or community floorspace (Use Class F2(b)), public car park accessed from Rupert St, purpose-built shared living (co-living) accommodation (sui generis) and purpose-built student accommodation (sui generis) with associated amenity space, cycle parking, refuse storage, landscaping / public realm enhancements and new vehicular access arrangements, including provision of service road between Rupert Street and Lewins Mead (Major).

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Development Control Committee A – 6 March 2024

ITEM NO. 1

WARD: Central

SITE ADDRESS: Premier Inn The Haymarket Bristol BS1 3LR

APPLICATION NO: 23/02827/F Full Planning

DETERMINATION DEADLINE: 31 March 2024

Demolition and redevelopment to provide co-living units (sui generis) and student accommodation (sui generis), associated amenity spaces, ground floor uses (Class E), access, servicing, landscaping, public realm, and associated works. (Major)

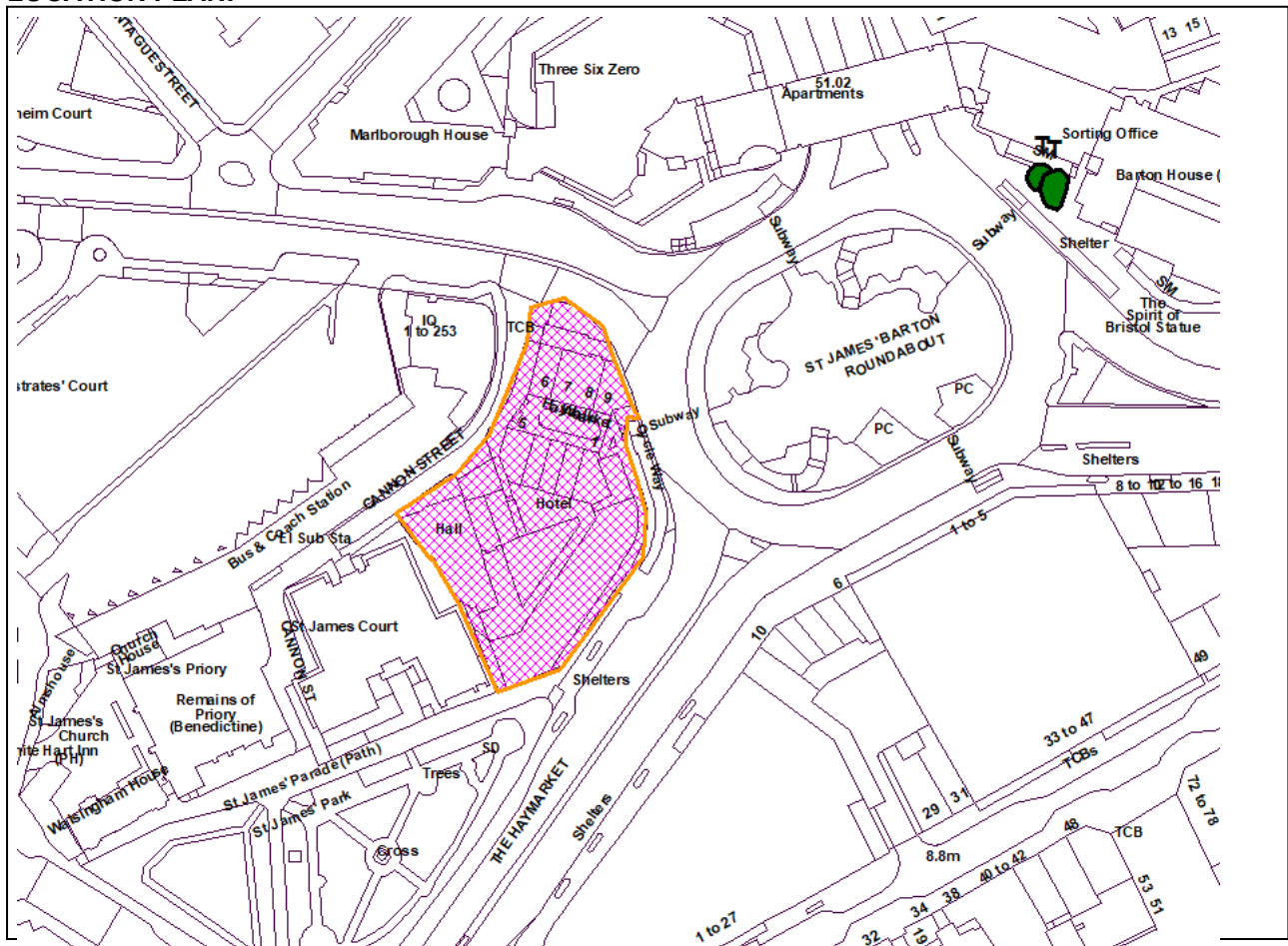
RECOMMENDATION: GRANT subject to Planning Agreement

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

APPLICANT: Branna Ltd & Premier Inn Hotels Ltd.

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

LOCATION PLAN:



Development Control Committee A – 6 March 2024
Application No. 23/02827/F : Premier Inn The Haymarket Bristol BS1 3LR

SUMMARY

- 1.1 The application relates to the redevelopment of the Premier Inn Site, on the Haymarket in Central Bristol. The site is recognised as a significant development opportunity, current containing a dated building and public realm, in a sustainable location, well served by public transport and with good access to public services.
- 1.2 However, the site is also subject to a number of constraints. It is adjacent to a busy road, and is served by relatively hostile public realm. It is also adjacent to a conservation area, which contains a number of highly graded heritage assets.
- 1.3 The application is for the demolition of the existing Premier Inn building and the construction of two buildings, one containing 422 student bedrooms and the other 142 co-living bed spaces. The proposed buildings would be a maximum of 28 stories, a significant increase on the existing 18 storey building.
- 1.4 The application has attracted a significant amount of public interest, including concerns being raised by Historic England, the Bristol Civic Society and various local amenity societies. The concerns largely result from the height of the building, and the resultant impact on heritage assets, the sustainability of the proposal, given the proposal involves the loss of a large scale, apparently viable building, and the impacts of the proposal on the high concentration of students in this location. This has also led to the application being called to committee by the Ward Councillor, citing concerns regarding ‘massing, height, density, lack of affordable housing, impact on local amenity and conservation area’.
- 1.5 These concerns have to be weighed against the benefits of making efficient use of a sustainable brownfield sites, including the provision of affordable housing, improvements in design and the public realm that will be secured through the development of the site, improvements to the area around the bus stops, the provision of a more efficient building and the economic benefits of the development. In reaching a decision on the application, therefore, these issues must be given weight and a balanced decision be reached.
- 1.6 In this respect, officers are of the view that the benefits would outweigh the harm, and have recommended the application for approval, subject to a section 106 and conditions.

2. SITE DESCRIPTION

- 2.1 The existing site is occupied by a 18 storey Premier Inn hotel, a Beefeater restaurant, Cannon Street car park, Loot vintage clothing store, and a number of small cafés/restaurants as well as vacant shop units. Loot Vintage and the cafés/restaurants are located within Haymarket Walk, a small outdoor shopping complex with basement. The environment around Haymarket Walk is currently of relatively low quality, which has in part resulted in a high degree of vacancies, and is generally rather unhostile. The Haymarket is also notable in this location for the high number of bus movements, and the bus stops form a critical element in the street scene and local infrastructure, providing access to Cabots Circus and Broadmead.
- 2.2 To the north of the site, across Marlborough Street, are further student accommodation buildings, the 360 office building and residential apartments at 51.02. To the north-east is Bristol bus and coach station.
- 2.3 On the other side of The Haymarket to the south, is Primark, with Debenhams to the east lining the St James Barton roundabout. To the east, on the other side of The Bearpit, is the Holiday Inn and further hotels, including another Premier Inn at Lewins Mead.

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2.4 To the south-west, is St James' Park, and on the other side of St James Parade is St James' Priory, which is said to be the oldest church in Bristol and is grade I listed. This priory sits adjacent to St James' Court, a modern office building which incorporated the Victorian tower of the former Scottish Presbyterian Church.

2.5 The site itself does not contain any heritage assets, but as noted above the site is surrounded by heritage interests. The western boundary of the site directly adjoins the St. James Parade Conservation Area. This contains the grade I listed Priory referred to above, the Grade II* Church House, plus a number of other Grade II listed assets associated with the Church Precincts. It is also noted that a small area to the east of the site is shown as being at high risk from previous coal mining.

3. RELEVANT HISTORY

3.1 The recent planning history at the site largely relates to minor alterations to the existing buildings, advertisement consents and applications for telecoms equipment. These are not considered to be relevant to the consideration of this application.

3.2 In relation to the current proposals an application for EIA screening was submitted in 2023 (under reference 23/01593/SCR), to assess whether or not the application required an Environmental Statement. It was concluded that an ES was not required and a screening decision issued on 15th May 2023.

4. APPLICATION

4.1 The application is for full planning permission for a mixed development of proposed built student accommodation and clustered co-living accommodation. The PBSA would provide a total of 442 student rooms in a mixture of 201 studios and 241 cluster rooms. The co-living accommodation would provide for 142 bedspaces, as well as shared amenity provision.

4.2 The Scheme will deliver two blocks of accommodation: the PBSA is block 15-28 storeys and the Co-Living block is 18 storeys. These heights include the ground floor level. In addition, it is proposed to partially retain the existing basement to house plant and cycle storage. The ground floor will provide amenity for the proposed residents, as well as a public café, and a small kiosk in the public realm.

4.3 It is proposed to clad the buildings in precast concrete, with bronze coloured aluminium for the window frames and cladding. In addition, the top and base of the buildings are recessed, with a colonnaded ground floor, and high levels of glazing.

4.4 The scheme would be provided with a significant increase in public realm, when compared to the existing site. This includes a soft landscaped area to the south of the building, and a more hard landscaped area, providing a link through to the bus station to the north. Also proposed are two new pedestrian links through from the south and east of the site, to the north, which would replace the existing link through Haymarket Walk.

4.5 It is noted that the application was subject to prolonged pre-application discussion since 2020, which led to significant changes to the scheme being made prior to the application submission. However, further amendments have been made to the scheme since submission. These include the overall reduction in height of around 4 metres, achieved through the reduction in the floor to ceiling height of the development. The revisions have also added further articulation to the western elevation, and suggested a darker cladding material, so the appearance would be less stark.

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4.6 In addition, there have been significant changes to the public realm and landscape strategy. The main result of this is the provision of additional space around the bus stops facing Haymarket, and changes to the ramped access. Changes have also been made around the servicing access and parking provision in this location.

5. PRE APPLICATION COMMUNITY INVOLVEMENT**5.1 Process**

5.1.1 A statement of community involvement has been submitted with the application. This sets out that there has been ongoing community engagement since April 2023, which has included key stakeholders including the Ward Councillors, the lead Member for housing, Bristol Civic Society, Business West, Visit West, BID City Centre and BID Broadmead. Key neighbours were also consulted, including the Bus Station and God's House Church.

5.1.2 The applicant states that 33 feedback forms were received as a result of this. It is suggested that the responses to the specific queries raised were largely positive, with specific feedback being provided on the following issues:

- Broad consensus that the existing environment around the Premier Inn is negative, with positive responses to the additional access routes and increased surveillance.
- With relation to the proposed height a slight majority expressed an objection to the proposed height (55% to 45%).
- Views on the design of the building were mixed.
- Good familiarity with the co-living model was reported, with many, mostly young people, supporting the proposal. Many expressed concern about the over-saturation of student accommodation in the area, and a desire for additional affordable housing to be provided.
- Few highway concerns were expressed, although issues with parking, cycle parking and the quality of the road crossings were expressed.
- One person expressed a concern about how the development would support the community.
- One person raised a concern about the wind tunnelling effect.
- The Civic Society raised the issue that the existing building should be retained given the potential sustainability benefits of doing so.

5.2 Outcomes

5.2.1 The Statement of Community Involvement outlines the response to the concerns raised through the Community Involvement process. In large part this is in the form of setting out how the additional information submitted at application stage, including the provision of visual impact assessment, wind assessment, sustainability assessments, daylight and sunlight assessments rebut the concerns raised through the process.

5.2.2 In terms of design, the statement sets out how the scheme has responded to advice provided by Design West, who act as an independent design advisory panel.

6. RESPONSE TO PUBLICITY AND CONSULTATION

6.1 The application was advertised by the erection of a site notice, and advert in a local newspaper, and by writing to 507 neighbouring properties. Whilst some issues have been raised about when certain parties were notified about the application, for confirmation the final round of consultation has taken place since the most recent set of amended plans were received. A total of 135 representations have been received from individuals, including 74 objections to the proposal.

6.2 The objections have raised the following issues:

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- 6.2.1 Land Use Issues (see key issue B)
- The proposal contributes to a high concentration of students in this location, and will therefore be vacant for large parts of the year, and will contribute little to the local community.
 - The proposals makes a limited contribution to the provision of affordable housing.
 - The proposal will lead to the loss of jobs from the existing Premier Inn.
- 6.2.2 Impact on Heritage Assets (see key issue C)
- The proposal would be harmful to the setting of St. James Priory, John Wesley's new room, Kingsdown Conservation Area and Redcliffe Conservation Area, as well as other nearby Conservation Areas.
- 6.2.3 Impact on the Character of the Area (see key issue D)
- The proposal is out of character with the area, is overscaled and ugly, and will be harmful to the appearance of this part of Bristol. It will change the skyline, mask the topography and impact on views in this part of Bristol for the worst.
 - The proposal will be harmful to views from neighbouring areas.
 - The level of information submitted with the application is poor, and it is particularly missing large scaled cross sections to demonstrate the impact on topography.
 - The proposal would set a precedent for other tall buildings in the area.
- 6.2.4 Sustainability (see key issue E)
- Tall buildings do not tend to be very sustainable, particularly if there is a need for sealed windows/air conditioning etc. The proposals also do not take into account the embodied carbon within the existing building. The submitted assessment uses the targets for the incorrect building type.
 - The proposal does not commit to meeting BREEAM 'Excellent' as required by the policy.
- 6.2.5 Impact on Amenity (see key issue F)
- The proposal will overshadow nearby residents and offices and increase overlooking, noise and disturbance.
 - No assessment has been submitted showing the cumulative impact of wind of this and the Debenhams proposals.
 - He proposal will have a harmful impact on air quality.
- 6.2.6 Proposed amenity (see key issue G)
- There is insufficient areas for bins for a development of this size.
 - High rise living is not conducive to health and well-being.
 - The proposal includes over 100 single aspect units, with 31% of rooms not getting adequate daylight.
- 6.2.7 Highways Issues (see key issue F)
- The proposals would impact on parking and traffic congestion in the area.
 - Provision should be made for electric scooters as part of the development.
 - It is not clear that concerns raised by TDM regarding servicing, bus stops, cycle storage, disabled parking, highway improvement and stopping up have been addressed.
- 6.2.8 Other issues
- It is apparent that when the application was first submitted that there were issues with the accessibility of some of documents. This was resolved prior to the main consultation taking place;
 - No consideration appears to have been given to the potential impact on access to the Bristol Royal Infirmary Helipad.
 - The proposal will lead to noise and disturbance during the construction process, and may result in potential damage to neighbouring buildings (Officer comment: This is covered by

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other legislation, and is not a reason that can be cited for the refusal of an application).

- This application should not be considered until the City Centre Delivery and Development Brief (DPP) is agreed and adopted (Officer comment: The application must be considered against the adopted planning policies. The DPP is at an early stage and has limited weight in the determination of the application.)

6.2.9 The supporting comments all make reference to the housing shortage in Bristol, housing affordability, and the fact that the proposal will make a positive contribution in that regard.

6.3 Ward Members

6.3.1 In their request that the application be considered by committee, Councillor Stafford Townsend has raised concerns about the massing, height, density, lack of affordable housing, impact on local amenity and conservation area.

6.4 Local Amenity Groups

The following comments have been received from Local Amenity Groups:

6.4.1 Bristol Civic Society:

- The Society acknowledges that there is an undersupply and under-delivery of housing sites. In respect to the comments from the applicant that the tilted balance is therefore engaged BCS queries whether PBSA actually contributes to housing supply, and therefore would have the weight implied by the applicant. That said, it should be noted that to underline that the presumption does not give carte blanche to unacceptable development (as is clear from appeal refusals in Bristol). In this case it is considered that the proposal would meet both exceptions set against the tilted balance, in that it would impact on heritage assets, and be contrary to NPPF policies including those for meeting the challenge of climate change, achieving well-designed places, conserving and enhancing the historic environment (including protecting the setting of heritage assets) and supporting healthy living conditions and the wellbeing of communities.
- Bristol has a shared ambition to be carbon neutral by 2030. These proposals are in part justified by the applicant's life cycle analysis which says knocking down the existing buildings and starting again is best for carbon. Treating the data supplied at face value this is a highly questionable conclusion without the background analysis that is referenced but not available for public scrutiny.
- If the case were made for demolition, research evidence suggests that carbon emissions from new development start to climb above 15 storeys. In his recent decision to refuse the redevelopment of the M&S store on Oxford Street the Secretary of State underlined that because of concerns about carbon emissions "there should generally be a strong presumption in favour of repurposing and reusing buildings, as reflected in paragraph 152 of the Framework."
- The 28-storey tower would have substantial, adverse consequences for the character of Bristol. The proposed tower continues the destruction of the unique relationship intrinsic to historic Bristol of topography, built form and skyline. It is no accident that the existing premier in tops out at a height that does not loom over the Kingsdown ridge.
- The impact of a 28-storey tower on the settings of numerous designated heritage assets causes substantial harm, on individual assets in the immediate locality including the Church of St James Priory, a grade 1 listed building and one of the oldest and historically most significant buildings in Bristol; on Church House, a grade 2* listed building which incorporates the last standing remains of part of the cloistral range of St James's Priory; and in aggregate on a number of grade 2 listed buildings and structures integral to the St James' Parade Conservation Area. More widely, the proposals would affect the setting of a substantial number of listed buildings and conservation areas including the Portland and Brunswick

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Square Conservation Area, the Stokes Croft Conservation Area, the Kingsdown Conservation Area and the City and Queen Square Conservation Area.

- The loss of part of Bristol's character only delivers a paltry return, given that recent safety requirements mean some 30% of the created floorspace in the upper floors is devoted to access, circulation and service ducting, and this means that above floor 17 the proposal only deliver 91 student bedspaces.
- The proposals also cut across several Urban Living SPD tests for tall buildings by masking the topography of the city, harming valued views from key vantage points and having a detrimental impact on the city's historic environment. They also ignore the combined effect with the near-by proposed Debenham's tower notwithstanding the advice in the SPD.
- For noise, the technical assessment concludes that to be acceptable the accommodation would have to have closed, sound-attenuating windows. This means the buildings will rely on mechanical ventilation and, to avoid overheating in the summer, comfort cooling (air con) to the co-living units and mechanical purge ventilation to PBSA habitable spaces.
- According to the applicant's own assessment, the proposed redevelopment will adversely affect the IQ student accommodation on Cannon Street.
- The applicant says there are no directly north-facing single aspect units in the proposals. Whilst this is strictly and narrowly true, over a 100 single aspect PBSA units would in effect face north and 8% of assessed rooms do not achieve the minimum levels of spatial Daylight Autonomy (sDA) recommended within the UK National Annex of the European standard. In relation to sunlight, 31% of rooms do not achieve at least one and a half hours of sunlight on the equinox as recommended as preferable by the BRE.
- In terms of air quality, the supporting assessment concludes living conditions will be acceptable. This conclusion, however, does not appear to have taken account of the City Centre Development and Delivery Plan's proposed diversion of traffic out of the city centre to The Haymarket and Bond Street.
- The transport assessment raises questions, including why use data from 2020 (the AQ assessment uses pre-pandemic data), why model, using comparative data, likely trip rates for a hotel in the middle of Bristol with limited car parking but exclude London data from the analysis and why ignore the likelihood that residents will use taxis and private hire vehicles such as Uber? The envisaged drop-off arrangements for the beginning of term are optimistic at best and are likely to be chaotic with adverse implications for safety on the St James Barton Roundabout.
- Under the heading green spaces, we are told that 63% of the site will be public realm, however the bulk of the public realm would be paved not green, dominated and shaded by the proposals and the public realm will mostly not be public and not feel inviting as a route from the city centre to the bus station.
- We also note the wind tunnelling/micro climate assessment comments that the introduction of the proposals would increase windiness around the site. This assessment does not include in the modelling the proposals for the Debenhams tower on the opposite side of the roundabout.
- As is set out in the supporting document, purpose-built co-living can provide a more affordable pathway to renting a home than a one-bed flat and it can have the positive attributes of flat-sharing with access to shared facilities. It is, therefore, a form of accommodation that is welcomed in principle. There can still be a gap between what is truly affordable and co-living rents, therefore we welcome the commitment to provide affordable housing. We do note that the policy expectation set out in the adopted Core Strategy is 40% not the 20% proposed here (which reflects the fast-track route set out in the latest Affordable Housing Practice Note). We are concerned, however, that these proposals are a missed opportunity to provide more affordable housing.
- In a number of the supporting documents, the applicant looks to put a value on the development's likely contribution to the city. These assessments are speculative at best, not least the assumptions relating to job opportunities for local people and local procurement.

6.4.2 Further comments were submitted as a result of amended plans. These largely replicate the comments made above, although the following additional comment is made:

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- BCS are surprised to see the updated Whole Life Cycle Carbon Emissions Assessment (WLCCE) now uses the major non-residential standard from the regulation 19 draft Local Plan. In effect, this overemphasises the benefits of the development in respect of embodied carbon.

It then concludes as follows:

- We set out in detail in our August representation why we oppose these proposals. These recent, limited, revisions fail to address in any meaningful way the concerns we set out (and raised by many others in the consultation responses). In terms of reusing the existing buildings, we have a strong sense the applicant is simply going through the motions with a predetermined 'it's all too difficult conclusion'.
- We also remain very concerned that the proposals to redevelop the Premier Inn and Debenhams buildings (23/02827/F and 23/04490/F, respectively) are largely being considered in isolation. These substantial proposals, both involving 28 storey towers, are situated within 100 metres of each other and have significant impacts on the same environmental factors and the same receptors. It is disappointing that in presenting the recent set of (minor) revisions the opportunity has not been taken to update the assessments, including the verified views and impact on heritage assets, so as to address the cumulative effects. Not addressing the combined impacts and omitting them from the assessments supporting the public consultation is unhelpful. It also risks being seen as misleading and circumventing law and practice relating to EIA.

6.4.3 The **Conservation Advisory Panel** have commented as follows:

The proposed development would include a tower of effectively 30 storeys, nearly 50% higher than the existing; it would intrude on the skyline of Bristol and change the perception of the city. Many views would be significantly affected, including those of the Kingsdown escarpment and from it. The deplorable result would be of flattening the topography of the city. There would be significant harm to the settings of listed buildings, including St James's Church and the St James Parade conservation area in general. The height of the tower would lead to overshadowing of adjacent open space. In addition, this structure is presented in isolation, whereas rapidly emerging proposals for the Debenhams site to the south, opposite, are likely to complicate the wind system on the applicants' courtyards and overshadow south facing amenity areas. The design is lacklustre and anonymous, and does not respond to the character and distinctiveness of Bristol which is driven by existing heritage assets. Although increased public realm would be created, there would be noise issues in the piazza from passing traffic. The design does not meet the relevant tests of policies BCS22, DM26 and DM31, or requirements of para 202 of the NPPF. The panel strongly objects.

6.4.4 **Kingsdown Conservation Group** have objected to the proposal including the following comments:

Bristol City Council's Urban Living SPD makes clear that for a tall building to be acceptable it must satisfy a range of criteria itemised in the document. In our opinion this proposal fails to do so:

- Visual Quality Q3.2: Does the scheme make a positive contribution to the long-range, mid-range and immediate views to it?

The effect of this proposal on long range views of and to Kingsdown is of particular concern to the Conservation Group. The Kingsdown Character Appraisal notes that "the topography of the City is unique and views across it make an important contribution to Bristol's townscape and character. The spectacular City-wide views enjoyed from Kingsdown are fundamental to its special interest".

It is our belief that the setting of the "tall houses on the escarpment seen from many points

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across the City" will be severely compromised by this proposal and set a precedent for other tall buildings in the area (one is already being discussed for the adjacent Debenhams site) that cumulatively will have a damaging effect on "unique views of the City".

- Visual Quality Q3.3; Does the scheme demonstrate design excellence?

In offering advice on how tall buildings should be designed the guidance states that "big, boxy, dominant massing should be avoided, as should large elongated or slab-like floor plates". The form of the taller tower in this proposal has a slab-like floor plate and as such does not meet this criterion. Its bulky form will impact adversely on the amount of sunlight and shading that is experienced in the public realm, including the Bear Pit, and by surrounding properties.

In this case the buildings proposed are generic in design and in form lack the elegance of a well-designed tall building. As such the proposal falls severely short of the design excellence required of a building that would become the most prominent building in the city.

- Environmental Quality Q3.7: Does the scheme create a pleasant, healthy environment for future occupants?

It is our belief that the quality of accommodation being offered in both blocks falls far short of what should reasonably be expected. The size of rooms are generally considerably below that required by the Government's Technical Housing Standards. The small shared balconies off each kitchen are not enough and the overall external private space provision is too small. Orientation of the taller tower means that half the units will be facing the sun with high cooling demands while the other half will receive no sunlight at all.

- Q3.8 Is the scheme sustainably designed?

In 2018 Bristol declared a climate emergency and pledged to be carbon neutral by 2030. This aim is not compatible with encouraging tall buildings. The situation is made even worse in this application by the fact that an existing tall building would have to be demolished to make space for the new ones, increasing the carbon footprint even further.

6.4.5 The **Montpelier Conservation Group** object to the application:

The scale of the proposed buildings ignores both their immediate context and the overall scale of the central area of the city. The Visually Verified Montages clearly demonstrate the inappropriate scale of the proposed buildings. They would be overbearing in their immediate vicinity and intrusive in the skyline from further away.

Although the site is not within a Conservation Area it is immediately adjacent to a large number of Heritage Assets, and its excessive scale would cause significant harm to many of them. In particular, the proposed buildings would dominate views of St James Priory, and would be intrusive in important views identified in the Character Appraisals of both the Stokes Croft and Kingsdown Conservation Areas.

6.4.6 The **Christmas Steps Art Quarter** group have made the following comments:

- Harmful concentration of students (monoculture)

In 2018, BCC's chief planning officer Zoe Willox wrote to our Association to reassure us the BRISTOL LOCAL PLAN was being strengthened so that purpose built student accommodation development near the City Centre would be more strongly controlled and should not contribute to a harmful concentration of students within any given area.

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The Christmas Steps residential area would certainly be harmfully affected if many hundreds of additional students were to flock through it every morning and evening on their way to and from University.

The proposed development would be in massive breach of this policy, creating 442 double bed spaces (up to 884 students) directly adjacent to the existing IQ Bristol (362 double beds), Marlborough House (300 double beds), Old BRI Site (416 beds) totalling 1,520 double beds (possibly meaning 2,000 to £3,000 students).

- The proposal includes less than 4% affordable accommodation which falls well short of today's needs and policies.
- The proposed tower blocks would 18 and 28 storeys tall respectively. Bristol Civic Society has held two large meetings in which all of the eminent architect and urban planning speakers talked of mounting problems of inefficiencies of heating, cooling, carbon emissions, access, escape etc., the more the height exceeded about ten storeys. In the application, BCC's Sustainable City Team states that the carbon emissions would be "More than double" those from the existing Premier Inn building
- If such buildings heights are to be allowed at all, then they should comply with BCC's policies in being sited around Bristol's periphery rather than in central Bristol. The "Verified Views" montages, show the proposed development to break the city's skyline in a hugely brutal way, harming Bristol's character and roofscape of historic spires.
- To propose a 28-storey tower so close to the air-ambulance's helipad on the roof of the 8-storey Bristol Royal Infirmary would appear to introduce a serious hazard to helicopters.
- Also, to site such a vast accommodation complex immediately adjacent to St. James' Roundabout (the busiest roundabout in Bristol) would be dangerous.

6.4.7 **Bristol University** have made the following comments in support of the application:

- **New Student Accommodation:** Does the University support the product, price and type of accommodation?

Yes.

Purpose Built Student Accommodation helps to ease overall demand, relieves pressure on the city's housing stock. The rooms comply with university minimum design requirements for cluster units arranged in sizes with the largest clusters being no greater than 12 rooms but not less than 6 rooms. Cluster rooms are generously sized exceeding our MDR of 11m². The average studio room size of 19.14m² in the PBSA is slightly below our MDR of 20m². The scheme meets our MDR requirement of 2% of total number of rooms to be fully adaptable.

The University has no allocation agreement in place. The University would like to see a proportion of the cluster rooms available to students at affordable rents. We welcome the intent to offer 20% co-living rooms at an affordable rent.

- **Planning and Placemaking:** Does the University support the planning use and quantum on this site?

Yes.

The proposals meet the University's criteria, which include being within sustainable transport of

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our campus. In providing 442 beds they meet our minimum requirement of 200 new bedrooms in any one location.

We expect the development will support the renewal and regeneration of the area through high quality connections and provision of green public open spaces. Student living increases levels of activity within areas and bring additional vitality to areas in need of regeneration.

They also respond to emerging draft planning policy H7, the general provision of which are: to ensure that there will be no adverse impacts on surrounding communities and areas; to be subject to an appropriate management regime; to be car-free and deter occupants from the parking of cars elsewhere in the city; to make provision for disabled access and disabled parking for occupants and visitors; to include active frontages and incorporate active ground floor uses wherever possible and appropriate.

- User Experience and Wellbeing: Does the University support the proposed operation and service provision?

Yes.

The provision of amenities including study, social, laundry, waste, cycling and high-quality landscape design is welcome. The University recognizes the frontage design addresses arrival and provides a means of accessing sustainable transport.

In addressing the Co-Living aspect, the University faces a significant challenge in offering nearby accommodation for staff, visiting lecturers, research fellows, and professors. The ability of the city to house these key knowledge workers plays a pivotal role in determining the University's sustained success, impacting both research and educational achievements. The proposed Co-Living housing solution is well-placed to provide convenient and sustainable housing in proximity to the University.

- Architecture and Design: Does the University consider the architecture and design to be of sufficiently high standard?

Yes.

This forthright response to a difficult site demonstrates some of the best attributes of building tall, through the careful composition, proportioning and disposal of form. With extensive evidence of testing a range of high and mid-rise options, the proposed buildings not only enhance the site of a prominent existing tall building recognising its status as an urban marker and its contribution to the skyline, it also radically transforms routes and external spaces at its base. Provision of roof gardens on levels 15&17 and communal social space on levels 17&27 should also be noted as being accessible to all residents and should be safeguarded as part of any granted consent, along with requisite attention to material specification and detailing in the façade.

6.5 Heritage Bodies

6.5.1 Historic England have commented as follows:

- Significance of Designated Heritage Assets

The application site is within the immediate setting of a number of highly graded heritage assets and three separate Conservation Areas. Most notably within the immediate setting is the 12th century Grade I Church of St James Priory, which is Bristol's oldest building. It contains significant medieval fabric, which is of high quality and which contributes to an understanding of Romanesque church architecture in England. Its 14th century tower, although not particularly tall,

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is the primary architectural element of this historic building group.

While its setting changed significantly during the latter half of the 20th century, the open former churchyard, now St James' Park, provides a green and verdant setting with good southerly views of the Church. This, together with other significant heritage assets, makes up the St James' Parade Conservation Area. The silhouette of the Church is presently unchallenged, and the primacy of the tower is only partially compromised by the existing hotel to the east. The setting of the Grade I listed church is an important component of its significance.

There are other key heritage assets within the city centre, where their individual and combined settings are far reaching. Many of Bristol's Grade I and II* Churches maintain a degree of primacy and contribute to the legibility of the city; they provide wayfinding and define the surviving historic core of the city centre. Their settings contribute highly to their heritage significance and due to the scale of the proposed development, their settings would be impacted by the proposed development.

We recognise that a significant number of Grade II and non-designated heritage assets would also be impacted, contributing to the cumulative impact. While these impacts need to be considered separately and collectively, we advise that your conservation specialist considers the effects on the setting of these heritage assets.

Many nearby heritage assets are designated as Grade I and II*, and as required by the National Planning Policy Framework, the more important the heritage asset, the greater the weight that you should give to their conservation.

- Impact of the Proposed Development

Additional comments were received following the submission of amended plan, which state that HE have identified a number of combined and cumulative impacts in our previous letter, which will result in harm to the settings of highly graded heritage assets. This is on account of the proposed height and design of the proposed development, and is cause for great concern. It is advised that the height of the taller element should be reduced by at least eight storeys.

The submitted amendments have reduced the floor to ceiling heights within the taller element and this has resulted in a reduction in height of just over one storey. The revised TVIA indicates that the change would be very modest, and it is not considered that this reduction is meaningful and does not reduce the impact and harm on individual heritage assets.

In addition to the previously submitted TVIA and subsequent revisions to this, the Heritage Addendum includes additional images that we requested as part of our previous advice and discussions. These include the following:

- Entrance courtyard to The New Rooms (Grade I John Wesley Chapel): together with the side elevation of The Arcade (Grade II*). The prepared image from this viewpoint indicates that the proposed development would rise above the principal façade of this significance historic church and visual compete and distract from its architectural scale, resulting in a degree of harm to its significance.
- South-east of Quaker Friars: The tallest element of the proposed development would visually distract from the primacy and architectural interest of this building group, causing a degree of harm to its significance.
- The final pair of views are taken from Bristol Bridge and St Phillip's Bridge, in order to assess potential impacts of the proposed development on the setting of St Peter's Church (Grade II* listed and a memorial to the Good Friday raid of 1941). However, these images indicate that the impact of the tallest element of the proposed development would be experienced in a more peripheral aspect of views within Castle Park, as demonstrated in viewpoint 19. There is a small degree of harm here, by virtue

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of a visual challenge to the primacy of the Church tower within its altered parkland setting.

In terms of the design amendments to the west elevation of the tower, there is now better articulation of the upper the floors, which, on the western side accommodate the service lifts and runs. This improvement provides some mitigation to the harm caused by the previous treatment, but does not overcome the harm caused by the actual proposed building height and its wider impact on the historic environment.

Historic England retains very strong concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 205 and 206 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Finally, the following additional advice has been received following the submission of the cumulative impact assessment:

The additional submitted information includes a further assessment of cumulative impacts, namely that contributed by the proposed development to south on the former Debenhams site. We fully acknowledge that there are likely to be substantial cumulative impacts on the historic environment, should both applications be approved and these consents fully implemented. However, since the Debenhams site application is yet to be determined by your authority, we cannot consider this proposal as part of the overall impacts at this time. We therefore advocate that the current application is considered on its individual merits, with due consideration given to our previous advice and concerns.

6.5.2 An objection has been received from the **Council for British Archaeology** (a statutory consultee for developments of this nature) on the following grounds:

The existing building on the site is of low heritage value, and we have no objection to its demolition and replacement. However, we are concerned that the scale of the proposed structure would be overly dominant on the street scene and would have a negative impact on adjacent heritage assets.

The site is in close proximity to St James' Priory, which was founded in the twelfth century. The church is Grade I listed, meaning it is in the top 2.5% of all listed buildings in England. The site borders the St James Parade Conservation Area and is visible from other conservation areas within the city. The site is also immediately adjacent to the tower of the Victorian Scottish Presbyterian Church, which survives although much of the church was destroyed due to bombing. The surviving section of the church is a non-designated heritage asset which is noted within the Conservation Area Appraisal as a historic landmark.

Currently, the southern portion of the site is occupied by a curved single-storey building which allows views towards St James' Church, the Presbyterian church and conservation area to remain visible from a distance, including from the western end of Bond Street. This allows their historic importance and dominance to be appreciated within the street scene.

The CBA are concerned that the new high rise building proposed in this location would largely

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obscure views of the two church towers from the east and would be overly visually prominent from the conservation area, dominating the skyline within the local area. We consider that this would cause harm to the setting of the Grade I listed church, the character and appearance of the St James Parade Conservation Area, and the setting of the non-designated heritage asset, the former Presbyterian Church.

The CBA do not consider that the proposed increase in height of the buildings on site, and particularly to the southern part of the site, has sufficient justification to outweigh the harm caused to the setting of nearby designated assets.

6.5.3 A further objection has also been received from **Historic Buildings and Places** (formally the Ancient Monuments Society), who are also a statutory consultee, on the following basis:

HB&P OBJECT due to the harmful impact the proposal would have on the nearby conservation areas and heritage assets. HB&P agree the existing building is of low heritage value and therefore the principle of redevelopment is accepted. However, the scale of the replacement buildings proposed are excessively high and overbearing.

The application site itself contains a relatively modern development from the 1970s, but it is situated in a sensitive location in terms of the impacts on the wider historic environment.

HB&P consider the height and bulk of the two proposed replacement towers to be excessive for this location. It towers over and dominates the conservation areas listed above, further harming the established character and setting of the grade I listed Church of St James Priory. The impact is particularly evident in the longer distance views, such as those along the river across Castle Park and the City's medieval core. The negative impact would only be amplified by the addition of this development.

Urban renewal and increasing densities are essential to the growth of the City, but this can be achieved in much more sensitive and appropriate ways than tall tower blocks. In considering this application HB&P urges Bristol City Council to prioritise the protection and value of its special historic streetscapes and skyline.

HB&P acknowledges the opportunities to regenerate and redevelop this site, however, the priority should be to ensure any new development is sensitive the historic environment and adjoining heritage assets.

6.6 OTHER COMMENTS

6.6.1 At the time of writing final **Transport Development Management** comments have not been received. However, the revised proposals have been discussed with TDM officers who are broadly supportive. The following issues have been raised in respect of earlier iterations of the plans:

TDM require the following amendments/ information before a positive recommendation can be made:

- Loading bay is of an insufficient size.
- Cycle parking numbers need amendment as does design.
- Footway around the corner of the site to be shown on plans.
- Land required to increase bus stop waiting area as agreed.
- Highways improvements to Canon Street.
- Adoption and stopping up plan.
- Disabled parking provision
- Amendment to moving in strategy.
- Cannon Street highway works plan.

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These issues are explored in full in key issue H.

6.6.2 Nature Conservation Officer has commented as follows:-

The site is located in an urbanised 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.

The Preliminary Ecological Appraisal (PEA) (IES Consulting, July 2023) appropriately describes the ecological features of the site and mitigation required. Ecological enhancement such as bird boxes are proposed which is supported. The inclusion of a suitable placed peregrine scrape should be conditioned as there are records of peregrine in the area and the buildings offer suitable height to be attractive to peregrines.

The Biodiversity Net Gain (BNG) Assessment (IES Consulting, July 2023) calculates a 5684.28% gain in area habitat units. A 30-year Landscape and Ecological Management Plan (LEMP) should be conditioned.

Omissions in the BNG calculation regarding the provision of hedgerows and the delay in habitat creation have been addressed in the revised submission.

Conditions should secure the following:

- Ecological Management and Enhancement Strategy.
- Green Roof Method Statement.
- Protection of Nesting Birds.
- Soft Landscape Plan.
- Landscape and Ecological Management Plan.
- The applicant should be advised that permission does not remove the legal protection of bats.

6.6.3 Housing Delivery- Strategy And Enabling Manager has commented as follows:-

In this case, there is no adopted policy requirement for PBSA to provide affordable housing, and the policy and guidance does not address the applicability of affordable housing to Co-Living. The new publication of the Local Plan (Nov 23) says 'for the purposes of this policy the definition of build to rent development is as set out in the National Planning Policy Framework. Co-living or shared living developments that meet this definition will be considered as build to rent housing. National policy also expects build to rent development to make provision for affordable housing.' The applicant's affordable housing statement advises "proposed that 20% of the Co-Living units are affordable, which would be capped at Local Housing Allowance levels."

The applicant has offered 26 units in the co-living block as affordable housing. The applicant also advises that all affordable units are proposed to be studios. The average size of a studio is 21.3 sqm, with additional internal and external amenity space; the total is 29.7 sqm per resident. BCC's Spaced Standards Practice Note (March 2021) states that Nationally Described Space Standards are not applicable for Co Living accommodation. The proposed location of affordable housing is to be confirmed prior to occupation, and units may be varied from time to time, subject to prior agreement.

In accordance with Policy DM4 (Wheelchair Accessible Housing) of the Site Allocations and Development Management Policies, 2% of new homes within the scheme have been designed to be wheelchair accessible. The Scheme provides 2% M4(3) in the PBSA block and 3% M4(3) in the Co-Living block. In addition, the Scheme provides easily adaptable units for residents who are wheelchair user, with 8% M4(2) in the PBSA block and 7% M4(2) in the Co-Living block.

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The above planning application involves a development proposal that would be served by a drainage strategy with an end sewer outlet. From the LLFA perspective the plans are acceptable, with green and blue roofs providing SuDS source control before this final discharge point which is to be managed at a reduced rate through a hydrobrake and attenuation storage.

It is noted that Wessex Water have been consulted regarding the discharge rate but have not provided any comments on the application.

6.6.5 Sustainable City Team has commented as follows:-

Since the comments were made the applicant has sought to address the issues raised, and a full response is yet to be received. Prior to this the outstanding concerns were raised:

- Whilst the overheating assessment shows that the all rooms would pass the overheating criteria for both 2050 and 2080, this appears to rely on comfort cooling, which would add to carbon emissions.
- The energy strategy shows a reduction in emission of around 54% beyond the building regulation, which is policy compliant.
- A revised BREEAM assessment has been submitted which targets 'excellent' which accords with policy.
- In respect of whole life carbon it is noted that the submitted statement suggests that the existing building is at the end of its life span and will require substantial refit to last for another 30 years. However, the RICS guidance suggests that whole life carbon requires assessment over a 60 year period, and it is not clear how this has been taken into account.
- Notwithstanding this, the assessment shows an improvement in carbon emissions per square metre, although the overall emissions would increase (i.e. as a result of the significant addition of floorspace). In addition, it is queried why the non-residential rather than residential targets are used in the assessment.

6.6.6 Bristol Waste Company has commented as follows:-

The proposal would require 29 waste receptacles for the co-living block and 41 for the student block.

It is noted that the proposed collection points are on Canon Street, which is currently busy and despite parking restrictions, can be difficult to access. The applicant should seek dialogue with Bristol Waste to ensure that the access can be maintained.

6.6.7 Energy Services has commented as follows:-

I write to inform you that we (Vattenfall Heat UK) are planning to construct a new a part of the Bristol Heat Network in this area in our role as Network Operator in support of Bristol City Leap.

We will be able to provide this development and all the neighbouring developments and existing buildings with a bulk supply connection for heating and hot water in advance of their occupation. The heat network in this area will be constructed in line with development timelines, and we can start work on individual connections prior to this to ensure they are ready to receive heat by the time the network spine is commissioned. In case development requires heat before this date, we will be able to advance our plans and expedite the construction of the network and of a localised

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heat source to meet development timelines.

6.6.8 Pollution Control has commented as follows:-

I have looked at this application and the noise impact assessment and have no objection to it.

The noise impact assessment makes a number of recommendations with regards to the insulation of the proposed residential part of the development against existing noise and noise from the development itself. The assessment recognises that further consideration will need to be given to the acoustical design of non-residential spaces and the selection of building services plant.

Therefore, it is recommended that any permission is subject to conditions to cover the following issued:

- The provision of a construction management plan.
- Sound insulation for residential properties.
- Noise from the development.
- Details of extraction and ventilation for E class uses.
- Noise from plant and equipment.
- Use of refuse and recycling.
- Time of deliveries.

6.6.9 Building Bristol has commented as follows:-

The development will require an Employment & Skills Plan in line with local authority guidance - details of which can be found here www.buildingbristol.com and the applicant is invited to make contact with the Building Bristol Coordinator to discuss the plan requirements.

Should Planning Permission be granted please ensure the following condition(s) are included within the decision and that the S106 fee is collected.

7. RELEVANT POLICIES

Planning (Listed Buildings & Conservation Areas) Act 1990
 National Planning Policy Framework – September 2023
 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.

8. EQUALITY ASSESSMENT

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

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

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

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(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relationships between persons who share a relevant characteristic and those who do not share it.

8.3 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. 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 to this particular proposed 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.

KEY ISSUES

For information, any policies quoted in the report with the prefix BCS are from the Core Strategy, DM are from the Site Allocation and Development Management Plan, and BCAP are from the Bristol Central Area Plan. Draft policies quoted from the Bristol Local Plan Publication Version will be referred to in full.

9. A: WOULD THE PROPOSED DEVELOPMENT CONSTITUTE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) DEVELOPMENT, AND SHOULD THE APPLICATION BE SUPPORTED BY AN ENVIRONMENTAL STATEMENT?

9.1 Bristol City Council issued a formal screening opinion under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in May 2023. This concluded that the development was schedule 2 development, which means that the LPA need to consider the following issued in determining whether or not the development is EIA development:

- The Characteristics of the Development;
- The environmental sensitivity of geographical areas likely to be affected by development;
- The likely significant effects of the development on the environment.

Having considered the proposal against this criteria it was concluded that the proposal was not EIA development.

9.2 It is noted that in respect of criteria a and c the LPA are required to consider “cumulation with other existing development and/or approved development” and “the cumulation of the impact with the impact of other existing and/or approved development”.

9.3 In this case, the application site is close to a number of other major development sites, not least the application for a similar scale development at the Debenhams Site (ref. 23/04990/F), which is likely to be considered at a forthcoming Development Control Committee. Through the cause of the consultation on this application it has been raised that the LPA should reconsider their view on this issue, given the cumulative impact of both developments.

9.4 The screening letter issued by the LPA does indicate that the cumulative impacts of the development was considered, and states as follows:

It is noted that there are some sites in the locality that have the potential to be further developed, but given the relatively local impacts of the proposal on this site it is not considered that the cumulative impact with any other sites if they were to come forward would be such that it would be

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considered so significant, and significantly different in scale and nature to the existing condition of the site to warrant the requirement for an Environmental Impact Assessment. The proposed development could be adequately assessed within a planning application.

9.5 In respect of the proposals on the Debenhams site, whilst a formal pre-app had not been submitted when the screening opinion was issued, discussions with the LPA, including presentations to Design West, had occurred in March and April of that year. Importantly, those discussions had included the same officers who had issued the screening opinion. On this basis, officers are satisfied that when issuing the screening decision the relevant officer was both aware of the proposals on the Debenhams site, and this was considered prior to concluding that an ES was not required. On this basis it is concluded that screening opinion is still valid, and the proposal is not considered to be EIA development.

10. B: IS THE PRINCIPLE OF THE DEVELOPMENT ACCEPTABLE?

10.1 The application site is currently used as a hotel, and is located on an unallocated site within the Bristol City Centre Area. Development plan policies that support the principle of the development include BCS2, which states that Bristol City Centre's role as a regional focus will be promoted and strengthened; and throughout the city centre, higher density, mixed-use development will be encouraged with active ground floor uses along the busier streets. BCS20 also states that new development should maximise opportunities to re-use previously developed land, and that higher densities will be sought in city centre locations.

10.2 BCAP1 states that new development in the City Centre will be expected to contribute to the mix of uses in the wider area. A mix of new homes, employment and other uses will be sought as appropriate to the site and its context.

10.3 The proposal will result in the loss of hotel bed spaces and retail frontage. With respect to the hotel, policies are generally supportive of the provision of hotels, but there are currently no policies that relate specifically to the retention of hotels. There are policies that relate to the retention of retail, however given the site is not identified as retail frontage it would fall to be considered against policy BS7, which seeks to retain small scale retail where "it remains viable and provides an important service to the local community." In this case the site is directly adjacent to Broadmead, which is the main focus for retail development within Bristol. There is clearly a reasonable level of vacancy in Broadmead presently, and Haymarket Walk itself has a high level of vacancy, and appears to be relatively run-down. As such, there is no evidence to suggest that the retail either provides an important service to the local community which could not be provided within Broadmead, or that it would be viable in the long term. On this basis, there is no policy objection to the loss of the retail frontage. It is noted that the loss of the existing floorspace will result in the loss of employment opportunities, which would need to be balanced against the benefits of the proposal.

10.4 With regards to the proposed development, Section 5 (Delivering a sufficient supply of homes) of the NPPF outlines that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay". In relation to maintaining sufficient supply and delivery of homes, paragraph 75 of the NPPF outlines: "Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites."

10.5 Bristol has a positive approach to boosting the supply of homes. Policy H1 of the emerging Bristol Local Plan (Publication Version November 2023) proposes an ambitious housing requirement of 1,925 homes per year, substantially higher than that of the current Core Strategy

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(June 2011). The emerging plan offers a large range of potential development sites, areas of growth and regeneration and a variety of policy interventions that will help to ensure that the housing requirement is delivered and preferably exceeded. In doing so the emerging plan seeks to meet as much of the identified housing need as possible, consistent with paragraph 60 of the National Planning Policy Framework (NPPF).

- 10.6 Until the new local plan is adopted, the council is expected to identify and update annually a supply of specific deliverable sites to meet its local housing need for the next few years. If it cannot do this, the presumption in favour of sustainable development applies. For Bristol, only a four year supply must be demonstrated, as the emerging local plan has reached the Publication (Regulation 19) stage (NPPF paragraph 226).
- 10.7 The Government's standard method sets Bristol's local housing need at a very high level due to the inclusion of an additional 35% uplift for the largest cities and urban centres. Consequently, despite a substantial stock of planning permissions and a positive approach, Bristol is currently unable to demonstrate a four year supply of housing land. As a result paragraph 11(d) of the NPPF is engaged and the tilted balance applies.
- 10.8 There are two aspects to understanding whether planning permission as prescribed by Paragraph 11(d) should be granted and whether policies which are most important to determining the application are out of date. The first is where the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Amongst the areas of particular importance that may be relevant to Bristol, the footnote to paragraph 11d includes habitats sites including those designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty; irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change.
- 10.9 Or the second, where 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.
- 10.10 It is noted that the objectors to the scheme have questioned the relevance of paragraph 11 in respect of student accommodation, i.e. can student accommodation be considered as residential for this purpose. The Planning Practice Guidance confirms that all student accommodation can contribute towards an authority's housing land supply, and it has been accepted on other sites that student bedspaces can count towards 2.5:1 (bedspaces to dwellings). On this basis, the provision of student accommodation would contribute to Bristol's housing delivery.
- 10.11 Policy BCAP4 refers specifically to student housing and states that specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable within Bristol City Centre unless it would create or contribute to a harmful concentration of specialist student housing within any given area. However, the policy goes on to state that in areas where there is little or no existing residential population, such as the Old City, Nelson Street and Newfoundland Way, some clustering of specialist student housing may be appropriate.
- 10.12 The policy also acknowledges the benefit that growth of specialist student housing in the city centre has in relieving pressure on the local housing stock.
- 10.13 Members will be aware that consultation has commenced on the Publication Version of the Bristol Local Plan which will provide up to date planning policies for the City. As set out in the National Planning Policy Framework (NPPF) para 48, weight may be given to these emerging policies according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that can be given); the extent to which there are unresolved objections to relevant policies, and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

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- 10.14 Emerging policy H7 proposes a more direct approach to the location of specialist student housing. This states that outside specified areas for student development, any proposals for purpose-built student accommodation (PBSA) should form part of mixed-use developments comprising a proportion of other compatible residential uses where feasible and appropriate. The development should not result in an imbalance of PBSA within the area and should not conflict with the delivery of other planning objectives for the area in which it is proposed.
- 10.15 The written justification for the policy states that PBSA should be balanced with the needs of the wider community, and that problems can result from an individual large-scale development or clusters of developments. These can include a reduction in local housing choice, a general weakening of the diversity of uses within an area and increased levels of activity surrounding development resulting in detrimental effects on residential amenity and/or the character of an area.
- 10.16 The written justification goes on to state that, as a guide, the Council considers that a local imbalance of PBSA is likely to occur where bed space numbers within 200 metres of a site exceed a threshold of 1,000 bed spaces within the city centre's commercial areas. Assessments on whether an imbalance would occur should also consider the extent to which the development provides for a mix of uses, including residential, that contributes to the diversity of uses and housing choice within the area.
- 10.17 There are already a number of PBSA developments within a 200m radius of the site and the number of bed spaces exceeds 2000. This total is clearly well in excess of the guideline figure of 1000 bed spaces put forward in the written justification for the policy. However, it should be borne in mind that objections to the policy have been submitted in response to the public consultation currently underway on the Publication Version at the time of writing. It is therefore unclear whether Policy H7 will remain as currently written and as a result can only be afforded limited weight.
- 10.18 It should also be noted that an appeal (APP/Z0116/W/18/3212806) for a student development of 345 bedrooms at Wilder Street was allowed on 5th September 2019. Although not recent, this appeal remains pertinent. Within the decision letter, the planning inspector commented that "There are no absolute limits in what would represent a harmful concentration" [of students] and that potential adverse impacts "...can generally be addressed by the efficient management of the complex and enforcement of tenancy agreements".
- 10.19 The proposal is 'mixed-use' containing 442 student bedspaces together with 132 co-living studios, and a small amount of commercial floorspace. Mixed use developments are supported by Policy BCAP4 and H7. It should also be noted that both student accommodation and co-living have to achieve a critical mass to ensure that it provides appropriate facilities and makes the site viable – the comment from the University makes reference to PBSA being provided in blocks of at least 200 units.
- 10.20 Co-living is not a widely known concept in Bristol as there is just one purpose-built co-living development in the City known as the 'Zinc Works', located at Unity Street, Old Market, which opened in October 2022. Co-living accommodation can be described as catering directly for an identified housing need amongst 18-35 year old young professionals / key workers, who may be unable to purchase a property and would otherwise require HMO accommodation. They allow residents to live independently in studio accommodation (the units would be approx. 20sqm) whilst having access to communal facilities such as lounges, cinema rooms, kitchen/dining rooms (available to hire by residents) and laundry / concierge facilities. Through the use of shared facilities, co-living accommodation successfully creates a sense of community amongst residents.
- 10.21 For information, the Zinc Works has 102 studios and has been fully let since January 2023, demonstrating a demand for accommodation of this type in Bristol.

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10.22 The Bristol Local Plan is silent in respect of co-living accommodation, however the Urban Living SPD states: "Higher density residential developments need to incorporate a variety of accommodation to meet the needs of families, elderly, co-living and those with specific accessibility needs, rather than just focusing on young professionals."

10.23 It is also noted that there are no current policies that relate to the delivery of affordable housing in co-living accommodation. In this case, the proposal shares many of the characteristics of built to rent accommodation, and Government Policy in relation to build to rent is that it should deliver 20% affordable housing. In this case, the applicant has offered 20% of the units at a rent level linked to the local housing allowance. The Council's housing enabling team have confirmed that they are supportive of this approach, and it would need to be secured through a s106 agreement.

10.24 It is undoubtedly the case that the proposed development would add to the concentration of student accommodation in the area, but despite the fact that it would exceed the guideline figure set out in draft Policy H7, this is not considered a robust reason to reject the principle of this development given the policy is at draft stage and subject to unresolved objections. With regards to the current policy position it is the impacts of the student accommodation which are key to considering the issue of whether an unacceptable concentration has been reached, and these are considered in more detail in the following key issues. It is also the case that the proposal would add to the diversity of housing in the area with the introduction of co-living, and the benefits of the additional accommodation attracts significant weight in the planning balance, given the performance of Bristol City Council against the Housing Delivery Tests. Therefore, whilst there is no objection in principle to the loss of the existing uses from the site, the proposal development offers a mix of benefits and harms, and ultimately these benefits and harms have to be weighed against each other in coming to a decision on the application.

11 C: WOULD THE PROPOSAL HARM THE SETTING OF THE NEARBY LISTED BUILDINGS AND CONSERVATION AREA?

11.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The case of R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin) ("Forge Field") has made it clear where there is harm to a listed building or a conservation area the decision maker "must give that harm considerable importance and weight." This is applicable here because there is harm to the listed building and conservation areas caused by the proposals as set out below.

11.2 Section 16 of the national guidance within the National Planning Policy Framework (NPPF) 2023 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm or loss requiring clear and convincing justification. Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight shall be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

11.3 Further, paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. It states that substantial harm or loss of grade II listed buildings or grade II registered parks or gardens should be exceptional, and assets of the highest

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significance should be wholly exceptional.

- 11.4 Paragraph 207 states that where a proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset, LPAs should refuse consent unless it is demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm or loss, or where certain criteria apply). Finally, paragraph 208 states where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 11.5 In addition, the adopted Bristol Core Strategy Policy BCS22 and the adopted Site Allocations and Development Management Policies Policy DM31 seek to ensure that development proposals safeguard or enhance heritage assets in the city.
- 11.6 Officers have undertaken the assessment required under the Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF, and have given special regard to the desirability of preserving the assets, their setting and features of special architectural or historic interest which they possess. They have given this harm considerable importance and weight.
- 11.7 It is noted that the applicant has submitted a heritage assessment with the application. It is acknowledged that the application site does not contain any above ground heritage assets. Indeed, the existing Premier Inn building is identified as having a negative impact on the conservation area in the St. James Parade Conservation Area Character Appraisal, and therefore there are no objections to the demolition of the existing buildings on heritage grounds. The heritage assessment states that the impact on over 150 heritage assets have been considered, and identifies the impact on a number of these assets. However, it is noted that a number of assets have been identified through the assessment of the application and as a result of consultation. Given the location and the scale of the proposals it will be seen within the context of a number of heritage assets and any resulting impacts need to be considered here.
- Significance of Heritage Assets
- 11.8 St. James Priory (Which includes the Grade I listed Church of St James and various listed walls):
- Most notably the site is within the immediate setting is the 12th century Grade I Church of St James Priory, which is Bristol's oldest building. It contains significant medieval fabric, which is of high quality and which contributes to an understanding of Romanesque church architecture in England. Its 14th century tower, although not particularly tall, is the primary architectural element of this historic building group. This is amongst the highest graded listed structures, and is of national significance.
- 11.9 Church House (Grade II* listed building):
- Church House (two storeys) is dated from 1666 from a plaque on the front, and was altered in the 19th century. It is of rendered pennant rubblestone; limestone dressings; and timber-framing and is also highly graded.
- 11.10 White House Inn and attached wall (Grade II listed building):
- This rendered timber-frame building is dated 1672, though it was re-fronted in the 19th century. It is possible that parts of it are older and linked to the walls and gateway of St James's Church.
- 11.11 Scottish Presbyterian Chapel (Non designated heritage asset)

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Identified in the Conservation Area Appraisal as a historic landmark, and now partially incorporated into St. James Court, a 1990s office development.

11.12 The following listed buildings and buildings of historic interest are also identified as being impacted by the proposals, although at a greater distance from the site:

- Nos 31-34 Portland Square (Grade I listed building),
- Nos 1-6 Portland Square (Grade I listed building),
- The new room at the John Wesley Chapel (Grade I listed),
- Quakers Friars (a complex of Grade I, II and II* buildings)
- Nos 7-12 Brunswick Square (Grade II listed building),
- Chapel Wing to the Old Bristol Royal Infirmary (Grade II listed)
- Bristol Eye Hospital (Grade II listed)
- The Baptist Chapel, Union Street (non-designated heritage asset: locally listed)

11.12 In addition, the proposal will have a visual impact on the following Conservation Areas:

- St James' Parade Conservation Area
 - Portland and Brunswick Square Conservation Area
 - Stokes Croft Conservation Area
 - Kingsdown Conservation Area
- Impact on heritage assets:

11.13 As referred to above, the application site does not contain any heritage assets, and therefore there are no direct impacts on heritage assets. It is noted that the concerns have been raised from neighbouring properties about the impact on the stability of neighbouring assets during construction, but it is considered that this can be addressed through conditions. Therefore, the issue to be considered is the potential impact on the setting of the assets.

11.14 In this case it relevant to the consideration that the site already contains a building of significant scale. It is widely acknowledged that in itself this building is harmful to the setting of a number of assets. It is also considered to be of limited architectural merit, and provides limited mitigation for the level of harm.

11.15 In respect of the St. James Parade collection of buildings, the existing buildings appear in the background to a number of the existing buildings from the west. However, it is considered that in views from the west the tower of the Church of St. James does retain a degree of primacy, i.e. the existing building is partially screened in these views. It is considered that the level of primacy will be lost as a result of the proposed development, which will appear significant taller and more dominant. This will impact on the historic significance of this building, as clearly the building was historically designed to have a degree of primacy in the local context. It is noted that design changes to the tower have introduced more texture to the elevation, and reduced the stark nature of the contrast between the buildings. Whilst these changes are welcomed, they do not remove the harm. In discussions with Historic England they have identified that it would be necessary to remove 8 storeys from the proposed tower to fully mitigate the level of harm introduced. Given this building is grade I listed, the harm must be seen in the context of the high value of the asset.

11.16 With regards to the views to the east, the existing building screens a number of views of the St. James Parade group of building, which significantly reduces the value of these buildings. From this direction, the increase in height has little impact on the views of the assets. However, the opening up of the public realm at ground floor level by removal of the podium, in effecting pushing the bulk of the building to the north, result in improved local views of the Scottish Presbyterian Church, and to a lesser extent the Church of St. James. The applicant also argues that this will better reveal the assets and improve the setting for these buildings and the conservation area, as well as increase footfall around the buildings. Officers concur that this is a heritage gain, albeit this

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largely relates to views of a lower graded asset, and therefore the gains are considered relatively moderate.

11.17 In views from the south particular concerns have been raised about impacts in relation to Quakers Friars and the John Wesley Chapel. The proposal is not in the direct context of these buildings, and they are already surrounded by buildings of some scale. Whilst views would be available of the proposals, these are likely to be limited, and hence would have a minor impact on the significance of the buildings. In longer views, it is noted that the existing building is already viewable in a number of view points, and already appears dominant in the context of nearby heritage assets. Again, the increase in height would mean that it appears more dominant, and therefore it is considered the impact on the significance of those assets would be minor.

11.18 To the north of the site the area is characterised by the topography, raising up to the north, and is covered by a number of conservation areas. In particular, the proposals will appear as prominent in views from the Stokes Croft and Kingsdown Conservation Areas, and indeed will be visible across much of north Bristol. In general, the impact in more local views are considered to be relatively minor. The critical issue is that the proposal would replace one tall building with a larger tall building, albeit one of better design. However, a specific issue is raised about views of the proposal from Kingsdown, where the openness of the views to the south is a specific positive aspect of the Conservation Area. It is noted that from these views the slender design of the tower will not be beneficial, and indeed it is likely that the proposals would break the skyline, and would appear dominant in these views. Whilst the applicant claims no impact on the setting of Kingsdown Conservation Area, officers are not satisfied that this has been satisfactorily demonstrated.

11.19 As such, it is concluded that why there are some minor heritage benefits that arise from the application, it is considered that the proposal will result in a degree of harm to a number of heritage assets, particularly the grade I listed Church of St. James, the St. James Parade Conservation Area and Kingsdown Conservation Area. It is noted that some representations have suggested that this would constitute substantial harm, the test in relation to substantial harm is whether or not it would severely damage the assets significance. It is noted that Historic England do not claim substantial harm, and in this case officers are satisfied that given the context the proposal would therefore result in less than substantial harm.

- Justification for the harm

11.20 As discussed above, where less than substantial harm has been identified, the tests in the NPPF are engaged, specifically whether or not there is clear and convincing justification for the harm and whether the public benefits outweigh the harm.

11.21 The benefits of the proposal are discussed in more detail throughout the rest of the report. In broad terms these can be summarised as the provision of additional residential development on a brownfield, highly sustainable site, economic benefits, benefits in respect of design and public realm and economic benefits. The key consideration here is whether these benefits could be provided with a lesser degree of harm and would they outweigh the harm. It is noted that Case Law suggests that there are three clear categories of harm, substantial, less than substantial and no harm. As set out by Historic England, in order to move to a position of no harm would require the removal of around 8 stories from the development. Whilst no viability evidence has been submitted with the application, it is clear that such a substantial reduction in scale would impact on the benefits that the development can provide, particularly in relation to the mixed use nature of the development. In reaching a decision on the application the LPA do need to carefully balance these benefits against the harm, but officers are satisfied that there is justification for a degree of harm.

- Cumulative impact

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11.22 It is noted that a number of objections are critical of the fact that the cumulative impact of the development of this site and of the Debenhams site have not been fully considered. In response to this the applicant has submitted a cumulative impact report.

11.23 In general, planning applications have to be assessed on the basis of their own individual merits. However, it is noted that in the national planning guidance it states that 'When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change.' However, in the response from Historic England it is noted that they state that they cannot consider the Debenhams application as that scheme has yet to be approved. In broad terms, the cumulative impact report does suggest that the two proposals together will result in some additional impacts, although the Debenhams scheme will provide some additional mitigation, especially in views from the south, which will be masked in part by the proposals. Overall, as this scheme is coming forward first it is considered that limited weight can be given to the cumulative impact, although this may change if one or other scheme is approved.

12. D: IS THE DESIGN AND CHARACTER OF THE PROPOSED DEVELOPMENT ACCEPTABLE?

12.1 Policy BCS2 (Bristol City Centre) expresses that the design of development will be expected to be of the highest standard in terms of appearance, function, conservation of heritage assets, sustainability and maintaining and enhancing green infrastructure. Key views will be protected.

12.2 Policy BCS21 promotes high quality design, requiring development among other requirements to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art and create buildings and spaces that are adaptable to change.

12.3 DM policies reinforce these requirements. DM26 requires development to contribute towards local character and distinctiveness. DM27 concerns the arrangement and form of buildings, structures and spaces. It states that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces, the setting, public function and /or importance of the proposed development. DM28, concerning public realm, states that development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and encourages appropriate levels of activity and social interaction. Finally, policy DM29 concerning the design of new buildings, states that new buildings should be designed to a high standard, responding appropriately to their importance and reflecting their function and role in relation to the public realm. It adds that buildings will be expected to be clearly organised in terms of their form, internal layout and circulation to reflect the hierarchy of function they will accommodate, the uses they will serve and the context they will address.

12.4 The DAS demonstrates a rigorous analysis of the form, materials and proportions of adjacent buildings to the site. This has informed the appearance and massing of the building, whereby the building volumes are distinct and separated, and dynamic in local views and wider vistas. It also sets out how comments from the LPA and from Design West have been taken into account during the consideration of the application.

12.5 The most significant issue in this case will be the substantial increase in height, and the impact of the form and massing of the proposed buildings has been assessed in the Townscape and Visual Impact Assessment (TVIA). This acknowledges that there will be a range of impacts as a result of the development. The site is already occupied by a tall building, and is clearly at a nodal point in the city centre. As such, there is considered to be justification for a tall building on the site. The assessment argues that the proposal would result in improvements in respect of design quality, describes as slight and moderate. This is particularly evident in views from the east and

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west, where the slender form of the taller element is particularly beneficial. This is balanced against the additional harm outlined above, in respect to heritage assets.

12.6 The Design and Access Statement sets out how the design of the proposal has evolved, and what other options have been considered for the site, this includes lower development, but with a much larger footprint. The advantages of the proposed layout are listed as follows:

- Separation of blocks allows reduced mass
- Creates large area of south facing public realm
- Creates public realm and greater servicing access to Cannon Street
- Allows direct pedestrian routes through the site at ground floor, connecting the bus station at Cannon Street and Haymarket
- Opens up views to the church
- Reduced overall mass to the bearpit through presentation of staggered slender gables

12.7 It is certainly evident that the benefits of improved connectivity through the site, between Broadmead, the bear pit and the bus station, was identified at an early stage by the LPA. The current layout is considered to be successful in taking this into account. The splitting of the site into two building will help with the legibility of these routes. The separation of the building is relatively narrow, and it is the case that a greater degree of separation would achieve this more successfully, but this routes through will be evident from closer to the building, and particularly coming from the north at the bus station.

12.8 With respect to the design of the proposal, the massing has been stepped to create a cluster of buildings and better relate them to the existing fabric of the area. The buildings have been designed with a clear top, middle and base. The base has additional height, and is colonnaded to create interest at the pedestrian level. The materiality of the proposal is designed to respond to the use of Portland stone, which is common in the area. As a result to concerns raised by Historic England a darker tone for the cladding has been chosen, as well as additional textures introduced on the more blank facades, to give the building a slightly softer appearance, so it is less stark against the heritage buildings. It is proposed to activate the ground floor with communal space within both buildings, as well as a café and kiosk. The high proportion of glass will enable views into the building.

12.9 Of particular benefit, the proposal will result in a significant increase in public realm, compared to the existing position. The public realm around the existing site is constrained, and is generally quite poor. And the area around Haymarket walk in particular, is dated and at risk from anti-social behaviour. The proposal includes the provision of additional highway around the position of the bus stops, to allow additional waiting space, and a landscaped area to the south of the building. Whilst this area will be noisy, being adjacent to the road, it will benefit from good access to daylight, and in an area where greenspace is at a premium, is welcomed. In respect of the northern square, described as a community courtyard by the applicant, this will provide a much more welcoming aspect for those arriving at the station. Unfortunately, this area will benefit from very limited provision of direct sunlight, which would limit how desirable this is for leisure use for much of the year. However, it is considered that the is a significant improvement as an area to pass through than the existing environment. The applicant calculates that the proposal would provide over 2000 sq m of additional public realm.

12.10 In general, the proposal is considered to be of high quality design, and is of significant improvement compared to the existing building and public realm. The applicant has worked with the LPA and Design West to provide a development which secures the shared urban design aims for the site. Notwithstanding this, the scale remains challenging, and will set the building out as a significant landmark, along with the potential future development of the Debenhams site. If the additional height is considered justified it is considered that the design quality would produce a successful development.

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13.1 As embedded in the NPPF, sustainability should be integral to all new development, and should encourage opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems. BCS13 encourages developments to respond pro-actively to climate change, by incorporating measures to mitigate and adapt to it. BCS14 sets out a heat hierarchy for new development, and an expectation that new development will connect to existing CHP/CCHP distribution networks. The same policy also expects development to provide sufficient renewable energy generation to reduce carbon dioxide emissions from residual energy use in the buildings by at least 20%. BCS15 requires developments to demonstrate through a Sustainability Statement how they have addressed energy efficiency; waste and recycling; conserving water; materials; facilitating future refurbishment and enhancement of biodiversity. This policy also requires a BREEAM Excellent score to be achieved for all major non-residential development. Bristol City Council's Climate Change and Sustainability Practice Note provides further advice on these matters.

13.2 Whilst there are no objections on design and heritage grounds to the removal of the existing building, it is noted that the existing building represents a significant quantity of embodied carbon, and a number of objections have queried whether the demolition and replacement of the building would represent a sustainable development. In this regard, emerging policy NZC3 sets out a mechanism for assessing the impact of demolition, prioritising the retention of existing buildings. Whilst the aims of this policy are well established, as with other emerging policies it does not carry the same weight as the adopted policy. Indeed, the written statement by Baroness Penn regarding local energy efficiency standards from December 2023 sets out proposals for national standards, and it is unclear how this will impact on the emerging sustainability policies. That being said, energy efficiency and whole life carbon impacts are a well established material consideration (as can be seen in recent Secretary of State decisions at national level), and a negative performance in this respect would weigh against the grant of planning permission in this regard.

13.3 At the time of writing, final comments from the sustainable cities team have not been received. However, the applicant has submitted a whole life carbon assessment as well as a sustainability statement in support of the application. This sets out that the building is coming to the end of its useful lifespan, and will require upgrading in order to continue occupation. Whilst there is limited definitive evidence of how much longer the building can be occupied for, it is noted that the building is around 50 years, and the expectation for a commercial building of this age would be a lifespan of around 60 years, so it is reasonable to expect that the any significant increase in lifespan would require significant interventions in the building.

13.4 Whilst there are technical issues with the statement that are still being reviewed, the broad conclusion is that the proposal will result in a significant uplift in carbon emissions, but in large part this is a result of the significant increase in floorspace. On a per square metre basis the proposal would see a reduction in in emissions, and on this basis the benefits of the additional floorspace could not be achieved more efficiently with the retention of the existing basis.

13.5 This assessment takes account of the proposed energy efficiency and renewable technologies proposed as part of the new development. This includes connecting to the local heat network, and the use of photovoltaic panels to generate electricity. The sustainability statement suggests the development would achieve a CO2 emissions improvement against building regulations of 54.8%. The revised statement also commits the development to meeting BREEAM 'excellent' standards. As such, the proposal is considered to meet and exceed current policy expectations, and even taking into account embodied carbon, is of benefit in respect of emissions per floorspace.

13.6 In addition to this, whilst this scheme does not fall to be considered against the provisions of the

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Environment Act, and achieving a 10% Biodiversity Net Gain, the submission does show a net gain of over 5,000%, as well as the planting of a number of additional trees (the latest plans show 33 additional trees withing public realm, plus additional planting at roof level). These elements are considered to be benefits of the scheme which weigh in its favour.

14 F: DO THE PROPOSALS PROTECT THE RESIDENTIAL AMENITY OF ADJOINING OCCUPIERS IN TERMS OF RETAINING ADEQUATE LEVELS OF SUNLIGHT AND DAYLIGHT?

14.1 Policy BCS21 expects development to safeguard the amenity of existing development and create a high quality environment for future occupiers. Policy DM2 requires development to provide a good standard of accommodation by meeting relevant requirements and standards and not adversely impacting neighbouring amenity. Policy DM29 expects new buildings to safeguard the amenity of the host premises and neighbouring occupiers.

14.2 The proposal is surrounded by a mixture of commercial, residential an PBSA developments. In terms of residential impacts, an assessment on impacts on daylight has been undertaken, and this demonstrates that there is no material impact on the majority of surrounding residential properties. However, the exception to this is the IQ student block, which is directly to the north of the site. At its closest point the proposal would be around 13 metres from this block, albeit at an oblique angle.

14.3 A Building Research Establishment (BRE) Daylight and Sunlight report was submitted with the application in accordance with the BRE's report "Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice" (2022 Edition). It is noted that the IQ building is already affected by the existing building, and indeed the IQ building, which post dates the existing building on the site, relies on the application site for a significant proportion of its outlook, which significantly limits any development potential on the application site without ant impact.

14.4 In accordance with the BRE guidelines, the windows facing the application site in the IQ building has been tested for its performance against the vertical sky component (VSC), no sky line (NSL) and annual probable sunlight hours (APSH). The results of the testing show that 57.4% of the windows would fail the VSC test, 40.2% would fail the NSL test and 46.3% would fail the APSH tests. This is considered to be a high failure rate, and demonstrates that the proposal would have a harmful impact on the daylight levels received by the neighbouring properties. It is noted that within urban areas, where making efficient use of development sites is a critical issue, very high levels of compliance are difficult to achieve. The applicant also makes the case that a different weighting should be given to student accommodation, on the basis that the use is transient in nature, and the impacts on amenity are temporary.

14.5 The applicant has also provided an assessment of the 'cut back' that would be requires to significantly reduce the impact (to remove 'major adverse' impacts). A number of options are presented, but all of the option would see a significant reduction in the amount of accommodation that could be provided on the site (option A would result in the loss of around 100 co-living spaces, option B 172 studio bedrooms and option C 72 co-living spaces and 104 student bedrooms). In all cases this would not remove the impact all together. This would clearly significantly impact on the viability of the scheme, and in particular the impact on the co-living block would make the delivery of the a mixed used development on the site difficult to achieve.

14.6 In these scenarios, the BRE guide states that their parameters need to be applied flexibly. Appendix F of the guide is titled "Setting alternative target values for skylight and sunlight access". This states that the target values for assessing how much light from the sky is blocked by obstructing buildings are advisory and that: "... different targets may be used based on the special requirements of the proposed development or its location. Such alternative targets may be generated from the layout dimensions of existing development, or they may be derived from considering the internal layout and daylighting needs of the proposed development itself."

Development Control Committee A – 6 March 2024**Application No. 23/02827/F : Premier Inn The Haymarket Bristol BS1 3LR**

- 14.7 Similar advice is contained in the Urban Living SPD which in Part 3 advocates an approach ... "which allows an assessment of daylight and sunlight targets to be informed by a comparative contextual analysis. This approach provides flexibility to the application of targets set in the BRE guidance in dense urban environments in line with NPPF paragraph 123(c). In determining a comparative context, physical and environmental characteristics should be considered together with other context considerations. For example, the amenity of living in a city centre location, such as the Old City, where its central location, high quality of urban environment and access to public open space compensates for a lesser standard of daylight than may be appropriate in other areas of the city."
- 14.8 Notwithstanding this, officers are of the view that the proposals will result in a noticeable loss of daylight in the IQ building. However, the BRE guidelines are not policy, and appeal decisions indicate that given the arguments raised above, this is not a determinant issue in isolation. However, it is considered to be a negative balance which must attract weight in the planning balance.
- 14.9 In terms of levels of noise and disturbance affecting adjoining occupiers, there is already a concentration of students living in the area and the impact from this development through introducing further students and co-living residents is not expected to give rise to any amenity issues. The site is also close to a busy road, which means that background noise levels are likely to be high. The development will be managed full-time which will ensure anti-social activity does not take place on site. On the basis of noise, therefore, officers consider the impacts of the proposal to be acceptable.
15. G: DO THE PROPOSALS PROVIDE A SATISFACTORY LIVING ENVIRONMENT FOR FUTURE OCCUPIERS?
- 15.1 Policies BCS21 and DM29 require developments to create a high-quality environment for future occupiers.
- 15.2 In terms of daylight and sunlight, the results of the report submitted demonstrate a good level of compliance with the BRE Guidelines, with 82% of the rooms meeting the BRE recommendations and 69% meeting the requirements for sunlight. It is noted that a number of the objections to the scheme have objected on the basis of the relatively high number of north facing rooms. Whilst the orientation is such that there are no single aspect rooms which face directly north, there are a number which would perform in a similar way, particularly on the lower levels of the building. The layout has been carefully designed such that the stair cores are in the areas which get the most limited daylight exposure, and communal rooms in cluster flats having the highest levels of outlook and access to daylight.
- 15.3 There are no required space standards for student housing, or the proposed co-living accommodation which is also sui generis. The student accommodation is similar in character to other purpose-built accommodation of this kind. The co-living accommodation has a similar format although the size of the studios are larger. Both the PBSA and co-living have large areas of communal space. The quality of the internal and external spaces proposed is considered satisfactory and would provide good accommodation and an acceptable standard of amenity given the high-density nature of development proposed. Both elements of the scheme are also provided with outdoor amenity space, 200 sq m for the PBSA in a roof terrace, and a 100 sq m roof terrace and small private (shared) balconies or the co-living. The outdoor amenity is small, but the site does have easy access to some existing outdoor green space, at St. James Park, and given there are no specific standards that relate to this type of accommodation it is considered that the provision is acceptable.
16. H: WOULD THE DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND

Development Control Committee A – 6 March 2024**Application No. 23/02827/F : Premier Inn The Haymarket Bristol BS1 3LR**

MOVEMENT ISSUES?

- 16.1 Policy BCS10 states that development should not give rise to highway safety issues and should reduce the negative impacts of vehicles as far as possible. It also sets out transport user priorities, with pedestrian and sustainable modes of transport taking precedence over the private car. Policy DM23 states that development should not give rise to unacceptable traffic conditions.
- 16.2 The cycle parking standards for a student hall of residence requires a minimum of one cycle parking space per 4 bed spaces for students and a further one space per 12 bed spaces for visitors. Regarding the co-living flats the minimum standard is one cycle parking space per bedroom and for visitors one space per 10 units. A total of 196 cycle parking spaces have been provided for the student element in the form of 14 Sheffield stands (28 spaces) and 84 double stacked units (168 spaces). The minimum standard for 442 student bedspaces is 111 excluding visitor spaces. TDM welcome this level of cycle parking for the student element.
- 16.3 Concerns were originally raised about the relatively low level of cycle parking proposed for the co-living block. However, it is acknowledged that there are currently no specific standards that relate to the co-living block, and as a result of comments raised the total number of storage has been raised to 108 spaces (one space per 1.22 bed spaces). Additionally, it is noted that there is provision for E-Scooter/E-Bike parking facilities within the development.
- 16.4 Revisions to the proposal show 2 disabled parking space for the development (noted for staff). Given the highly sustainable location it is not proposed to provide any parking provision for the occupants. Whilst some additional disabled spaces would be preferable, the proposal meets the policy guidelines in this respect.
- 16.5 This development is within the Central Parking Zone and not within a Residents Parking Scheme Area. The development will not qualify for parking permits and as such BCC are content this can be adequately managed through the application of an advice restricting the issuance of a parking permit to residents of the development. It should be noted the site is also located within the Clean Air Zone.
- 16.6 Concerns regarding the suitability of the loading bay given the scale of the development and lack of viable options for loading elsewhere were raised in regards to the current proposal. Further details of the servicing proposals have been provided as a result of these concerns.
- 16.7 In respect to s106 contributions it is considered that the following contributions are justified:
- £166,724 towards the upgrade of local cycle infrastructure in the vicinity of the development
 - £199,529 towards the upgrade of the local bus stops along the Haymarket.
 - A contribution towards the provision of a crossing point linking the site to Gloucester Road (currently being calculated)
 - £6,310 TRO contribution towards the amendment of TRO along Cannon Street
 - £33,968 (£14,520 towards co-living and £19,448 towards the student element) Travel plan contribution
- 16.8 The development is heavily geared towards students and therefore the key desire lines towards UWE Frenchay, the Temple Quarter campus, and the Whiteladies Road area are key routes for the movement of students. The collaborative work that has been undertaken to date to identify land that is required to provide a betterment to the Haymarket bus stops which run along the frontage of this site, including the provision of a 4.5m gap between the bus stop and the re-provided ramp, is welcomed.
- 16.9 The bus stop infrastructure surrounding St James Barton Roundabout is absolutely key to the transport network and catering movement from the development. The car-free proposal will

Development Control Committee A – 6 March 2024**Application No. 23/02827/F : Premier Inn The Haymarket Bristol BS1 3LR**

increase demand on the bus stops and bus services in the vicinity of the St James Barton roundabout and as such further improvements to bus stop infrastructure in the vicinity is key, as is the consideration to help public transport efficiently operate through the Haymarket corridor which effects all city-wide services and beyond. The proposals involve the stopping up of the arcade retail element and the current route through this area from/to the Bearpit and to the bus station to be replaced by the introduction of a 100m plus detour routing through the development. There are limited other options linking Stokes Croft to the bus station and mitigation is required, in the form of a contribution towards a crossing at Marlborough Street.

- 16.10 A TRO will be required to amend waiting and loading provision along Cannon Street. It should be noted the applicant will be required to implement the physical measures associated with the TRO such as lining and signage.
- 16.11 Moving onto Cannon Street as detailed above amended swept path analysis have been provided demonstrating how vehicles will perform a turning manoeuvre to enable them to leave Cannon Street in forward detail and information on this is required. Improvements to Cannon Street are required due to the proposed change in its nature and this will include improvements to the footways such as reinstatement of dropped kerbs, kerb works, street lighting, tactile paving, and the improvement of the access into the bus station from the site to signify pedestrians have priority, such as a change in material.
- 16.12 Given the large number of highway structures and retaining walls within the vicinity of the site and the potential impact upon these and the local highway network during demolition and construction oversight will be required. As such an Approval in Principle (AiP) will be required and a suitably worded condition should be applied which requires information be submitted and reviewed in a timely fashion.
- 16.13c Concerns are raised regarding the management plan/proposal regarding the intake days (move in process). In theory the numbers and timings stack up over a 2-weekend period. However, in practice there will likely be issues regarding congestion, space to wait and students arriving outside (either early or late) to their booked time slot. No accommodation is made for this. Further details have been provided, and whilst it is considered a specific plan will need to be secured by condition, officers are satisfied that this can be achieved.

17. CONCLUSION AND PLANNING BALANCE

- 17.1 The application relates to a significant scale development within a central area in Bristol. Having assess the application officer are satisfied that it will deliver a number of benefits, but this will need to be balanced against the harm that would result. Therefore, the decision on the application has to be made on the basis of whether the benefits would outweigh the harms.
- 17.2 In particular, concerns remain that the proposal will result in less than substantial harm to the setting of a number of heritage assets, and also cause a level of additional overshadowing, particularly to the neighbouring PBSA development.
- 17.3 Weighed against this are the following issues:
- The proposal would positively contribute to housing delivery in a sustainable location. Whilst it is acknowledged it would lead to the increase in the concentration of student accommodation in this area, it does also achieve a mix of uses, including the delivery of affordable housing. A smaller proposal, i.e. one that does not lead to harm to heritage assets or overshadowing, would deliver less benefits in this regard.
 - Heritage benefits in association with opening up views of the Scottish Presbyterian Chapel.
 - Design improvements.
 - Significant improvements to the public realm, including improved access to the bus station,

Development Control Committee A – 6 March 2024**Application No. 23/02827/F : Premier Inn The Haymarket Bristol BS1 3LR**

additional space for the bus stops, tree planting and net gain in biodiversity.

- Improved performance in respect of carbon emissions.

17.4 It is noted that there are still consultation responses to the amended plans that are still awaiting at the time of drafting this report. Notably these include sustainability comments and comments from the HSE regarding fire safety.

17.5 Notwithstanding this, at the time of writing officers are of the view that the package of benefits that the development will provide do merit the support of the application, and therefore it is recommended for approval.

18. COMMUNITY INFRASTRUCTURE LEVY (CIL)

18.1 The CIL liability for this development is £2,039,668.02

19. RECOMMENDATION:

19.1 Approve subject to a Section 106 Planning Agreement to cover the following:

- Provision of Affordable Rent in 20% of the co-living studios
- Highway contributions (to be finalised prior to the meeting)
- A monitoring fee for the employment and skills plan

19.2 Request delegated authority for officers to prepare the required planning conditions to cover the following issues:

- Archaeology
- Detailed Design
- Landscaping
- Land Contamination
- Highways
- Construction Management
- Nature Conservation
- Air Quality
- Pollution Control
- Sustainability (including connection to the Local Heat Network)

Supporting Documents

1. Premier Inn The Haymarket, BS1 3LR.

1. Landscape GA Plan
2. L(--)001_Plan_Level 01,03
3. L(--)015_Plan_Level 15
4. L(--)200_South Elevation
5. L(--)201_East Elevation
6. L(--)202_North Elevation
7. L(--)203_West Elevation

Notes

LEGEND

Walls + Seating

▬ Precast concrete walls and stairs

Hardscape

▬ Existing pavement to be retained and extended

▨ High quality smooth precast concrete paving

▤ Exposed aggregate concrete paving

▭ Blue badge parking space

Softscape

○ Semi mature multi stem tree

○ Mature single stem tree

▨ Flowering lawn

▨ High quality ornamental planting

▨ Native hedge

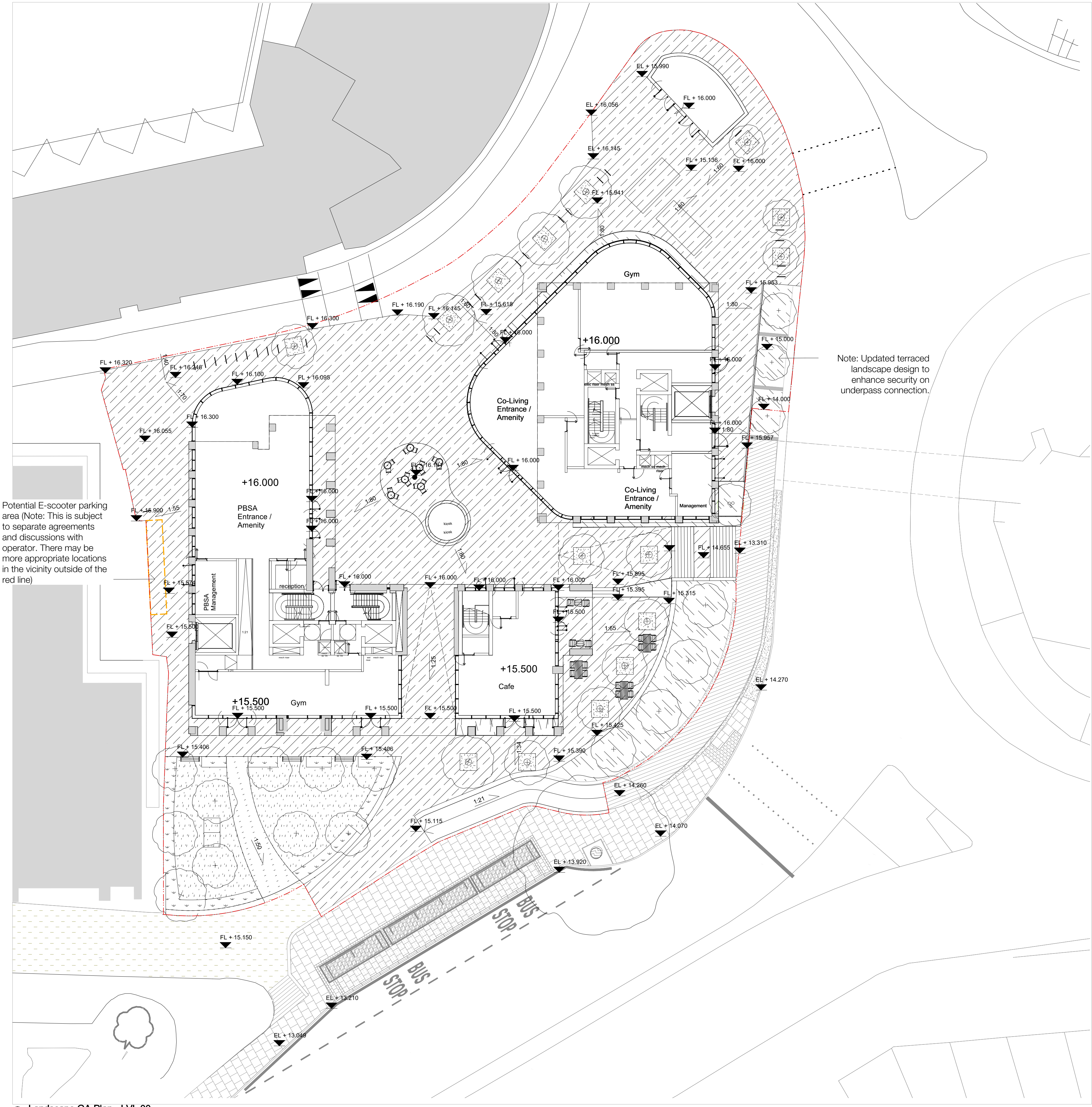
Furniture

▬ 25 Sheffield cycle stands

Note: Updated terraced landscape design to enhance security on underpass connection.

Page 64

Potential E-scooter parking area (Note: This is subject to separate agreements and discussions with operator. There may be more appropriate locations in the vicinity outside of the red line)



Key Plan

North



Issue Log

Rev	Description	Date
A	Draft Issue	20.06.23
B	Issued for Info	29.06.23
C	Issued for Info	08.01.23
D	Planning Revision	18.01.24
E	Planning Revision	07.02.24

Client

Olympian Homes

Consultants

Project Name

Haymarket

Project No.

0997BRS

Address

Bristol

Sheet Title
Landscape GA Plan

Scale
1 : 200 @ A1

Phase

Drawn
DJ

Checked
UBH

Rev
E

Sheet No.
MCGC-LD-SK-001



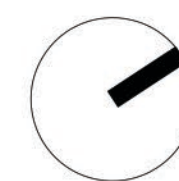
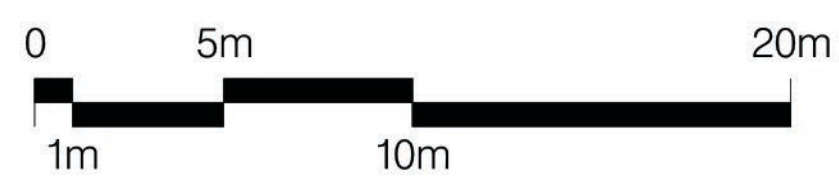
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 w: www.hodderandpartners.com

revisions + notes:
 Rev P1 – Planning Issue – 04.07.2023
 Rev P2 – Planning Updates – 12.12.2023
 Rev P3 – landscape amendments – 01.02.2024

DO NOT SCALE
 Work to annotated dimensions only.
 Read drawing in conjunction with relevant specification,
 Structural Engineers' and Services Engineers' drawings.
 Confirm all dimensions before commencement of any
 work on site or fabrication.

Note: The landscape scheme is shown as illustrative on this plan. Please refer to the Landscape Architect drawings for the detailed landscaping scheme.

- PBSA Cluster Bedroom
- PBSA Cluster LKD
- PBSA Studio
- Co Living Bedroom
- Co Living Amenity



client: Olympian	date: MARCH 2023
project: The Haymarket, Bristol	scale: 1:200 at A1
title: Plan_Level 01,03	drawing number: L(-)001
status: Planning	job number: 0645
	revision: P3



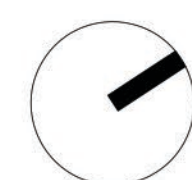
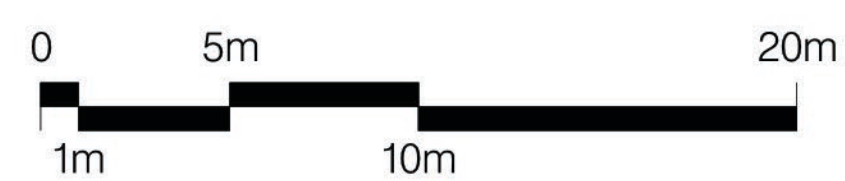
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- PBSA Cluster LKD
- PBSA Studio
- Co Living Bedroom
- Co Living Amenity



client: Olympian	date: MARCH 2023
project: The Haymarket, Bristol	scale: 1:200 at A1
title: Plan_Level 15	drawing number: L(-)015
status: Planning	job number: 0645
	revision: P3



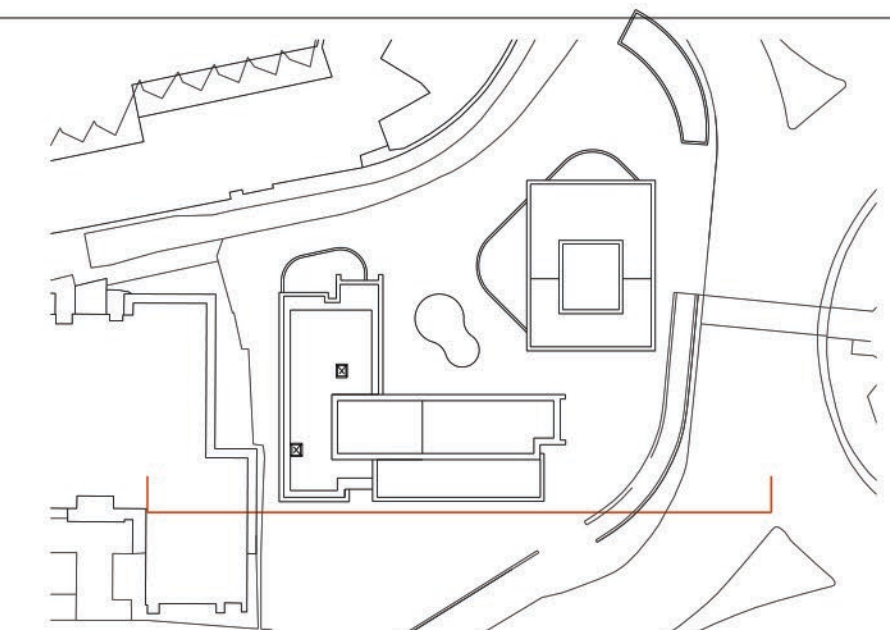
+99.660 Roof
 +96.810 Level 27
 +93.960 Level 26
 +91.110 Level 25
 +88.260 Level 24
 +85.410 Level 23
 +82.560 Level 22
 +79.710 Level 21
 +76.860 Level 20
 +74.010 Level 19
 +71.160 Level 18
 +68.310 Level 17
 +65.460 Level 16
 +62.610 Level 15
 +59.760 Level 14
 +56.910 Level 13
 +54.060 Level 12
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 +31.260 Level 04
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 +25.560 Level 02
 +22.710 Level 01
 +15.500 Level 00

+71.290 Roof Co.L
 +68.440 Level 17 Co.L
 +65.590 Level 16 Co.L
 +62.740 Level 15 Co.L

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revisions + notes:
 Rev P1 – Planning Issue – 04.07.2023
 Rev P2 – Floor to Floor reductions by 150mm – 12.12.2023

See landscape architect information for landscape proposals



client: Olympian	date: JULY 2022
project: The Haymarket, Bristol	scale: 1:250 at A1
title: South Elevation_Proposed	drawing number: L(-)200
status: PLANNING	job number: 0645
	revision: P2

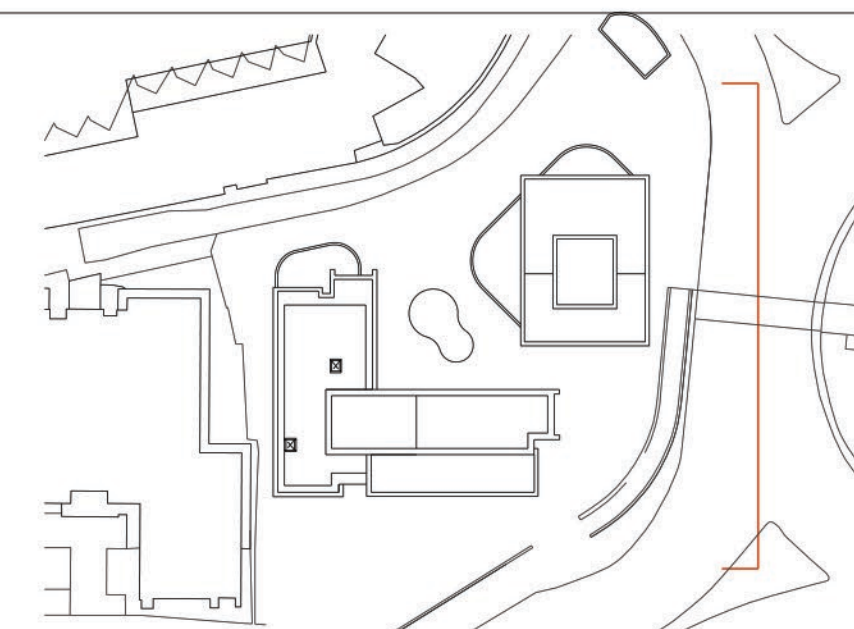
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revisions + notes:
 Rev P1 – Planning Issue – 04.07.2023
 Rev P2 – Floor to Floor reductions by 150mm – 12.12.2023
 Rev P3 – Substation reduction for crossing – 01.02.2024

See landscape architect information for landscape proposals



client: Olympian	date: JULY 2022
project: The Haymarket, Bristol	scale: 1:250 at A1
title: East Elevation_Proposed	drawing number: L(-)201
status: PLANNING	job number: 0645
	revision: P3

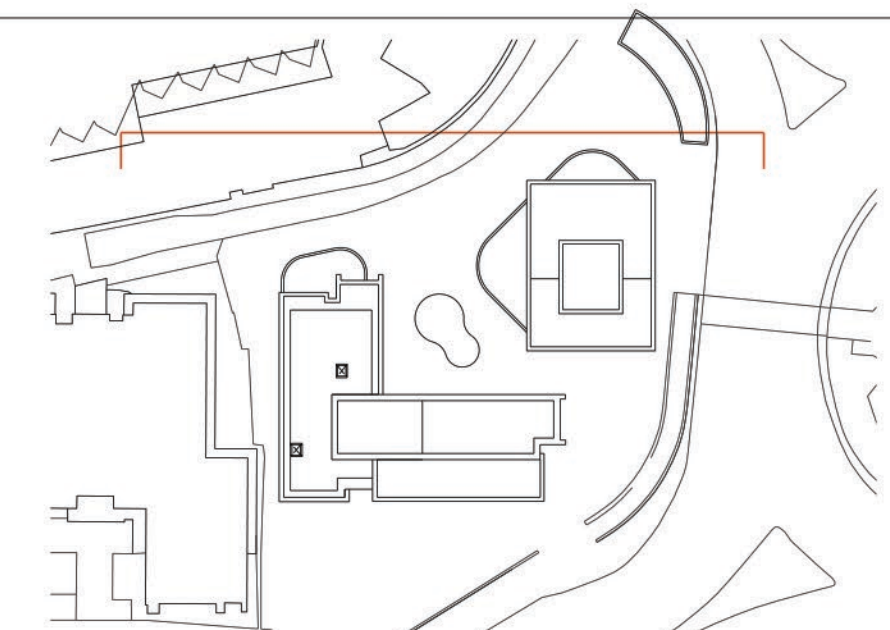
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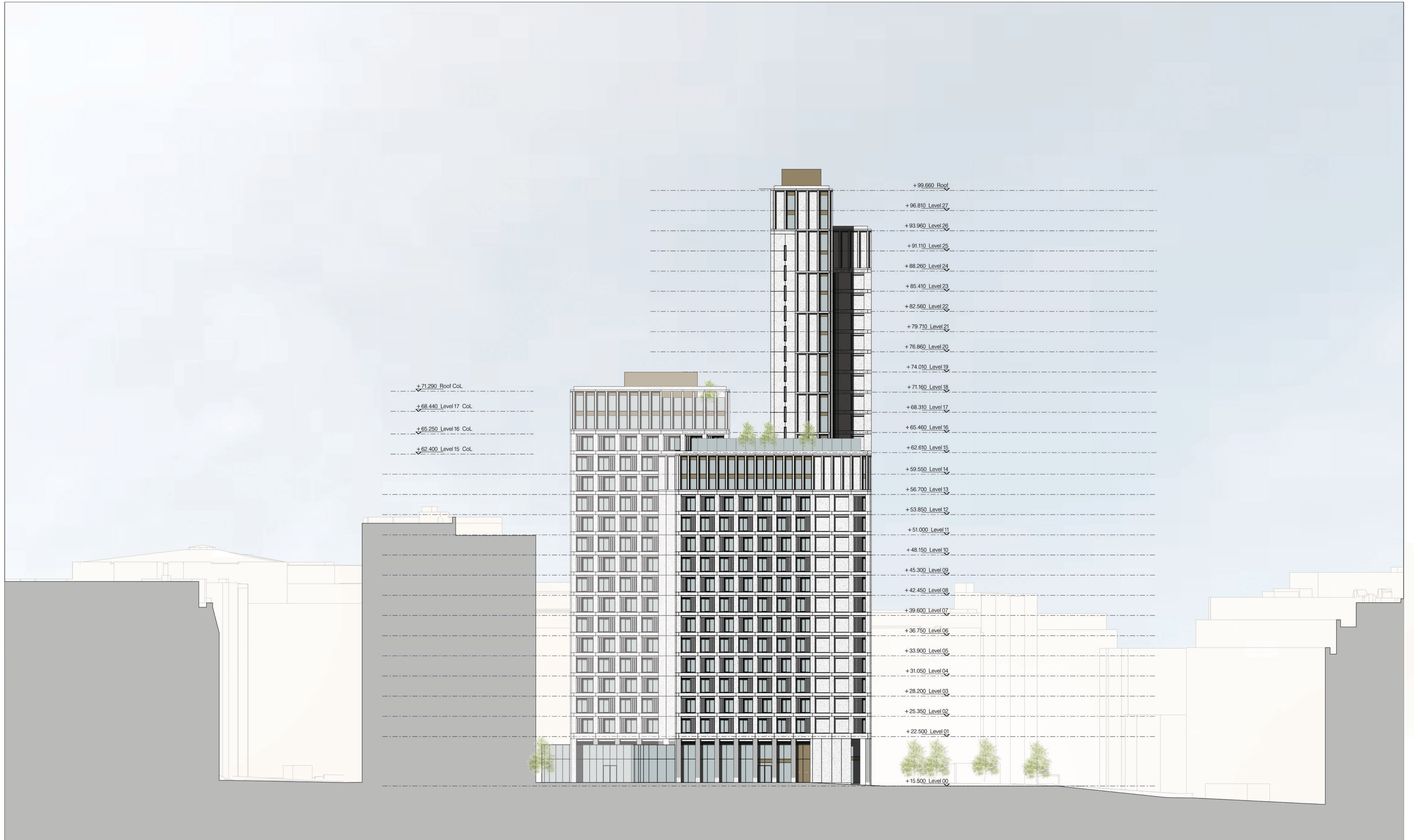
revisions + notes:
 Rev P1 – Planning Issue – 04.07.2023
 Rev P2 – Floor to Floor reductions by 150mm – 12.12.2023

See landscape architect information for landscape proposals



client: Olympian	date: JULY 2022
project: The Haymarket, Bristol	scale: 1:250 at A1
title: North Elevation_Proposed	drawing number: L(-)202
status: PLANNING	job number: 0645
	revision: P1

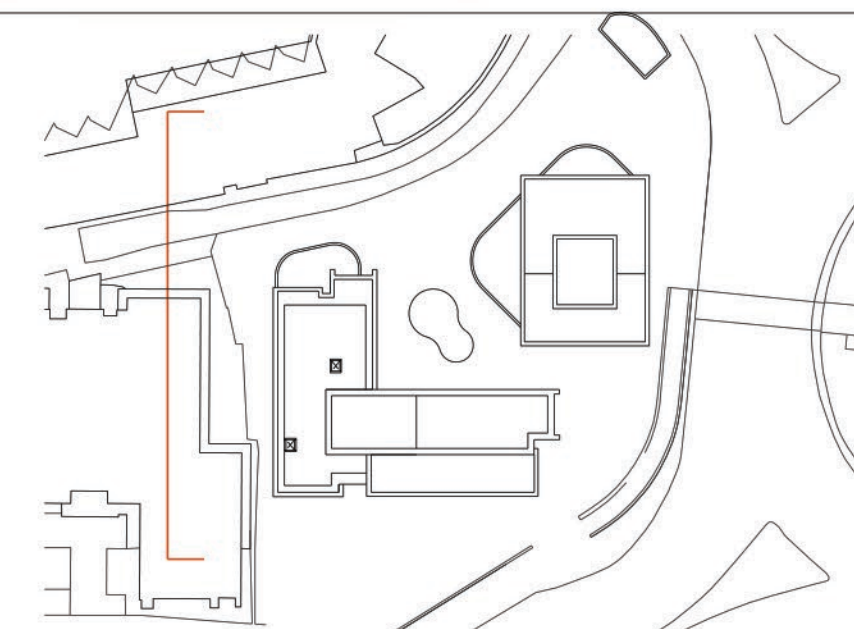
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revisions + notes:
 Rev P1 – Planning Issue – 04.07.2023
 Rev P2 – Floor to Floor reductions by 150mm. West Gable Elevations – 12.12.2023
 Rev P3 – ground floor cycle storage – 01.02.2024

See landscape architect information for landscape proposals



client: Olympian	date: JULY 2022
project: The Haymarket, Bristol	scale: 1:250 at A1
title: West Elevation_Proposed	drawn by: NW
status: PLANNING	drawing number: L(-)203
	job number: 0645
	revision: P3

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 Confirm all dimensions before commencement of any
 work on site or fabrication.

WARD: Central

SITE ADDRESS: NCP Rupert Street City Centre Bristol BS1 2PY

APPLICATION NO: 23/01407/F Full Planning

DETERMINATION DEADLINE: 29 March 2024

Demolition of the existing multi-storey car park/retail units and site clearance to allow redevelopment of site to accommodate a new mixed-use development comprising flexible retail/commercial floorspace (Use Class E) and/or community floorspace (Use Class F2(b)), public car park accessed from Rupert St, purpose-built shared living (co-living) accommodation (sui generis) and purpose-built student accommodation (sui generis) with associated amenity space, cycle parking, refuse storage, landscaping / public realm enhancements and new vehicular access arrangements, including provision of service road between Rupert Street and Lewins Mead (Major).

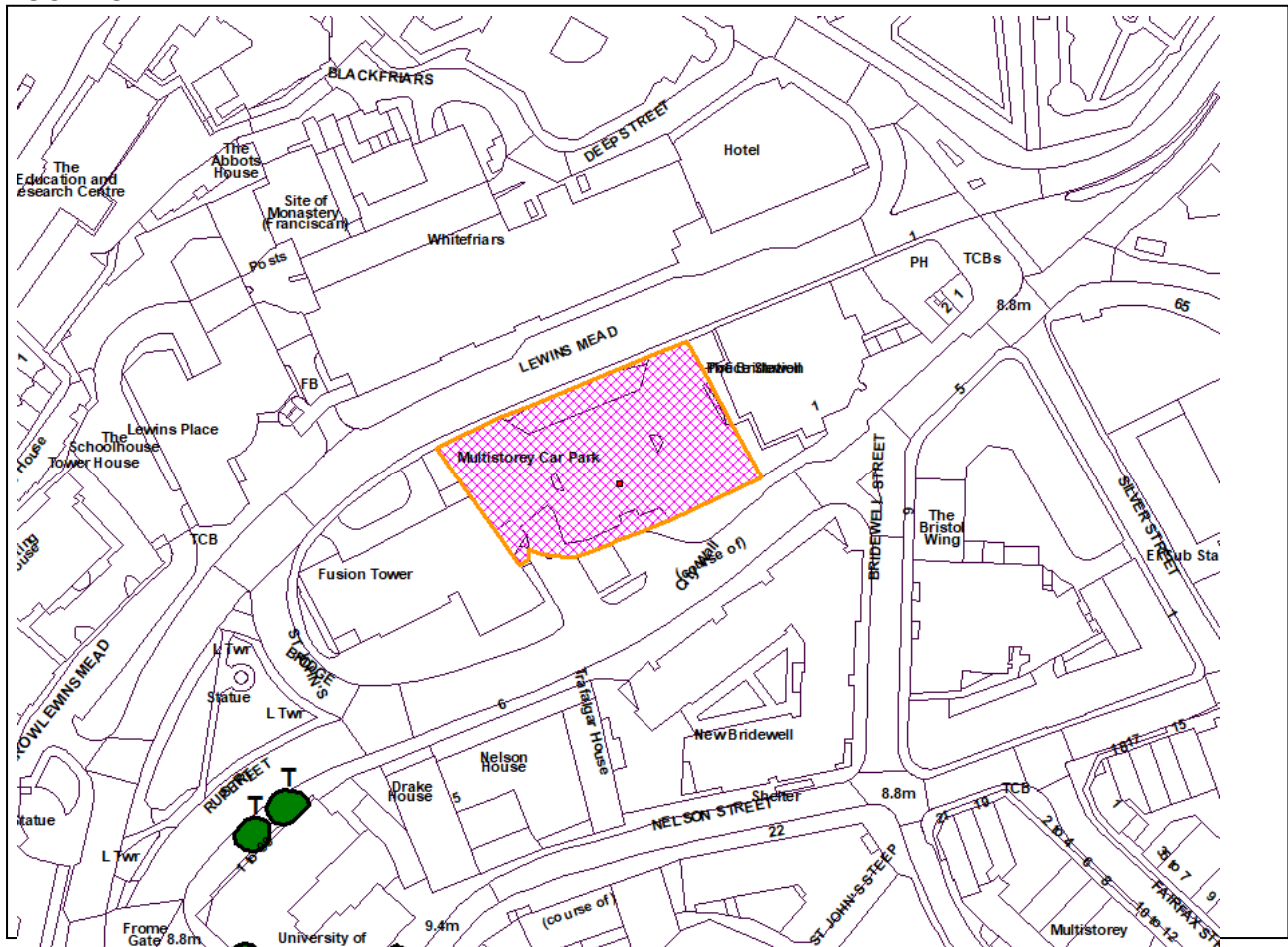
RECOMMENDATION: GRANT subject to Planning Agreement

AGENT: Pegasus Group
21 Ganton Street
London
W1F 9BN

APPLICANT: CP CO 3 Limited & PBSA Group
Holdings S.à.r.l
C/o Agent

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

LOCATION PLAN:



Development Control Committee A – 6 March 2024**Application No. 23/01407/F : NCP Rupert Street City Centre Bristol BS1 2PY****1.0 SUMMARY**

1.1 The application proposes the demolition of the existing multi-storey car park and the development of a mixed-use scheme comprising a replacement car park, two commercial units, purpose built student accommodation with 328 bed spaces, and co-living accommodation with 249 studios.

1.2 The site is within a site allocation in the Bristol Central Area Plan which identifies the area for a mix of uses including new homes, student housing, youth and community facilities. The site is not within a conservation area and there are no heritage assets adjacent to the site.

1.3 The development has been subject to discussion and negotiation both during the course of two pre application submissions and during the lifetime of the application itself. This resulted in changes to the height and massing of the design before the application was submitted, and further detailed design changes after the application was submitted.

1.4 Officers are supportive of the proposed development, as it brings forward an appropriate mix of uses and makes good use of the development opportunity presented by this site.

1.5 The development would have an impact on the amenity of neighbouring residents through loss of sunlight and daylight, however the level of the impact is considered acceptable.

1.6 Concerns have been raised over the impact the development would have on heritage assets and this needs to be balanced against the public benefits the proposal would bring. The harm would be caused by the appearance of the building within the setting of a number of listed buildings, including the Church of St Nicolas and the Colston Almshouses.

1.7 As such, in coming to a decision on the application, Members will need to balance the public benefits of the development against the harm that would result from the proposal. In this respect, the benefits include the provision of much needed student and co-living accommodation, the delivery of a building and new public realm of high quality design, the regeneration of a rather negative site within the local area, the provision of two commercial units for charity or community uses, the provision of a replacement car park that meets today's standards, and economic and employment benefits.

1.8 The harm is considered to be outweighed by these public benefits. The proposal would significantly enhance the townscape and environmental value of the street scene, delivering a high-quality building that accords with the relevant policies of the Local Plan.

2.0 SITE DESCRIPTION

2.1 The application site is contained within an "island" that is within the A38 one-way gyratory road network; the northern A38 road boundary is Lewins Mead, and the southern A38 road boundary is Rupert Street. The application site has an area of 0.3 hectares.

2.2 As existing, the application site is made up of four elements and their surrounding hardstanding; which are the NCP Rupert Street Car Park, which faces both Lewins Mead and Rupert Street; the retail unit facing both Rupert Street and Lewins Mead; the former garage facing Rupert Street, and the retail unit facing Lewins Mead.

Development Control Committee A – 6 March 2024**Application No. 23/01407/F : NCP Rupert Street City Centre Bristol BS1 2PY**

2.3 The NCP Rupert Street Car Park covers the significant majority of the application site area. The car park contains 498 spaces mainly for public use and its floorspace is 12,748 sqm. It is six-storeys high, made from concrete and is cylindrical in shape, in a Brutalist architectural style. Vehicular and pedestrian access and egress to and from the car park is from Rupert Street. The car park was built in 1960 and was designed to have a 50-year lifespan and the car park is now in a poor physical condition. The car park is unable to adapt to the provision of electric vehicles, which will be the future type of all vehicles once petrol and diesel vehicles are phased out by national government.

2.4 The retail unit facing both Rupert Street and Lewins Mead has been vacant for roughly 18 months, and was occupied by Professional Music Technology (PMT), selling musical instruments (within Use Class E). The floorspace is 1,108 sqm.

2.5 The former garage was last in use by Avis as a car-hire garage (sui generis). Avis vacated the site at the end of 2019.

2.6 The retail unit facing Lewins Mead is occupied by Evans Cycles, which is a shop selling cycles and associated equipment (within Use Class E). The floorspace is 375 sqm.

2.7 There are no designated heritage assets within the application site and it does not fall within a conservation area.

2.8 The application site is within Flood Zone 2. The River Frome runs beneath Rupert Street and a part of the southern portion of the application site, within a culvert.

2.9 The surrounding area is generally characterised by dense urban development and tall buildings, containing a mix of uses, particularly office buildings, hotels, residential and student accommodation blocks as well as restaurants, shops and services.

2.10 Directly north of the application site, on the other side of Lewins Mead, are a collection of tall buildings. These include Number One Bristol, a former vacant office building recently redeveloped for housing, which is up to 16-storeys high; Whitefriars Bristol, an office / retail building, which is up to 14-storeys high; and the Premier Inn Hotel building (with retail at ground floor), which is up to 9 -storeys high.

2.11 The Bridewell Police Station is located directly east of the site. It is a 7-storey 1960s building used as the headquarters for Avon and Somerset Police.

2.12 To the south of the application site, on the other side of Rupert Street, is the New Bridewell development. It contains retail uses at ground floor with student accommodation above and is up to 16-storeys high. Also to the south, and to the west along Rupert Street is another student accommodation development known as the Courtroom.

2.13 Directly west of the application site, and within the A38 "island", is Fusion Tower, a building up to 18-storeys high. It is a 1960s / 70s building that has recently been redeveloped for student accommodation.

2.14 Roughly 100 m south east of the application site, on Bridewell Street, are three Grade II Listed buildings – the Bristol Police Headquarters building, No.7 Bridewell Street, and the Magistrates Court building. Three conservation areas are nearby. St. Michael's Hill and Christmas Steps Conservation Area is roughly 70 m to the west, and St. James' Parade Conservation Area is roughly 100 m to the north-east, and City and Queen Square Conservation Area is roughly 70 m to the south.

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2.15 In terms of local facilities, institutions, and services, the main shopping centre for Bristol is roughly 200 m to the east of the application site. The University of Bristol is located roughly 800 metres to the west of the site. Roughly 160 m to the north-west of the application site are the five hospitals that make up University Hospitals Bristol and Weston: Bristol Royal Infirmary, Bristol Heart Institute, Bristol Haematology and Oncology Centre, Bristol Royal Hospital for Children, and Bristol Eye Hospital.

2.16 As regards transport links, the closest bus stops are located opposite the application site on Rupert Street and Lewins Mead. The bus stops provide access to a number of services which run throughout the City Centre and the surrounding local areas. Bristol Bus Station is also roughly 200 m to the north of the application site. Bristol Temple Meads train station is roughly 1 km to the south-east of the application site.

3.0 APPLICATION DETAILS

3.1 The proposed development seeks to demolish all existing structures to be replaced by a new single building, which in plan form is rectangular shaped at its base and “H-shaped” above, extending up to 20 storeys.

3.2 Key components of the proposed development would be:

- Provision of 328 student bedspaces in the form of 120 private studios and 208 beds within cluster flats. Internal amenity space would consist of communal lounges, a gym and well-being studio, study areas, a cinema, laundry rooms, and communal kitchen and living spaces for the cluster flats. External amenity space would consist of roof-top terraces and gardens.
- Provision of 249 co-living studios. Internal amenity space would be provided in the form of communal lounges, a gym and well-being studio, working areas, a cinema, laundry rooms, and communal kitchen and living spaces on each floor. External amenity space would consist of a roof-top terrace and garden (see explanation of co-living in paragraph 3.3 below).
- Two ground floor units (totalling 154 sqm) would be provided for commercial uses and/or community uses. It is envisaged that these units are to be used by local community or charity groups and the applicant will enter into a legal agreement requiring them to be marketed to local community or charity groups first, for a period of six months, and at a discounted market rate.
- A replacement public car park, to be operated by NCP, would contain 400 No. car spaces and 4No. motorbike spaces between the first and sixth floors. The public car park would meet modern standards in terms of access requirements, paving dimensions, and vehicle tracking, and allowing for electric vehicle charging (see para 3.7 below).
- At both Rupert Street and Lewins Mead, the public realm would consist of new hard landscaping using new and larger pavements with potential for public art, outdoor seating; and soft landscaping in the form of green planting.

3.3 For explanation, the applicant describes co-living accommodation as a type of non-self-contained housing that is made up of private individual rooms and communal spaces and facilities, such as kitchen, dining and living areas, and lounges, laundry rooms, gyms, and entertainment and cinema areas. The accommodation is operated and managed as a whole by the developer / chosen operator, and residents typically enter into tenancies of at least

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three-months, and all bills are included within the monthly rent. The accommodation is typically (but not solely) lived in by young professionals and key workers (such as nurses) who have finished university but who still want the communal living experience (and who would otherwise choose to live in a flat share in a privately rented house).

3.4 Within the applicant's existing co-living scheme at Unity Street, Old Market (Zinc Works), out of the 107No. co-living residents, 60% are aged 21-25 years old, and 80% of residents are aged between 18-30 years old. Only 15% are aged 30 years old and older. The gender split is 58% male and 42% female, and nationalities are diverse, with over 20 different nationalities. Those who are British make up 51% of the residents.

3.5 Each room in the co-living accommodation would have an average size of 19.8 sqm, ranging between 18 sqm - 28.4 sqm. The rooms are designed for a single-bed household, and would benefit from a double-sided bed, a two-ring cooking hob, desk and wardrobe space, and an en-suite shower room. Kitchen facilities and living and lounge space would be provided in communal areas. This is fundamental to the concept of co-living accommodation – each room cannot be self-contained, otherwise it would cease to be co-living accommodation and would be “traditional” housing.

3.6 Affordable housing would be provided within the co-living accommodation and 50No. of the studios (equivalent to 20%) would be rented at a discounted market rate to people in need.

3.7 Of the 400 car spaces in the replacement car park, 40 would have active electric vehicle charging points, 160 would be passive electric vehicle spaces, 20 would be disabled bays, and there would be 12 parent and child spaces. As is the existing arrangement, vehicular access to the car park is proposed from Rupert Street.

3.8 Cycle spaces would be provided at basement level and would be accessed via a lift from Lewins Mead and at Rupert Street. The provision would be 82 spaces for students, 62 spaces for co-living residents, and 24 spaces used as part of a share-scheme. 20 visitor cycle spaces would be provided at the Rupert Street entrance and 20 at the Lewins Mead entrance.

3.9 A refuse store would be located at the ground floor, and residents would be expected to take their waste directly to the general waste or recycling waste bins. Cleaning staff would be responsible for taking waste from the communal areas to the refuse store. Refuse collection would take place from the loading bay within the building at ground floor and discussions have taken place between the applicant's design team and the Council's waste officers regarding the servicing strategy.

4.0 RELEVANT HISTORY

4.1 Two pre-applications were received in August 2019 and May 2022 (references: 9/04081/PREAPP and 22/01361/PREAPP). The response letter to the second pre-application on 15 September 2022 summarised as follows: *“The application proposal offers a significant opportunity to optimise the density of this urban location and to make more efficient use of land, contributing to housing delivery, in a location (Bristol City Centre) identified for more intensive forms of development. It would include active ground floor frontages and public realm improvements that would enliven and enhance the vitality of this*

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identified regeneration site and wider area. Redevelopment offers opportunities for an improvement to the external design of the existing car park.”

4.2 The emerging proposals for the site were reviewed on two occasions by the Design West Review Panel, a group of design and environmental professionals who offer free, independent consultation on significant development proposals in the city. Presentations were made in May 2022 at which the Panel agreed that the height and massing could be supported in principle, and again in December 2022. Following the second meeting, the Panel commended the progress made on issues that had been previously raised and provided further recommendations on design details. The submitted Design and Access Statement explains how these recommendations have been acknowledged. (The Design and Access Statement is available on our website.)

5.0 STATEMENT OF COMMUNITY INVOLVEMENT

5.1 In line with Bristol City Council’s Statement of Community Involvement, the applicant has undertaken a programme of public consultation with the local community. This has included engaging residents of Bristol, as well as key local stakeholders. A newsletter was sent out to 1,132 addresses in the local area and 2,327 people visited the dedicated project website. 143 completed feedback forms were received and considered as part of the proposals where possible. The applicant has explored issues raised, and the submitted plans are supported by 42% of respondents.

5.2 However, it is not clear from the Statement of Community Involvement submitted with the application whether the comments received from the public had any influence over the final design of the scheme.

6.0 RESPONSE TO PUBLICITY AND CONSULTATION

6.1 PUBLIC RESPONSE

6.2 Site notices were erected and an advert placed in the local press. In addition, more than 800 local addresses were notified of the proposals.

6.3 In response, 7 comments were received objecting to the proposals, including responses from the Bristol Civic Society, the Twentieth Century Society and the Kingsdown Conservation Group. 3 letters were received in support of the application.

Bristol Civic Society

6.4 Bristol Civic Society members mostly wish to see the redevelopment of this site and a remodelling of the streetscape and facilities at ground floor level. Some of our members, however, value the design of the car park and its contribution to twentieth century architecture. Although the proposed redevelopment would improve the quality of the environment at street level, the Society objects strongly to the height of the new building and its impact on the wider townscape. This proposal would add to the ever-increasing accumulation of tall buildings in the city which is eroding Bristol's very special urban character and topography with its fine heritage of landmark buildings and the mid-rise historic townscape in which they have sat. It is entirely inappropriate and undesirable for this

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townscape. Yet another tall building will encourage further proposals for others. More and more tall buildings will deprive residents of glimpses of the surrounding countryside which help to contain perceptions of the extent of urban development. Instead, residents will be surrounded by an intensely built-up, claustrophobic and brutalist urban environment that has lost touch with human scale possibly to the detriment of their physical and mental health. We also have concerns about the quality of life for future residents in view of the noise and pollution coming from the heavy traffic in Rupert Street and Lewins Mead. Our position has not changed significantly from our earlier response.

Design, Height and Massing.

Although we are not entirely convinced that the references to Bristol Byzantine architecture are valid, we could support the improvements to the streetscape at ground level offered by the redevelopment. The colonnade would provide some relief for pedestrians from the weather and traffic disturbance.

We object strongly to the height and mass of the proposed building, however, and do not accept the applicants' justification for the height. The two highest blocks are 24 and 20 storeys with a 16 storey block between them [The linking block between the towers is 14 storeys in height]. The massing is particularly severe from the east and west where the side elevations of the 24 and 20 storey blocks would be unrelieved. [The maximum height of the building is actually 20 storeys.] From the north and south, there is some variation in height but the bulk of the site will be filled with buildings between 16 and 24 storeys. It would diminish the prominence of the tower of St Stephen's church viewed from the west as seen from AVR viewpoint 12. It would also be a dominant feature from Lower Park Row AVR viewpoint 14. The proposal would continue the trend of ironing out the topographical form of this part of Bristol reducing the significance of the Kingsdown escarpment. Taken together, the Society considers that these effects of the height and massing of the proposal would be harmful to the character of this area and the wider city. It further demeans Bristol's fine heritage of landmark buildings and the mid-rise historic townscape in which they have sat and it would reduce still further the connection with the countryside afforded by glimpses of the hills beyond. It would encourage proposals for more tall buildings further dehumanising the urban environment possibly with detrimental effects on the health and well-being of residents. We find the building, particularly above the first eight storeys, is a far cry from the beautiful buildings demanded by Government planning policy.

Accommodation, Living Conditions and Open Space

The Society questions the basis for providing more and more student accommodation. The Council must assess the proposal in accordance with its own policies on the concentration of purpose built accommodation. There is an increasing need, however, for, the quantum of student accommodation to be allowed in the city to be reviewed particularly in the light of forecasts of the number of university students in Bristol increasing by 21,000 over the 14 year period from 2021/22 to 2034/35. The Society does not diminish the contribution the university and its students make to the city but we do question the rationale of accommodating ever increasing numbers who are resident for about 30 weeks a year. Furthermore, student accommodation makes a smaller contribution to the city's housing requirements than conventional housing. Planning officers have advised that 2.5 student beds are the equivalent of 1 new home for housing delivery purposes.

We think there is a place for providing co-living accommodation although we have expressed concerns about the location below.

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The Society is concerned that the living conditions of future residents will be compromised by the noise and pollution arising from Rupert Street. If sound insulation and artificial ventilation is used to counteract these problems we wonder what impact this will have on the carbon footprint of the building. It is also clear that most of the accommodation is in single aspect rooms. We note the provision of a number of outdoor spaces at upper levels of the building. These would also be affected by noise and pollution and would be unwelcoming for a considerable part of the year when the weather is cool and wet.

Climate Change

The Society supports the Council's policies to mitigate the impact of development on climate change and expects all new development to be policy compliant.

Twentieth Century Society

6.5 The Twentieth Century Society has been notified of the above application for the demolition of the Rupert Street carpark in Bristol. The Society strongly objects to the loss of the carpark, which has been identified by Bristol City Council as a Non-Designated Heritage Asset.

Background

The Rupert Street carpark was erected between December 1959 and October 1960. It was built by the Multidek Development Group and designed by the architect R. Jelinek-Karl and the engineers G.C. Mander & Partners. Rupert Street (1960) was an early American-style, concrete open-deck MSCP and was the first in England to incorporate a continuous parking ramp (meaning that the ramp is integral to the parking deck). As the first continuously-ramped MSCP built in the country, Rupert Street was new, innovative and influential. Its architecture—with its open elevations composed of spiralling floor slabs which cantilever out and are clad with pre-cast panels— clearly expresses its function.

The Bristol Evening Post summarised the building's impact well in 1960: the Post described it as "exciting"

– it has a genuine drama by being so obviously a 20th-century solution to a 20th-century problem. Some of the glamour which 100 years ago attached to the railways, then such potent symbols of man's advance, attaches to this dramatic building catering for our own favourite method of transport. But it is important to realise that this drama is communicated only because the purpose the building serves—car parking—is expressed very clearly". "Such boldness is never common".

It is an excellent example of sculptural, bold and expressive 1960s Brutalist architecture.

The carpark's construction was widely reported in contemporary news reports, and it has featured in numerous architectural publications since and noted as a pioneering and important building.

Policy and Assessment

Paragraph 189 of the National Planning Policy Framework (NPPF) states that "Heritage assets range from sites and buildings of local historic value to those of the highest significance [...] These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations".

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Paragraph 197 states that “In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness”.

Paragraph 203 relates to NDHAs and asks that “In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

Rupert Street carpark has clear historic and architectural value and townscape merit, and it contributes to the variety and richness of Bristol’s historic built environment.

By proposing the complete demolition of this local heritage asset, the application fails to achieve paragraphs 189 and 197 of the NPPF. In response to paragraph 203, the scale of harm or loss would be at the highest level as the building would be completely lost.

We wish to draw the local authority’s attention to the Secretary of State’s recent decision (on the 20th July 2023) to refuse planning permission to demolish the Marks & Spencer building on Oxford Street in London, which like Rupert Street carpark was rejected for listing but identified as an NDHA (references 21/04502/FULL & APP/X5990/V/3301508). In his decision report, the Secretary of State stated that

“...although Orchard House did not meet the listing criteria at the time it was considered for listing in 2021, it has significant value in its own right and in its context. He has attached substantial weight to its loss.” (para 35, p.8)

In the case of M&S, the applicant’s insufficient consideration of alternatives to demolition contributed to the SoS’s decision to refuse the application:

“The Secretary of State [...] does not consider that there has been an appropriately thorough exploration of alternatives to demolition. He does not consider that the applicant has demonstrated that refurbishment would not be deliverable or viable and nor has the applicant satisfied the Secretary of State that options for retaining the buildings have been fully explored, or that there is compelling justification for demolition and rebuilding” (para 32, p.32).

In the case of Rupert Street carpark, the applicant states that the structure “provides limitations” for retention relating to its structural capacities, open-deck design and continuous sloped floor. While we appreciate that the building, having been built for a very singular purpose, would be difficult to adapt to meet modern requirements, we maintain that there must be a way to achieve this. Surely interventions could be made to strengthen and adapt the structure to facilitate its continued use as car parking, for instance. Preston Bus Station provides a good comparable example of a 1960s MSCP retained in use, having been previously earmarked for demolition. Preston benefited from investment from Lancashire County Council, was remodelled and has gone on to win multiple awards.

Lastly, paragraph 152 of the NPPF states that “The planning system should support the transition to a low carbon future in a changing climate [...] [and] encourage the reuse of existing resources, including the conversion of existing buildings”. The Secretary of State gave weight to this NPPF policy in his decision on the M&S Oxford Street case, stating that

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“...there should generally be a strong presumption in favour of repurposing and reusing buildings [...] In the circumstances of the present case, where the buildings in question are structurally sound and are in a location with the highest accessibility levels, he considers that a strong reason would be needed to justify demolition and rebuilding” (para 24, p.6).

In this case, he found that

“...in terms of paragraph 152 of the Framework, the proposal would in part fail to support the transition to a low carbon future, and would overall fail to encourage the reuse of existing resources, including the conversion of existing buildings, which carries moderate weight. He has also found that harm arising from the embodied carbon carries moderate weight; and the future decarbonisation of the grid carries limited weight” (para 53, p.12).

We take the view that the applicant has not adequately explored all the options for retaining Rupert Street carpark and has not convincingly justified its plans for demolition. This is an important heritage asset in Bristol and every effort should be made to conserve it.

For these reasons, we urge the local authority to refuse planning permission.

Kingsdown Conservation Group

6.6 Setting aside the question of whether the existing car park should be retained as a building of historic value, which will be decided by Historic England, the proposed replacement would have a negative impact on its surroundings and should be refused.

Lewins Mead is already dominated by a number of tall buildings, rendering it one of the least pleasant roads in Bristol. To infill the south side of the road with a pair of tall slab-like towers would further exacerbate the canyon effect of the street and cast it into shadow. This would not be in accordance with Bristol City Council's Urban Living SPD which discourages bulky towers in favour of slender point form towers with compact floor plates which cast smaller, faster moving shadows.

Bristol has a special topography that allows dramatic long distance vistas across the city from all sides. These views are recognised as an important feature of the city that need to be preserved. The Kingsdown Character Appraisal, for instance, notes that "the topography of the City is unique and views across it make an important contribution to Bristol's townscape and character. The spectacular City-wide views enjoyed from Kingsdown are fundamental to its special interest". The slow proliferation of tall buildings is slowly eroding this quality and gives nothing back in terms of enhancing the urban fabric. If this scheme were to go ahead it would create a mass of slab blocks that would block important long distance views.

Sustainability has to be at the core of any proposal given the severity of the current climate crisis. Tall buildings are known to have a far greater carbon footprint than an equivalent sized development of less than ten storeys. There have to be really good reasons therefore to build high. Bristol is not so dense that this is the only option so wherever possible new developments should seek to achieve a high density with buildings on a medium height. Numerous studies have shown that this is eminently possible.

We are also concerned that the accommodation being offered is less than adequate. There are excellent examples of new co-living accommodation in places like Switzerland, but in those instances a generous amount of shared spaces is included. In this application the only shared space is a combined kitchen with a couple of sofas to one end, all to be shared between a large number of rooms. Nor is there any outside private space other than the relatively small and overshadowed space between the two towers.

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We are doubtful about the proposed design style. In the 1980s Alec French became known for their new buildings aping the Bristol Byzantine. It is noticeable that most, if not all, of these buildings have either been demolished or extensively remodelled. It is not a style easily copied without descending into pastiche and very quickly it can seem dated as we suspect would be the case with this scheme.

Fundamentally we feel this proposal to be overdevelopment of a congested site. If allowed it will be further encouragement for more tall buildings that are rapidly destroying the fabric of the city.

6.7 The three other comments received objecting to the proposals raised concerns that there was already a high level of student accommodation in the area and more affordable housing was needed, and because inadequate parking would be provided for future residents.

6.8 The three letters received in support of the application were received from Voscur, the Creative Youth Network and the University of the West of England (UWE). Their comments were as follows:

Voscur

Who we are:

6.9 *Voscur is the support and development agency for Bristol's Voluntary, Community and Social Enterprise (VCSE) sector. Voscur supports organisations to increase the impact they create for their clients. We also build relationships between providers and investors to help them work together to coordinate services and maximise the social value they collectively create.*

6.10 *Voscur seeks to enable partnerships to make use of shared assets and support equitable and effective collaborations. Some of the partnerships set up by Voscur include a partnership of LGBTQ+ organisations, designed to bring together groups to support services, "provide a strategic, unified voice", and create community cohesion. Voscur is also involved in the Pathfinder partnership, created to help sexual violence survivors in Bristol.*

Proposals use:

6.11 *We support the site's intended mixed-use, particularly the co-living concept, as it represents an aspirational living choice for young people, key workers, and professionals, fostering social interaction and enhancing health and wellbeing.*

Our Interest:

6.12 *Voscur have had positive discussions with Fifth State regarding either Voscur or one of our partner organisations operating one of the two ground floor community spaces, fronting Rupert Street and Lewins Mead.*

6.13 *We are excited about this prospect as it will enable Voscur to establish an additional hub, extend our outreach, and further develop our existing network of partnerships with various organisations and underprivileged groups within the community. This community space will become a valuable addition to our extensive network across Bristol, opening doors to charities and local community groups to host various meetings and events.*

6.14 *We firmly believe the proposals will have a positive impact on the local community.*

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Creative Youth Network

6.15 *Creative Youth Network is a Bristol-based charity with a mission to enable young people, no matter what their background or circumstances, to reach their potential. We run youth clubs and a range of targeted programmes aimed at providing opportunities for our area's most disadvantaged and under-represented young people. Our work has real impact: last year we worked with 6,809 young people who collectively achieved 23,959 recorded outcomes, ranging from increased skills and knowledge, improved mental health, greater self-confidence and more positive relationships. We recently became the first, and so far only, organisation in England to be accredited at 'Outstanding' level by the National Youth Agency – a testament to the quality of our team's work and the difference it makes for young people.*

6.16 *Our city centre youth hub, the Station on Silver Street, is a close neighbour to Fifth State and Greystar's proposed development of the NCP Rupert Street car park site. We have been pleased that the developers were keen to engage with us, both as neighbours and as a community organisation. While it is not our place as a charity to review and support/object to proposed planning applications, we were pleased to see provision for new community spaces as part of the proposals. We have discussed the possibility of some of this community space being allocated to Creative Youth Network and/or our youth sector partners, but regardless of whether it is ourselves or others who operate it, the important thing is that there will be low/zero cost community space open to those who most need it.*

6.17 *With the current extremely challenging funding climate for local charities and community groups, combined with the cost of living / cost of operating crisis, a new city centre space will be a vital community and income-generating resource for the local voluntary, community and social enterprise sector. At the Station, demand for free/low cost community space far exceeds our ability to supply it, particularly when we have a requirement to generate income with which to sustain our core services. A new location on Bridewell Street will be a valuable new asset for the city.*

6.18 *Noting that the development will focus on students and co-living, the Station's place as a city centre destination for young people and creativity will become ever more important. If the application is successful, we will plan to work closely with Fifth State and Graystar to ensure a joined up approach as near neighbours.*

UWE

6.19 The University of the West of England supports the development of student accommodation at Rupert Street, Bristol.

6.20 We support the proposal for more purpose built student accommodation, which will meet the requirements for students living in the city and support the aims of the University of the West of England.

6.21 These plans will support students to live in a sustainable location in central Bristol where they can easily access our facilities.

6.22 Given the projected student numbers for both the University of Bristol and the University of the West of England, the proposed development will support sustainable growth of Bristol's universities.

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6.23 Plans for co-living accommodation at Rupert Street will also provide somewhere for graduates of the University of West of England to stay in the city, following graduation. The provision of affordable co-living rooms will only help this further.

CONSULTEES

INTERNAL:

City Design Group

Summary

6.24 The density of the scheme at 2257 bedspaces per hectare is, in order of magnitude, higher than the 200 dwellings per hectare recommended in the Urban Living SPD. This hyper density poses severe challenges in relation to liveability of the future residents, impact on the surrounding area and the wider impact on townscape which requires scrutiny.

6.25 The design assessment of the proposals highlight issues with the liveability considerations and design of the public realm to be the main concerns which require design revisions. Also, there are issues relating to the Townscape and Visual Impact Assessment and the impact on the wider townscape which can be revised. Comments below identify areas to be improved through continued engagement with the applicant.

Public realm

6.26 The landscaping of both frontages on Rupert Street and Lewins Mead, could be better integrated into the public realm. For instance, the opportunity for a thick green barrier more confidently planted all along congested roads with street tree planting, would arguably work better for protection against noise and air pollution. [The landscaping on Lewins Mead was amended following negotiation with additional landscaping.]

Liveability

6.27 Most of the bedspaces are single aspect. Therefore, the question is: Are the communal living environments proposed in the co-living accommodation double aspect spaces? As submitted most of them are not, and this needs to be reviewed and improved. [The communal living spaces were subsequently re-designed to include additional windows.]

Daylight Sunlight Assessment

6.28 Not all standards are met for daylight and sunlight. Light penetration seems deficient, and demonstration is required that the internal amenity spaces receive appropriate daylight. The long corridors should have natural light and ventilation. [Amendments were made to the design to include more natural light where possible. [See Key Issues D and E below for more detail and discussion on daylight/sunlight issues.]

Public Art Strategy

6.29 The material palette for paving and wall decoration seems not enough for this scheme. A further and comprehensive consideration of this aspect of the proposals is important. [Details could be agreed by including a planning condition to this effect.]

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Height, Scale, Massing (HSM)

6.30 Although the scale is comparable to that submitted in the pre application, the height and massing has been reduced and is now considered acceptable.

Townscape and Visual Impact Assessment (TVIA)

6.31 Reducing the height of the towers has helped to mitigate the impact of the proposed building on its immediate context. There is, however, impact on incidental views rather than on the principal views at city level.

6.32 In terms of impact on heritage assets, with reference to the submitted TVIA, the following viewpoints are considered to be the most significant causing ‘less than substantial harm’ as follows:

- Viewpoint 2 – impact on setting of St Pauls Church (grade I) as the channelled view is narrowed by the proposed mass.
- Viewpoint 4 – impact on setting of St Peter’s Church (grade II*) through mass appearing over the ruined nave and proximity to 14th century tower reducing its prominent landmark status from this view.
- Viewpoint 16 – impact on setting of Colston’s Almshouse (grade II*) as massing appears over the ridge line of this prominent local landmark.
- Viewpoint 17 – impact on setting of various church spires in Old City.
- Viewpoint 21 – impact on setting of All Saints Church tower (grade II*) and particularly St Nicholas Church spire (grade II*) the prominence of which will be reduced from this viewpoint that has an associated information panel as one of the city’s strategic viewpoints as identified in the Urban Living SPD.

Of these, the impact on the setting of the Grade II* Colston’s Almshouses and Grade II* St Nicholas Church are considered the most significant. [These impacts are discussed in Key Issue C below.]

The TVIA is available to view on our website.

Appearance

6.33 The approach to materiality and appearance has substantially improved from the pre application submission, moving to a bolder interpretation of the Bristol Byzantine style. However, the depth of recesses on the elevation is a serious concern. The correct palette of materials and colours are at risk of becoming flattened without sufficient depth of sills and other relevant planes.

The crown of the building, despite the positive design development, is still weak. Revision is required to create a confident top to the towers. To truly enhance the texture of the envelop of such a large building, a design intent document setting these dimensions is required. [The recesses have subsequently been amended and are now deeper. The crown of the building has also been redesigned and is now considered acceptable.]

Archaeology

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6.34 The site lies close to the northern bank of the River Frome and early post medieval buildings are known from documentary and pictorial sources to have previously occupied the site. We note the reference to post war development impacts to the archaeological significance referenced in the supporting information. However, there is also reference to borehole information. These records and any future geotechnical works would be helpful in helping an adequate assessment of the archaeological potential on this site. Any evidence of previous riverbank activity will be of local significance and potentially worthy of further study secured by condition of any consent.

Transport Development Management (TDM)

6.35 Residential / student accommodation is accepted in principle in transport terms.

6.36 The principle of car parking is established at the site. There will be a reduction in parking from 498 to 400 spaces which accords with the general principles for the city centre outlined in the Bristol Central Area Plan.

6.37 The NPPF and the Council's transport and planning policies require developments to be sustainable and seek to minimise reliance on private cars to reduce their impact on safety, public transport reliability, and public health. The City Centre Framework (CCF) recognises the link between more available parking spaces and greater use of private cars in the city centre.

6.38 The City Centre Development and Delivery Plan recognises the need for car parking to be consolidated to locations accessed from the perimeter roads in the City Centre and the need to maintain a level of car access and parking for some destinations, a key one in this instance is the Hospital Precinct, and to serve a diverse mix of City Centre uses. The reduction in car parking is welcomed insofar as there will be less pressure on streets arising from excessive parking provision.

6.39 Section 106 contributions are requested for the following:

- Travel Plan Implementation
- Replacement VMS (variable message sign) signage
- Bus stop improvements (B6 and B4 on Rupert Street)
- Upgraded crossing on Rupert Street from Puffin to Toucan

The full detailed comments of Transport Development Management are available on our website.

Pollution Control

6.40 Raise no objections.

6.41 The noise impact assessment makes a number of recommendations with regards to the insulation of the proposed residential part of the development against existing noise and noise from the development itself, including the car park. As would be expected, the detailed design of the development has yet to be completed and noise mitigation measures are not fully known at this stage. The additional information required can be provided by condition.

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6.42 Whilst a Construction & Demolition Plan has been provided, further information is needed with regards to noise, out of hours working (this has been necessary for demolition works at other sites in this area due to traffic) and resident liaison. The hours given in the plan are 07:00 to 18:30 Monday to Friday and 07:30 to 15:30 on Saturdays whereas the hours we would usually allow for, construction or demolition works that are audible at any residential property to be carried out are 8.00 to 18.00 Monday to Friday and 8.00 to 13.00 Saturdays. Again, further/amended information through a further plan can be submitted via condition.

6.43 A list of further conditions to be added if planning consent is granted was also submitted.

6.44 In addition, Pollution Control were requested to provide details of any noise / anti-social behaviour complaints that had been received for any of the existing student accommodation developments within 200 metres of the site over the past 5 years. They advised that no complaints have been received.

Housing Strategy and Enabling Team

6.45 Overall, we can see that this application aims to bring good quality student housing and co-living option to this area of Bristol that will cater for the housing needs of Bristol's students and young people.

6.46 Key points from the HSE team's perspective are as follows:

- Current policy does not require an affordable housing contribution on student housing and there is currently no specific policy requiring an affordable housing contribution from Shared Living Residential schemes but, the applicant has proposed to deliver 20% of the co-living studios as discounted co-living (DCL) units. This equates to 50 studios.
- The applicant has proposed that the DCL units will be delivered as Affordable Rent and will be let at no more than 80% of market rent.
- The applicant has stated that DCL units will be let on a license, on terms no less than three months and could be up to three years.
- The applicant has stated that the Council will have exclusive nomination rights of the DCL units for an initial lettings period, and that they will submit a Marketing and Nominations plan at least nine months prior to Practical Completion.
- The applicant has stated that the Co-Living studios will range in size between 17.3sqm – 29.7sqm and that communal spaces will be provided.
- The applicant has proposed that the DCL rent is inclusive of ground rent, estate charges and service charges. They have also proposed that rent will grow by no more than CPI+ 1% during the tenancy and rent will be re-based to no more than 80% of market rent at the start of each tenancy.
- The applicant has proposed that there will be accessible units, including Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and Building Regulation M4(3) 'wheelchair user dwellings'.

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6.47 From a HSE perspective the DCL units should include at least half of the M4(3) and M4(2) units proposed.

Air Quality

6.48 An air quality assessment has been carried out that considers the impact of the development proposal on air pollution levels during the demolition and construction phases and also at the operational phase. Assessment has also been made of future levels of air pollution in the area and the site's suitability from an air pollution perspective for the proposed new uses.

6.49 Predicted changes to air pollution levels as a result of the development are negligible. Whilst providing a significant level of parking and generating a large number of vehicle movements, the proposals are replacing a larger car park, therefore, from a planning perspective, the current car parking and trip generation forms the baseline/do nothing scenario.

6.50 Air pollution levels at the development site are predicted to meet air pollution objectives at the time of planned opening and are considered suitable for the proposed use. As a result, I do not object to the development proposals on air pollution grounds.

6.51 Whilst air pollution levels are predicted to meet the objectives at the site, air pollution levels will still be at a level that has been shown to be detrimental to health. As a result, it is advisable that the air intakes for the planned MVHR system should be located as far from busy roadside locations and any other combustion sources as practicable.

6.52 Whilst not materially impacting the results of the AQA, the March 2023 report states that the most recently available diffusion tube data was from 2019. Data for 2020 and 2021 was published at this time, however, due to Covid related travel restrictions in 2020 and 2021, the use of 2019 data is considered an acceptable worst case.

Public Health [Applicant's response in brackets.]

6.53 A submitted Health Impact Assessment (HIA) was reviewed using the review framework used is Public Health Wales (2017) Quality Assurance Review Framework for Health Impact Assessment. A summary is provided below.

6.54 Overall grading - Good. Overall, the assessment identified various health impacts of the proposed development, however there are some areas which would benefit from further consideration. The assessment identifies various positive health impacts, including:

- Amenities: The development is within the city centre with good access to amenities such as cafes, restaurants and job opportunities.
- Social value: Encouraging the ground floor units to be marketed to local community or charity groups and providing first opportunity before being put on the open market is positive. *[To be secured through Section 106 Legal Agreement.]*
- Access to outdoor space: The assessment mentions that the development will include a rooftop terrace which will be 'presented as a 'woodland glade' setting for residents'. This space should include adequate planting and trees for residents which could be beneficial for

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mental wellbeing, be multi-functional and have adequate seating. Opportunities should be available for residents to engage with the space and grow food if desired. *[Refer to submitted landscaping drawings / DAS. A variety of soft and hard landscaped spaces is created, each providing a different function based upon its orientation/size/location. Comprehensive landscaping scheme proposed which includes opportunities for edible planting.]*

- Access to healthy food: It is positive that the developer is engaging local community or charity groups regarding use of ground floor units, including a food project. We encourage any food businesses are signposted to the Bristol Eating Better Award. The assessment identifies that there are grocery shops within 1,000m walking distance of the development. There is access to supermarkets within the local area, however they are mostly convenience branches therefore may have a more limited offering for residents to access to healthy, affordable and culturally appropriate food to prepare meals. There is also a high level of hot food takeaways in nearby proximity to the development. Therefore, there is benefit to this development including healthy and affordable food retail. *[Ground floor units are prioritised for community use for 6 months. If no interest, then get offered to “open market” as unrestricted Use Class E.]*

6.55 Some aspects require further consideration to better understand any potential impacts:

- Social cohesion and inclusive design: The assessment focused on the social value the project will bring through marketing units for community use which is positive and beneficial for the local area. However, the assessment does not sufficiently explain how it will encourage and enable social cohesion for residents through design. Brief mention is made to a communal area, however it does not explain the design features of this space, or any other communal facilities, to enable social cohesion and foster a sense of community for residents. *[Refer to DAS / Planning Statement / Social Values Statement. Social cohesion is at the heart of the co-living model and significant communal internal and external amenity space is incorporated into the design to promote this.]*

- Encouraging physical activity: Adequate, secure cycle storage and facilities should be available for residents and visitors to enable and encourage active travel. *[Cycle storage is provided to the satisfaction of Highways Authority.]*

- Density: We recommend that the development adheres to the Urban Living SPD guidance to ensure the development provides a healthy living environment at an optimal density. *[Site is located within City Centre where high density is encouraged by Urban Living SPD. An assessment of the proposed development against the criteria of the Urban Living SPD is included as Appendix to the Design and Access Statement.]*

The neutral impacts identified include:

- Adequate GP provision: The assessment does not identify additional need for GP provision, however these are multiple developments taking place within proximity to the proposed development which could place additional pressure on local GP provision. Students should be encouraged to register with health provision at their university where able. *[Noted, but outside of Applicant's control.]*

Land Contamination

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6.56 The Desk Study submitted with the application has been considered. Some on site uses overlooked in the desk study include a cycle works, glass manufacture, cooperage, vinegar manufacturer. It is recommended these are factored into the risk assessment prior to any intrusive investigation. There is some evidence that underground tanks may be encountered on the north of the site but the location and status of these remains unknown. Bristol City Council do not hold records that detail this due to the age of the tanks predating our role as the petroleum licensing authority. We could not find any record on the planning system either that could provide this detail. A detailed radon risk assessment has yet to be produced and this must be included on any future Phase 2 Site Investigation.

6.57 Given the historic uses on site and sensitivity of the proposed development and culverted river which runs beneath the site we would have ideally wanted some intrusive investigation prior to determination. However, this is not feasible due to the presence and nature of the current structure on site. A detailed unexploded ordnance risk assessment is recommended prior to investigation given the report in the desk study.

6.58 As a consequence, we have no objection to the proposed conditions from the Environment Agency [see External Consultee section below] being used in the event planning permission is granted. We do ask for a further condition to secure detailed unexploded ordnance risk assessment.

Nature Conservation

6.59 The Preliminary Ecological Appraisal (PEA) (LUC, March 2023) appropriately describes the ecological features of the site and mitigation required. Wildlife friendly planting and features for invertebrates is proposed which is supported. Additional ecological enhancements are conditioned. The Biodiversity Net Gain (BNG) Assessment (LUC, March 2023) states there is a 13% gain in habitat units. The metric reports a 100% gain as this site has a baseline of 0 biodiversity units. High strategic significance has been applied to all habitats (baseline and post-development) in the metric, which is incorrect as this site is not within any designated local or national sites for wildlife, is not identified in the local plan as being important for wildlife and is not in the WENP Nature Recovery Network. Applying the correct strategic significance (low) however only reduces the number of biodiversity units delivered to 12, from 13. 100% net gain in biodiversity units is still achieved due to the 0 baseline. The proposed urban trees on the soft works plans do not appear to have been factored into the BNG assessment or metric, so the net gain (in biodiversity units) calculation may not be accurate. However, a net gain in biodiversity calculated for this proposal is supported as this site has a baseline of 0 biodiversity units.

6.60 A soft landscaping plan is conditioned to confirm the green infrastructure provision on the site, including habitat types and species. Native pollinator-friendly species should be used in species mixes, and non-natives incorporated where they offer a benefit to wildlife (i.e. they are pollinator-friendly and/or provide benefits to nocturnal species like Bats). It is recommended that biodiverse green roofs cover as much of the roof-levels as possible and green walls are incorporated into the landscaping.

6.61 A Landscape and Ecological Management Plan (LEMP) (LUC, March 2023) has been submitted however this needs revising (this can be conditioned) to a 30-year management plan and to include all the habitats proposed on the conditioned soft landscaping plan. Planning conditions recommended.

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Flood Risk

6.62 The approach to the drainage strategy in general is good. We await further detailed information of this once the proposed drainage system is reconfirmed and has been informed by further surveying on site to refine its design. Applying a pre commencement condition should ensure this information is provided for further review, after further investigatory work has been conducted and the proposals have been finalised.

6.63 With regards to the Flood Emergency Plan, passive flood resistance measures would be appropriate in this instance and the proposals should be modified to reflect this. Applying pre occupation conditions concerning Flood Evacuation Plans for residential and commercial property respectively, should help in acquiring this as the plan develops further.

Civic Protection Team

6.64 As the location of this development is in a Flood Zone 2, I would expect the normal flood condition to be applied and to see a Flood Emergency Plan.

Regeneration

6.65 We have no objections to this scheme.

6.66 If the application is approved, we would like to include a condition for the developer to work with the Council to produce a comprehensive Employment, Skills and Business Support Plan, this will need to consider areas such as:

- Relocation of any commercial tenants and support
- Local businesses and people from across Bristol (especially excluded groups) are able to access the supply chain and employment opportunities, both during construction phase and by end of occupiers
- Payment of the real Living Wage, both during the construction and by end occupiers

EXTERNAL:

Historic England

Summary

6.67 The proposed development would result in harm to the historic environment, which could be reduced by lowering the height of the tallest element. The degree of harm would be less than substantial, under the definition of the NPPF, which would require your authority to weigh against the public benefits of the scheme, but giving the great weight to the conservation of heritage assets.

Historic England Advice

Significance of Designated Heritage Assets

6.68 We advised for the EIA scoping opinion that the proposed development, by virtue of its height, had potential to impact upon the settings of several highly-graded heritage assets,

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namely the Church of St John the Baptist, Grade I; 41 Broad Street, Grade II*; St Bartholomew's Hospital, Grade II*; Unitarian Chapel, Grade II*; The Old Council House, Grade II*; Former Everard's Printing Works, Grade II*; St James' Priory, Grade I; Merchant Tailor's Hall, Grade II*; Foster's Almshouses, Grade II*; Christ Church with St Ewen, Grade II*; Guildhall, Grade II* and Former Bank of England, Grade I. They are therefore in the top 8% of listed buildings and greater weight should be given to their conservation. The National Planning Policy Framework (NPPF) defines 'conservation' as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

6.69 The submitted heritage assessment has scoped out some of these heritage assets from further assessment, given no intervisibility or impacts within their setting. However, additional heritage assets have been identified, where their setting would be impacted by the proposed development. These include the Colston's Almshouses in St Michael's Hill, listed Grade I and the Church of St Peter, Grade II*, whose significance derives from its ruinous state as Bristol's memorial to the Blitz. While its historic context has all but gone, its communal value and relatively unchallenged silhouette is critical to its high significance.

6.70 The setting of the application site also includes many other designated and undesignated heritage assets, for which we defer to your Conservation Officer to provide advice on relevant impacts.

6.71 The setting of heritage assets are an important aspect of their understanding and heritage significance. Setting can also be contributed by the group value of a number of assets and their primacy within the street scene and/or cityscape, often creating a strong sense of place and wayfinding within the city.

Impact of the Proposed Development

6.72 We have deferred our advice until the outcome of an application to list the existing carpark, which has now been determined and a decision made by DCMS not to list. Therefore, we will only provide advice based upon the impacts of the proposed development on the setting of highly graded heritage assets.

6.73 The submitted TVIA demonstrates the principal impacts of the proposed development on the historic environment. As the site is presently surrounded by other substantial modern buildings of various heights, the impact of a proposed taller structure here is diminished, where it would coalesce with neighbouring buildings. However, the additional height over surrounding buildings would result in varying impact on the setting of individual and collective heritage assets.

6.74 There will be impact and a degree of harm to the setting of St Peter's when viewed from Viewpoint 4. The more historic and pertinent view should be taken from St Phillip's Bridge, which may reveal that the proposed development coalesces more with the tower of the Grade II* church. The silhouette and primacy of the ruinous nave would be challenged by the visible upper storeys of the proposed development, although more pronounced during winter months when the screening from tree cover is reduced.

6.75 The development would be visible within views of St James' Priory, when viewed from Viewpoint 5, although similarly to Viewpoint 4, a kinetic view may indicate that the development would coalesce with the Church tower. However, given the impact of existing modern buildings viewed within this context, we do not consider that the impact of the development would result in additional harm.

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6.76 Viewpoint 16 from St Michael's Hill shows that while the silhouette of the roof and diagonally-set stacks over the Grade I Almshouses is already challenged by the Castle Park View tower, the proposed development would be much closer and more visually pronounced above its roofline. The plan form and design of the almshouses contribute to the polite and formal symmetry of its late 17th century architecture, its aesthetic heritage value contributing highly to its significance and presence in the street scene. The proposed development would result in a degree of dominance, which we consider harmful to its significance.

6.77 Viewpoint 21 shows some coalescing of the proposed development with the spire of St Nicholas' Church (Grade II*) and some impact on the setting of St Mary Redcliffe, from Victoria Park. These impacts would result in some modest harm, by virtue of diminished primacy of key Church towers/steeple in the city.

Planning Legislation & Policy Context

6.78 Central to our consultation advice is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to "have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses".

6.79 When considering the current proposals, in line with paragraph 194 of the NPPF, the significance of the asset requires consideration, including the contribution of its setting. The settings of several highly graded heritage assets are a major aspect of their significance.

6.80 Paragraph 199 states that in considering the impact of proposed development on significance, great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be. Many of the heritage assets identified are Grade I and II*, heritage assets of the highest significance. Paragraph 200 goes on to say that clear and convincing justification is needed if there is loss or harm.

6.81 Historic England's advice is provided in line with the importance attached to significance and setting with respect to heritage assets as recognised by the Government's revised National Planning Policy Framework (NPPF) and in guidance, including the Planning Practice Guidance (PPG), and good practice advice notes produced by Historic England on behalf of the Historic Environment Forum (Historic Environment Good Practice Advice in Planning Notes (2015 & 2017)).

6.82 Heritage assets are an irreplaceable resource (NPPF, paragraph 189) and consequently in making your determination your authority will need to ensure you are satisfied you have sufficient information regarding the significance of the heritage assets affected, including any contribution made by their settings to understand the potential impact of the proposal on their significance, and so to inform your own assessment of whether there is conflict between any aspect of the proposal and those assets' significance and if so how that might be avoided or minimised (NPPF paragraph 195).

6.83 The significance of a heritage asset can be harmed or lost through alteration or destruction of the asset or development within its setting. As heritage assets are irreplaceable, any harm (whether substantial or less than substantial) is to be given great weight, and any harm to, or loss of, the significance of a designated heritage asset (or site of equivalent significance) should require clear and convincing justification.

Position

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6.84 We have identified where the greater impacts of the proposed development would be, and these would be harmful to heritage significance, within the less than substantial harm definition outlined in the NPPF. While we consider that the application site can accommodate a substantial mass and height of building, as some impacts can be moderated by grouping with surrounding modern buildings, we advise that a reduction in the height of the taller elements would minimise the harm to the historic environment.

6.85 We do not wish to comment on the design approach and detailing of the scheme, as these aspects do not necessarily result in greater impact over and beyond the building height and mass.

Recommendation

6.86 Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199 and 200 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Environment Agency

6.87 We have no objection to the proposed development subject to the conditions and informatives recommended being included in any planning permission granted. [Full details of the recommended conditions can be viewed in the full response from the Environment Agency on our website.]

6.88 We note the net gain of flood storage as shown by calculations provided and concur that we have no concerns regarding the development increasing flood risk elsewhere. We also acknowledge that structural modelling work shows negligible impact of the development on the Bristol Frome Culvert.

Health and Safety Executive (HSE)

6.89 Following a review of the information provided in the planning application, the HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.

Crime Reduction Unit

6.90 On reviewing the Management Plan and Security Statement submitted with the application, the following comments were made. (The applicant's response is shown in brackets.)

Management Plan

6.91 Anti-social behaviour, violence and theft are particularly high around this location and whilst I welcome the inclusion of a management plan at this stage, as part of the security plan, I would suggest that a robust policy is included on how the management company will

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deal with issues including rough sleeping and street drinking in the external public realm areas including the covered Colonnades. I would also suggest that a plan to deal with Graffiti is also included and provision for anti-graffiti external treatments if not already considered .

[As confirmed within the submitted Management Plan and Security Statement, the building will be staffed 24/7, 365 days a year. This includes an onsite security guard during evening hours. This will ensure that no antisocial behaviour takes place around the building (rough sleeping / graffiti).]

CCTV

6.92 Cycle provision appears to comply with our latest recommendations and the public/visitor Sheffield stands have been located in areas of good surveillance.

6.93 Although a CCTV plan has not been included in the supporting documents, I would strongly suggest that internal cycle store and post room cameras are included in any forthcoming plan for the protection of property and detection of crime. Whilst access control does appear robust It should be considered that theft may be committed by persons otherwise lawfully on the premises.

[As confirmed within the Security Statement submitted in support of the application, the cycle store and post room shall be covered by CCTV.]

Partitioning of cores

6.94 This development is built around four residential cores. Police advice, as delivered in Secured by Design 'Homes 2023' publication, is that for developments of 26 or more flats, apartments, bedsits or bedrooms can suffer adversely from anti-social behaviour due to unrestricted access to all areas and floors of the building. SBD therefore seeks to prevent unlawful free movement throughout the building through the use of an access control system. This is to prevent easy access throughout the building by those with criminal intent.

6.95 Whilst this application sets out access control, I am concerned that interconnecting doorset between communal areas on floor 07 and the interconnecting corridors on floors 08 to 13 may create opportunity to commit crime and anti-social behaviour if as stated on Page 84 of the Design and Access Statement under Revision A;

"Corridor doors to be held open, closing in event of fire, to improve view out".

6.96 In this case open corridors may give unrestricted access to 44 rooms per floor increasing the potential for crime and anti-social behaviour. Whether access at these locations is provided to legitimate visitors as well as residents via additional call points, is a matter for the overall access control strategy. It is not the intention of Secured by Design to restrict legitimate free flow of residents through the building, this will be at the discretion of the management company concerned.

6.97 The security compartmentation strategy regarding controlling movement through stairwell doorsets has been developed in consultation with the London Fire Brigade and agreed with the national Fire and Rescue Service.

[Partitioning of cores - As confirmed within the submitted Management Plan and Security Statement, electronic access control will be used throughout building to ensure security of the building. Furthermore, individual cluster flats / studios will have video intercom, door viewers and door chains. With reference to Levels 8-13, unrestricted access through building

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will not be achievable. I think comments made within DAS have been misinterpreted by the Crime Prevention Officer.]

The diagram referred to in the applicant's comments can be viewed on our website.

Bristol Waste

6.98 The overall capacities on the Design & Access Statement, Section 6.5, are broadly like the Bristol Waste estimates. Sufficient room should be provided for bins for alternate weekly collections for Plastic/cans, Glass & Paper. Even though other similar local blocks currently receive weekly collections this may change, and additional space could be used for end of term clear outs of bulky items.

6.0 RELEVANT POLICIES

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework

6.1 Bristol Local Plan comprising Core Strategy (Adopted June 2011), Site Allocation 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 2015 and the Hengrove and Whitchurch Park Neighbourhood Development Plan 2019.

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

7.0 EQUALITY ASSESSMENT

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

7.2 S149 of the Equality 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.

7.3 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. There is no indication or evidence (including from consultation with relevant groups) that different groups have or would have different needs,

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experiences, issues and priorities in relation to this particular proposed 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.

KEY ISSUES

For information, any policies quoted in the report with the prefix BCS are from the Core Strategy, DM are from the Site Allocation and Development Management Plan, and BCAP are from the Bristol Central Area Plan. Draft policies quoted from the Bristol Local Plan Publication Version will be referred to in full.

A: IS THE PRINCIPLE OF THE DEVELOPMENT ACCEPTABLE?

8.0 The application site lies between Lewins Mead and Rupert Street which is designated under Site Allocation KS08 in the Bristol Central Area Plan as an area for development of “a mix of uses including retail, leisure, new homes, hotels, student housing and youth and community facilities” (BCAP 38).

8.1 Other development plan policies that support the principle of the development include BCS2, which states that Bristol City Centre’s role as a regional focus will be promoted and strengthened; and throughout the city centre, higher density, mixed-use development will be encouraged with active ground floor uses along the busier streets. BCS20 also states that new development should maximise opportunities to re-use previously developed land, and that higher densities will be sought in city centre locations. BCAP1 states that new development in the City Centre will be expected to contribute to the mix of uses in the wider area. A mix of new homes, employment and other uses will be sought as appropriate to the site and its context.

8.2 Policy BCAP4 refers to student housing and states that specialist student housing schemes that contribute to the diversity of uses within the local area will be acceptable within Bristol City Centre unless it would create or contribute to a harmful concentration of specialist student housing within any given area. However, the policy goes on to state that in areas where there is little or no existing residential population, such as the Old City, Nelson Street and Newfoundland Way, some clustering of specialist student housing may be appropriate.

8.3 The policy also acknowledges the benefit that growth of specialist student housing in the city centre has in relieving pressure on the local housing stock.

8.4 Members will be aware that consultation has commenced on the Publication Version of the Bristol Local Plan which will provide up to date planning policies for the City. As set out in the National Planning Policy Framework (NPPF) para 48, weight may be given to these emerging policies according to the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that can be given); the extent to which there are unresolved objections to relevant policies, and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

8.5 Emerging policy H7 proposes a more direct approach to the location of specialist student housing. This states that outside specified areas for student development, any proposals for purpose-built student accommodation (PBSA) should form part of mixed-use developments comprising a proportion of other compatible residential uses where feasible

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and appropriate. The development should not result in an imbalance of PBSA within the area and should not conflict with the delivery of other planning objectives for the area in which it is proposed.

8.6 The written justification for the policy states that PBSA should be balanced with the needs of the wider community, and that problems can result from an individual large-scale development or clusters of developments. These can include a reduction in local housing choice, a general weakening of the diversity of uses within an area and increased levels of activity surrounding development resulting in detrimental effects on residential amenity and/or the character of an area.

8.7 The written justification goes on to state that, as a guide, the Council considers that a local imbalance of PBSA is likely to occur where bed space numbers within 200 metres of a site exceed a threshold of 1,000 bed spaces within the city centre's commercial areas. Assessments on whether an imbalance would occur should also consider the extent to which the development provides for a mix of uses, including residential, that contributes to the diversity of uses and housing choice within the area.

8.8 There are already a number of PBSA developments within a 200m radius of the site. These include the following (with bedspaces shown in brackets):

Fusion Tower, Rupert Street (483)

New Bridewell, Nelson Street (414)

The Courtrooms, Rupert Street (321)

St Lawrence House, Broad Street (166)

Drake House, Nelson Street (151)

Nelson House, Rupert Street (151)

These student developments and all others within 200 metres of the site are shown at Appendix 1.

In total, the number of student bedspaces within 200 metres is 2269.

8.9 This total is clearly well in excess of the guideline figure of 1000 bed spaces put forward in the written justification for the policy. However, it should be borne in mind that objections to the policy have been submitted in response to the public consultation currently underway on the Publication Version at the time of writing. It is therefore unclear whether Policy H7 will remain as currently written and as a result can only be afforded limited weight.

8.10 It should also be noted that an appeal (APP/Z0116/W/18/3212806) for a student development of 345 bedrooms at Wilder Street was allowed on 5th September 2019. Although not recent, this appeal remains pertinent. Within the decision letter, the planning inspector commented that "*There are no absolute limits in what would represent a harmful concentration*" [of students] and that potential adverse impacts "...*can generally be addressed by the efficient management of the complex and enforcement of tenancy agreements*".

8.11 The proposal is 'mixed-use' containing 328 student bedspaces together with 249 co-living studios, a replacement car park and commercial floorspace. Mixed use developments are supported by Policy BCAP4 and H7.

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8.12 Co-living is not a widely known concept in Bristol as there is just one purpose-built co-living development in the City known as the 'Zinc Works', located at Unity Street, Old Market, which opened in October 2022. Co-living accommodation can be described as catering directly for an identified housing need amongst 18-35 year old young professionals / key workers, who may be unable to purchase a property and would otherwise require HMO accommodation. They allow residents to live independently in studio accommodation (the units would be approx. 20sqm) whilst having access to communal facilities such as lounges, cinema rooms, kitchen/dining rooms (available to hire by residents) and laundry / concierge facilities. Through the use of shared facilities, co-living accommodation successfully creates a sense of community amongst residents.

8.13 For information, the Zinc Works has 102 studios and has been fully let since January 2023, demonstrating a demand for accommodation of this type in Bristol.

8.14 The applicant has agreed that as part of a Section 106 Legal Agreement students would be excluded from the co-living accommodation to ensure a diversity of residential use of the site.

8.15 The Bristol Local Plan is silent in respect of co-living accommodation, however the Urban Living SPD states: "*Higher density residential developments need to incorporate a variety of accommodation to meet the needs of families, elderly, co-living and those with specific accessibility needs, rather than just focusing on young professionals.*"

8.16 Although the student accommodation proposed exceeds the guideline figure set out in draft Policy H7, this is not considered a robust reason to reject the principle of this development given the policy is at draft stage and subject to unresolved objection. The proposals would increase diversity of use in the area by introducing co-living accommodation which is fully supported by existing and emerging policy as described above. The proposals would not lead to a reduction in local housing choice and indeed would increase choice through the introduction of co-living accommodation. The proposals would strengthen rather than weaken the diversity of uses within the area. On the subject of increased levels of activity resulting in detrimental effects on residential amenity, the comments of Pollution Control are noted that no complaints concerning noise or anti-social behaviour have been received for any of the existing student accommodation developments within 200 metres of the site over the past 5 years. For these reasons there is no objection in principle to this development, and its acceptability will depend on how the proposals measure against the remaining key issues set out below.

B: IS THE DESIGN AND CHARACTER OF THE PROPOSED DEVELOPMENT ACCEPTABLE?

9.0 Policy BCS2 (Bristol City Centre) expresses that the design of development will be expected to be of the highest standard in terms of appearance, function, conservation of heritage assets, sustainability and maintaining and enhancing green infrastructure. Key views will be protected.

9.1 Policy BCS21 promotes high quality design, requiring development among other requirements to contribute positively to an area's character, promote accessibility and permeability, promote legibility, clearly define public and private space, deliver a safe, healthy and attractive environment and public realm, deliver public art and create buildings and spaces that are adaptable to change.

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9.2 DM policies reinforce these requirements. DM26 requires development to contribute towards local character and distinctiveness. DM27 concerns the arrangement and form of buildings, structures and spaces. It states that the height, scale and massing of development should be appropriate to the immediate context, site constraints, character of adjoining streets and spaces, the setting, public function and /or importance of the proposed development. DM28, concerning public realm, states that development should create or contribute to a safe, attractive, high quality, inclusive and legible public realm that contributes positively to local character and identity and encourages appropriate levels of activity and social interaction. Finally, policy DM29 concerning the design of new buildings, states that new buildings should be designed to a high standard, responding appropriately to their importance and reflecting their function and role in relation to the public realm. It adds that buildings will be expected to be clearly organised in terms of their form, internal layout and circulation to reflect the hierarchy of function they will accommodate, the uses they will serve and the context they will address.

9.3 The submitted Design and Access Statement (DAS) shows that the building has been designed following a thorough analysis of townscape and environmental context, planning policy and consultation.

9.4 The DAS demonstrates a rigorous analysis of the form, materials and proportions of adjacent buildings to the site. This has informed the appearance and massing of the building, whereby the building volumes are distinct and separated, and dynamic in local views and wider vistas.

9.5 Referring to the components of good design as set out in the National Design Guide, which supplements the NPPF (paragraph 124), comments can be made as follows:

9.6 Layout: The building layout responds to the constrained nature of the site, being sandwiched between major roads and tall buildings on all sides. Despite these constraints, the layout has been designed to allow for a more generous public realm at ground floor, and the 'H' shaped layout of the upper part of the building would allow for the split between co-living and student uses, whilst ensuring each room has a good outlook and receives reasonable levels of daylight/sunlight.

9.7 Form and Scale: The form and scale of the lower, rectangular, part of the proposed building has been designed to address the street (to the north and south) and correspond with the height of neighbouring buildings. Above this, the "H-shaped" part of the building has been designed to be set-in from the east and west, to respect the neighbouring buildings at The Bridewell Police Station and Fusion Tower. The central connecting wing of this part of the building has been designed to be recessed, so as not to be seen from the street view. Overall, the building has been designed to be the centrepiece for the collection of tall buildings which surround the site.

9.8 The impact of the form and massing of the proposed buildings has been assessed in the Townscape and Visual Impact Assessment (TVIA). It concludes that the impact of the proposed development upon the local townscape character would vary from negligible, neutral to major beneficial, as a result of its form and massing, attractive architecture, and visual permeability. With regard to the local visual receptors, the effects would also vary in the same way. Overall, it is considered that the proposed development would reflect the aspirations and emerging townscape character of the Broadmead neighbourhood.

9.9 Appearance: The appearance of the proposed building would be contemporary, and in an architectural style similar to what is now referred to as New London Vernacular, but which

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draws heavily on local Bristol influences – particularly the Bristol Byzantine revival architecture that was popular during the period 1850 to 1880.

9.10 Materials: The materials used would be mainly red brick slips, with some cream brick slips. Brass and bronze cladding and mesh panels would feature at windows and openings of the car park.

9.11 Detailing: Many decorative elements form part of the proposed building. In particular, the brass and bronze cladding and mesh panels would be decorative, drawing their influences from the Byzantine revival architecture and Moorish architecture. Arches within the brickwork are influenced by Gothic architecture.

9.12 Of particular note, the design of the tops of the towers, the “crown” of the building, has been re-designed following negotiation to emphasise the distinction between these two parts of the building. The top of the brickwork where the towers meet the crown now have a stronger horizontal emphasis. The brass cladding has also modified to make a clearer contrast with the brickwork below. Vertical metal fins have been added to break up the facades and the glazing to make the crown of the towers more distinctive. The rooftop finals and projections have been modified to strengthen the roof profile. Louvre panels adjacent to the windows throughout the building have also been set back in order to reveal the depth of the window recesses.

Public Realm

9.13 The public realm would be transformed from a hard, grey corridor, dominated by traffic, to a more welcoming place with landscaping to ‘soften’ the appearance of the street frontages. Planting and high quality paving, seating, public art and creative lighting would be added.

9.14 The proposals include an outdoor amenity area on the seventh floor where the roof terraces would be planted to recreate the sense of woodland glades. Outdoor amenity areas would also be provided at level 14. The different spaces would provide opportunities for residents to meet, cook, eat, work and relax together - helping to create a rooftop community. As students and co-living residents share the main terrace on level 7, a real opportunity for people to meet and mingle would be created. These rooftop spaces’ functions have been designed according to the sun and shade conditions, with sunnier spaces offering more social functions. Shadier spots offer somewhere to work out of the sun’s glare and a place to relax amongst the planting.

9.15 To conclude on this issue, the proposed design is considered to be of a high standard in compliance with policy, that would greatly improve the appearance and character of the area.

C: WOULD THE PROPOSED DEVELOPMENT PRESERVE HERITAGE ASSETS?

10.0 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Authority is also required (under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990) to pay special regard to the desirability of preserving or enhancing the character or appearance of the area.

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10.1 Section 16 of the NPPF, Paragraph 205 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Paragraph 206 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 208 states that where there is less than substantial harm, this harm should be weighed against the public benefits of the proposal.

10.2 With regards to non-designated heritage assets, paragraph 209 of NPPF states that: *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

10.3 Policy BCS22 requires development to safeguard or enhance heritage assets, which includes historic buildings, both nationally and locally listed, and conservation areas.

10.4 Policy DM31 states that development that has an impact upon a heritage asset will be expected to conserve and, where appropriate, enhance the asset or its setting. The policy goes on to state that where a proposal would affect the significance of a heritage asset the applicant will be expected to demonstrate that all reasonable efforts have been made to mitigate the extent of the harm to the significance of the asset.

The Existing Building

10.5 The starting point in considering this key issue is the value of the existing car park building and whether it is worthy of retention.

10.6 The building was considered for listing following an application made to the Department for Digital, Culture, Media and Sport. However, a decision was reached not to list the building. Although unlisted, the building does contain architectural interest and is considered to be a non-designated heritage asset.

10.7 The Twentieth Century Society has raised objection to its loss and value the building as an early American-style, concrete open-deck multi-storey car park which was the first in England to incorporate a continuous parking ramp. Its architecture—with its open elevations composed of spiralling floor slabs which cantilever out and are clad with pre-cast panels—clearly expresses its function. The building is considered by the Society to be an *"...excellent example of sculptural, bold and expressive 1960s Brutalist architecture,"* and that it has clear historic and architectural value and townscape merit, contributing to the variety and richness of Bristol's historic built environment.

10.8 The Society recognises that the building was built for a singular purpose and would be difficult to adapt to meet modern requirements but consider there must be a way to achieve this and that interventions could be made to strengthen and adapt the structure to facilitate its continued use for car parking.

10.9 The Society consider that the applicant has not adequately explored all the options for retaining Rupert Street carpark and has not convincingly justified its plans for demolition. They consider it to be an important heritage asset in Bristol and every effort should be made to conserve it. [The comments of the Twentieth Century Society are set out in full in the Response to Consultation section above.]

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10.10 The building was originally built in 1960 with a projected lifespan of 50 years. The multi-storey car park is now in a poor physical condition having exceeded this period despite the NCP undertaking regular maintenance. A detailed structural report was submitted with the application, together with a copy of the structural statement when the building was considered for listing. The statement concluded as follows: *“It appears that proposals to maintain, modify or attempt to extend the life of the building as a car park or otherwise would require significant and costly structural interventions that would compromise the viability of ongoing operation and impact on the visual appearance of the building.”* Full copies of the report and statement are available on our website.

10.11 Clearly, while the building does hold some architectural and historic interest, it is not possible to modify the building for future car park use without unreasonable expense which would incur harmful alterations to the visual appearance of the building. The benefits of redeveloping the site for the proposed mix of uses has to be weighed into the balance, as clearly the building could not be re-purposed or incorporated within a new development to intensify the application site and provide new uses. The public benefits of the development are considered below.

Heritage Assessment on Designated Assets

10.12 There are no designated heritage assets located adjacent to the site or in its immediate vicinity, and the site is not located within a Conservation Area.

10.13 However, given the size of the proposed development in the context of central Bristol there are numerous designated heritage assets that have the potential to be affected by the proposals. The Heritage Statement submitted with the application concluded that the following heritage assets would all experience less than substantial harm, at the lower end of the spectrum, principally as a result of a change to their ‘setting’, following implementation of the proposed development:

- Grade I Listed St Peters Church
- Grade II* Listed Church of St Nicolas
- Grade II* Listed Church of All Saints
- Grade II* Listed Christ Church with St Ewen
- Grade II* Listed Colston's Almshouses
- City and Queen Square Conservation Area
- Redcliffe Conservation Area
- St Michael's Hill and Christmas Steps Conservation Area

10.14 As mentioned previously in the City Design Group comments, the two heritage assets most affected by the proposals are considered to be Colston's Almshouses and the Church of St Nicolas.

10.15 In their submission, Historic England (HE) comment that: *“As the site is presently surrounded by other substantial modern buildings of various heights, the impact of a proposed taller structure here is diminished, where it would coalesce with neighbouring buildings. However, the additional height over surrounding buildings would result in varying impact on the setting of individual and collective heritage assets.”*

10.16 Reference is made by HE [with reference to the submitted TVIA] to the impacts on the Colston Almshouses and the Church of St Nicolas. Comment is made that: *“Viewpoint 16 from St Michael's Hill shows that while the silhouette of the roof and diagonally-set stacks over the Grade II* Almshouses is already challenged by the Castle Park View tower, the*

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proposed development would be much closer and more visually pronounced above its roofline. The plan form and design of the almshouses contribute to the polite and formal symmetry of its late 17th century architecture, its aesthetic heritage value contributing highly to its significance and presence in the street scene. The proposed development would result in a degree of dominance, which we consider harmful to its significance.”

10.17 With reference to the impact on the Church of St Nicolas, HE comment that: *“Viewpoint 21 shows some coalescing of the proposed development with the spire of St Nicholas’ Church (Grade II*) and some impact on the setting of St Mary Redcliffe, from Victoria Park. These impacts would result in some modest harm, by virtue of diminished primacy of key Church towers/steeple in the city.”*

10.18 Historic England conclude their comments on the impacts on heritage assets by stating as follows:

“We have identified where the greater impacts of the proposed development would be, and these would be harmful to heritage significance, within the less than substantial harm definition outlined in the NPPF. While we consider that the application site can accommodate a substantial mass and height of building, as some impacts can be moderated by grouping with surrounding modern buildings, we advise that a reduction in the height of the taller elements would minimise the harm to the historic environment.”

[Historic England’s full submission can be read in the ‘Response to Consultation’ section above.]

10.19 In response to these comments regarding the impact on the Coston Almshouses and the Church of St Nicolas, the applicant has made the following comments.

10.20 Colston Almshouses: As you move down St Michael Hill, your view is channelled along the route due to the enclosure provided by the built form, with the key focus of the view being the wider city beyond. Glimpsed views of the wider cityscape, and much wider landscape beyond, are visible both within the channelled view and as backdrops to buildings on the route.

10.21 This is a kinetic experience, and the composition of the view changes step by step. These views are not devoid of tall buildings, and in general provide a comprehensive experience and understanding of the evolution of the built form of the city.

10.22 Viewpoint 16 is only observed by turning one’s focus away from the direction of travel, and the extent of the route from which the proposals would be visible is extremely limited, the extent of the visibility shown does not reflect how the proposals would be seen from this route overall. The proposal would only be visible from the western, elevated side of the road.

10.23 St Michael's Hill is located within the St Michaels and Christmas Steps Conservation Area, and the section of the route identified as being sensitive in the submitted Heritage Statement is lined by Listed Buildings.

10.24 The heritage significance of the Listed Buildings is principally derived from the architectural and historic interest of their physical fabric. The 'setting' of the Listed Buildings also contributes to their significance, although the significance derived from their 'setting' is less than that derived from their historic fabric.

10.25 Overall, the applicants conclude that the resulting visual change from St Michael's Hill would have a minor impact upon the overall heritage significance of the Grade II* Listed

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Colston's Almshouses, and a very minor impact upon the overall special interest of the Conservation Area.

10.26 Church of St Nicolas: Viewpoint 21 of the TVIA provides an indication of views from Victoria Park with this being one of the most elevated and open locations in this part of the city with views across the low lying Southville area and city centre.

10.27 In considering Viewpoint 21, this demonstrates in views from this location that the tall spire of St Mary Redcliffe (Grade I) is clearly visible, projecting above the skyline. The upper element of the Church of St Nicolas (Grade II*) also projects above the skyline, but to a lesser extent, and built form in the backdrop reduces the perceptibility of the asset from this location.

10.28 The proposals would introduce further built form to the backdrop of, and adjacent to, St Nicolas Church. The proposed 'tower' situated within the backdrop of the asset would be viewed as lower than the spire, and the adjacent 'tower' roughly of the same height. The resulting change is considered to have a very minor impact on the experience of St Nicolas Church from the south.

10.29 The applicants add that views from Victoria Park continuously change as one moves along the footpath from where Viewpoint 21 is taken. Many of the views from the footpath expand far beyond that shown in Viewpoint 21, with many landmark features and many architectural eras and styles, ranging from historic to contemporary. Due to the perspective and topography, the experience of the view is transient and quick to change. Although an interpretation panel has been placed on this footpath, there is not a viewpoint, seating area or gathering space specifically designed into the park, and therefore this view is afforded by people moving along the path.

10.30 The applicants conclude by stating that the presence of the proposed scheme in this cluttered cityscape would not be a notable or adverse change to the view and would cause minor harm to the appearance of the Church of St Nicolas.

Viewpoints 16 and 21 of the TVIA are shown at Appendix 2.

Public Benefits

10.31 While there is a difference of opinion over the degree of 'less than substantial harm' to heritage assets that would result from the proposals, all parties agree that there would be harm, and in accordance with Paragraph 208 of the NPPF any harm has to be weighed against the public benefits of the development. These are considered to be the following:

Regeneration:

10.32 The removal of the existing car park with its poor quality public realm, and its replacement with the new building and landscaping would bring regeneration benefits as follows:

- Creating vibrancy and activity at Rupert Street and Lewins Mead. At ground floor level, the community/commercial uses, the entrances to the student and co-living building, and the large and much improved public realm would help enliven this part of the city centre.
- Enhancement of the local townscape. The new building would be a high-quality tall building and would act as a centre piece within a cluster of tall buildings, in contrast to the existing car park building which is considered to be a negative feature.

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- Facilitating pedestrian movement. The development would contribute to the creation of a good quality pedestrian route.
- The provision of a new replacement car park that meets modern requirements.

Housing and affordable housing benefits:

10.33 The development would bring housing and affordable housing benefits as follows:

- The provision of purpose built student accommodation (PBSA). The Economic Statement and Shared Living and Student Demand Assessment reports submitted with the application forecast the potential number of students that UWE and Bristol University would have. This is projected to increase from 64,400 (2020/21) to 85,400 in 2034/35. The provision of PBSA would contribute to meeting this demand and would also help to free up existing family houses used by students as houses in multiple occupation. Bristol has fewer students living in PBSA compared with the national average, with 3.9 students per purpose-built bed space compared to the national average ratio of 2.9.
- The provision of co-living accommodation. The Economic Statement and Shared Living and Student Demand Assessment reports refer to there being a potential need for 13,000 co-living rooms in Bristol. As with student accommodation, the provision of co-living accommodation frees up existing family houses being used by typically young professionals as houses in multiple occupation.
- Student and co-living accommodation contribute towards the Council's housing targets. 2.5 Student bedspaces equate to one new home, and for co-living accommodation this figure is 1.8. Taken together (328 student beds and 249 co-living studios), the proposal therefore contributes the equivalent of 269 dwellings towards Bristol's housing target.
- The delivery of 20% affordable rent co-living studios. This would provide accommodation for those in need nominated by the Council. The rent would be capped at 80% of the market rate.

Economic Benefits:

10.34 The economic benefits arising from the development would be as follows:

- Employment: The Economic Statement comments that approximately 965 jobs would be created during the construction phase, and 40 jobs once the proposed development is operational.
- Increased spending in the local area by construction and operational workers, co-living and student residents.
- Tax revenues and business rates accruing from the proposed development.

Environmental Benefits:

10.35 The environmental benefits would be as follows:

- Making effective use of land by redeveloping an under-utilised site in a sustainable city centre location.
- Achievement of a biodiversity net gain of 13%.
- Achievement of BREEAM 'Excellent' for the new building
- A 41% reduction in emissions. This would be through a connection to the district heat network and the placement of 330 sq m of solar panels at roof level.

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Local community and public art benefits:

10.36 Local community and public art benefits would include:

- Supporting the creation, sustainability and growth of local community groups through the use of the proposed commercial/community units at ground floor by local charities and community groups.
- The installation of sculptural lighting, landscape detailing and a programme of cultural events (more details can be found in the submitted Public Art Strategy available on our website).

Conclusion

10.37 The proposal would result in the loss of a non-designated heritage asset, and a degree of 'less than substantial harm' to designated heritage assets. In accordance with policy, this must be given great weight in the decision on the application. Having set out the public benefits, the question is whether in combination, they carry sufficient weight to overcome this harm. On balance, reflecting on the considerable public benefits listed above, it is considered that the public benefits arising from the proposed development would outweigh the loss of the non-designated heritage asset and the 'less than substantial' harm to a number of designated heritage assets.

D. DO THE PROPOSALS PROTECT THE RESIDENTIAL AMENITY OF ADJOINING OCCUPIERS IN TERMS OF RETAINING ADEQUATE LEVELS OF SUNLIGHT AND DAYLIGHT?

11.0 Policy BCS21 expects development to safeguard the amenity of existing development and create a high quality environment for future occupiers. Policy DM2 requires development to provide a good standard of accommodation by meeting relevant requirements and standards and not adversely impacting neighbouring amenity. Policy DM29 expects new buildings to safeguard the amenity of the host premises and neighbouring occupiers.

11.1 The site is surrounded by taller buildings, used for a variety of uses as shown at Appendix 3. Of particular note are Fusion Tower, immediately adjacent to the site on its western side, and New Bridewell Street to the south on the opposite side of Rupert Street. Both buildings provide student accommodation, Fusion Tower having originally been built as office development and converted in 2012/13. These two buildings will be most affected by the development (see details below), and to a much lesser extent, Number One Bristol, a residential building to the north west of the site that has also been converted from office use.

11.2 A Building Research Establishment (BRE) Daylight and Sunlight report was submitted with the application in accordance with the BRE's report "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" (2022 Edition).

11.3 The starting point, as explained by Rapleys, the writers of the report, was to understand the potential impact of an increased massing on the site by assessing the massing that could fit on the site whilst maintaining strict compliance within the BRE guidance for daylight amenity. This is referred to as a 'cutback massing' and is shown at Appendix 4. As can be seen, the increase in massing available is negligible.

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11.4 The two buildings restricting the cutback for the maximum building envelope are New Bridewell and Fusion Tower. This is because:

- The light levels to several windows at low levels is already low, and any increase in building height which further reduced the angle of light (the Vertical Sky Component or VSC) entering the windows would result in a reduction that failed the BRE test.
- The underdeveloped nature of the site (in relation to its surroundings) means that above certain floor levels, VSC levels were much greater than would be expected in a city centre context, allowing much more light into windows than is usual.
- Their proximity to the boundary (particularly Fusion Tower) severely restricts the ability of the site to be developed laterally, therefore limiting additional massing to the existing footprint.

11.5 The cutback massing demonstrates that a degree of impact will be experienced if a building is proposed of greater massing / height than the existing.

11.6 The existing building is located within a sustainable city centre location, amongst a cluster of existing tall buildings and it is considered that it would not be reasonable for the applicant to consider redeveloping the site with a building of comparable size to the existing / cutback massing. The applicant has also advised that proposing such a building would be commercially unviable.

11.7 In these scenarios, the BRE guide states that their parameters need to be applied flexibly. Appendix F of the guide is titled “Setting alternative target values for skylight and sunlight access”. This states that the target values for assessing how much light from the sky is blocked by obstructing buildings are advisory and that: “... *different targets may be used based on the special requirements of the proposed development or its location. Such alternative targets may be generated from the layout dimensions of existing development, or they may be derived from considering the internal layout and daylighting needs of the proposed development itself.*”

11.8 Similar advice is contained in the Urban Living SPD which in Part 3 advocates an approach ... “*which allows an assessment of daylight and sunlight targets to be informed by a comparative contextual analysis. This approach provides flexibility to the application of targets set in the BRE guidance in dense urban environments in line with NPPF paragraph 123(c).*”

In determining a comparative context, physical and environmental characteristics should be considered together with other context considerations. For example, the amenity of living in a city centre location, such as the Old City, where its central location, high quality of urban environment and access to public open space compensates for a lesser standard of daylight than may be appropriate in other areas of the city.”

11.9 To follow this advice, the Daylight and Sunlight Report carried out a ‘mirrored massing’ study, as recommended in Appendix F of the BRE guide, to ascertain a comparative context that is more in keeping with a dense city centre environment.

11.10 A mirrored massing study is done by projecting a ‘mirror-image’ of an existing building or buildings – in this case New Bridewell and Fusion Tower – an equal distance away on the other side of their respective boundaries. Using this scenario, the height and proportion of existing buildings in a mirrored image are used to set appropriate targets for measuring daylight.

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These mirrored massing images are shown at Appendix 5.

Results

11.11 In the existing scenario, without using the 'mirrored massing' study, the results for New Bridewell and Fusion Tower were poor. The submitted report tested the windows that would be affected by the proposed development (approximately one third of the total number of windows in the building) and this showed that just 21% would meet the BRE standard (73 of the 343 windows tested). Of the 270 windows that failed to meet the BRE standard, 192 would experience a substantial loss, losing 40% or more of their existing daylight.

11.12 In the case of Fusion Tower, 60% of the windows tested (104 of 174) would not meet the BRE Standard and these are all on the flank wall facing the site. Of the 70 windows that did not meet the BRE standard, 51 would lose 40% or more of their existing daylight.

11.13 Using the 'mirrored massing' study, the number of windows in New Bridewell that meet the BRE guidelines increases from 73 to 214, representing a 62% BRE standard pass rate. Of the 129 windows that would not meet the standard, 16 would experience a daylight loss of 40% or more with the remaining 113 windows experiencing losses of between 20% and 40%. In addition to this improvement, 65 windows would show higher daylight levels than if they were facing themselves in the mirrored massing scenario.

11.14 In the case of Fusion Tower, the mirrored massing study indicates that the number of windows that meet the BRE guidelines actually decreases by 1 to 103. However, the number experiencing substantial daylight loss of 40% or more, is halved from 51 to 25, with 46 experiencing losses of between 20% and 40%.

The results for the existing scenario and mirrored massing studies for both buildings is shown at Appendix 6.

Conclusion

11.15 The site clearly has difficult constraints both by its underdeveloped nature and the existing, much taller, surrounding buildings.

11.16 In order to retain adequate light to Fusion Tower and New Bridewell, a disproportionate amount of massing would need to be removed from the proposed building, both in height and laterally. As such, the existing buildings can be said to present an unreasonable burden on the site which the BRE, and the Urban Living SPD seek to prevent.

11.17 While the impacts of the proposal are significant, the mirrored massing study demonstrates what might more reasonably be expected as the existing scenario in this dense city centre environment, and measuring from that the impacts are far less severe, with the number of windows that show significant daylight losses (40% or more) greatly reduced.

11.18 With regard to the remaining buildings surrounding the site, Number One Bristol, a residential building to the north west, shows some minor deviations from target values. There is serious loss to one bedroom window, but the room is lit by two windows and the overall impact would be acceptable. Drake House, an 8 storey residential building to the south west, experiences a slightly lower level of impact compared with Number One Bristol. The remaining buildings: Nelson House to the south west, Everards Printworks to the south and Everards Court to the south all experience only minor impacts to few windows and in the case of Everards Court there is no impact at all.

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11.19 It is noted that no objections have been received from any of the surrounding buildings on the grounds of loss of existing daylight/sunlight.

11.20 Taking all of the above into account, it is considered that what is proposed is a reasonable balance that fulfils the development opportunity presented by the site whilst also respecting the daylight amenity of the surrounding properties.

11.21 In terms of levels of noise and disturbance affecting adjoining occupiers, there is already a concentration of students living in the area and the impact from this development through introducing further students and co-living residents is not expected to give rise to any amenity issues. The development will be managed full-time which will ensure anti-social activity does not take place on site. As previously mentioned, Pollution Control has advised that no complaints concerning anti-social behaviour have been received relating to student activity in the area for the past 5 years.

E: DO THE PROPOSALS PROVIDE A SATISFACTORY LIVING ENVIRONMENT FOR FUTURE OCCUPIERS?

12.0 Policies BCS21 and DM29 require developments to create a high-quality environment for future occupiers.

12.1 In terms of daylight and sunlight, the results of the report submitted demonstrate a good level of compliance with the BRE Guidelines, with 86% of the rooms meeting the BRE recommendations (535 of 624 rooms tested). This level of compliance is considered very good for this type of development set within a city centre with a tall and dense surrounding built environment.

12.2 With regard to the external amenity areas, two of the five amenity spaces exceed the BRE recommendations. One small amenity space is marginally below the guidance and one of the two spaces on the northern side of the scheme will not meet the targets for March, but the June results show a good pass rate. Taken together, the results indicate that for the majority of the year there will be good sunlight availability for the outdoor amenity areas.

12.3 There are no required space standards for student housing, or the proposed co-living accommodation which is also sui generis. The student accommodation is similar in character to other purpose-built accommodation of this kind. The co-living accommodation has a similar format although the size of the studios are larger, and during the course of negotiation on this application additional windows have been added to the communal areas on each floor to improve light levels. These areas are for cooking, dining and socialising, and are intended to foster the spirit of communal living.

12.4 The quality of the internal and external spaces proposed is considered satisfactory and would provide good accommodation and an acceptable standard of amenity given the high-density nature of development proposed.

12.5 Given the distance between the facing elevations of the two towers, it is considered that the degree of overlooking is acceptable and privacy maintained.

F: WOULD THE DEVELOPMENT SATISFACTORILY ADDRESS TRANSPORT AND MOVEMENT ISSUES?

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13.0 Policy BCS10 states that development should not give rise to highway safety issues and should reduce the negative impacts of vehicles as far as possible. It also sets out transport user priorities, with pedestrian and sustainable modes of transport taking precedence over the private car. Policy DM23 states that development should not give rise to unacceptable traffic conditions.

13.1 The redevelopment of the existing car park is acceptable and all aspects of the access to the proposed development and all other transport effects are considered safe and comply with policy. Vehicular access to the replacement car park is proposed to be retained from Rupert Street in its existing location.

13.2 Trip generation from the proposed development would not have any adverse transport impacts and would follow the same broad patterns as the current car park, although the amount of traffic would reduce proportionately through the reduction to the number of parking spaces proposed in the redeveloped car park (from 498 to 400).

13.3 Residential trips to the student and co-living accommodation would be by foot or from cycling and would not compromise the highway network or highway safety. Likely trips from servicing and deliveries have been assessed and it is considered would not cause any serious disruption or raise any safety issues.

13.4 The cycle parking proposed: 82 spaces for students, 62 for co-living residents, 24 spaces used as part of a share scheme and 40 visitor spaces, is considered acceptable.

13.5 The submitted Transport Statement pays particular attention to the arrival and departure of students at the start and end of terms. It is expected that one floor of the car park would be made available, as appropriate, and this would be coordinated with other student accommodations in the area that currently use the car park for arrivals and departures.

13.6 Section 106 contributions have been agreed for the following highway-related matters:

- Travel Plan Implementation: student: £33,000; Co-living: £54,780
- Replacement VMS (variable message sign) signage: £81,250
- Bus stop improvements (B6 and B4 on Rupert Street): £94,482
- Upgraded crossing on Rupert Street from Puffin to Toucan: £100,000
- Contribution on the Lewins Mead frontage towards an upgrade of the footway between the site and the crossing at Lower Maudlin Street (£11,050)

G: WOULD THE PROPOSAL SATISFACTORILY ADDRESS ENERGY, SUSTAINABILITY AND CLIMATE CHANGE ISSUES?

14.0 Policies BCS13, BCS14 and BCS15 give guidance on sustainability standards to be achieved in any development, and what measures are to be included to ensure that development meets the climate change goals of the Local Plan. Applicants are expected to demonstrate that a development would meet those standards. In addition, policy BCAP21 requires development to connect to an existing heat distribution network where achievable, and BCAP20 requires development of this scale to reach BREEAM 'Excellent' standards.

14.1 A Sustainability and Energy Strategy and a BREEAM pre-assessment report were submitted with the application. These reports demonstrate that a 41% reduction in residual emissions would be achieved through a Day 1 connection to the district heat network and the use of 330 square metres of solar panels at roof level.

Development Control Committee A – 6 March 2024

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14.2 The BREEAM 'Excellent' standard would be met, including through use of energy efficient building fabric measures and materials, and water consumption reduction.

14.3 The proposed development meets sustainability policies in all respects.

H. WOULD THE PROPOSAL SATISFACTORILY ADDRESS FLOOD RISK ISSUES?

15.0 The site lies within Flood Zone 2, with the River Frome running beneath Rupert Street and part of the southern portion of the application site within a culvert.

15.1 Policy BCS16 seeks to reduce flood risk, steers development to areas at lower risk of flooding and requires development to incorporate sustainable drainage.

15.2 BCAP38 states that the development of sites within Nelson Street and Lewins Mead that are at risk of flooding now or with climate change should be supported by a flood risk sequential test undertaken within the policy area, taking account of all reasonably available sites in the area.

15.3 In accordance with BCAP38, a flood risk sequential test was submitted with the application, which demonstrates how the application site is the only site within the area of search that can reasonably accommodate the proposed development, and as such this passes the sequential test.

15.4 The flood risk assessment and drainage strategy submitted set out how the development would be made safe from the impacts of flooding. All residential and sleeping accommodation would be at first floor and above. Basement infrastructure and plant would be defended by flood barriers at access points.

15.5 The proposals are acceptable to the Environment Agency and the Council's Flood Risk Team.

CONCLUSION

16.0 This report has described the context of the application site and its characteristics, and has assessed the merits of the proposed development against planning policy requirements as set out in the preceding key issues.

16.1 The principle of redeveloping the application site for the uses proposed are acceptable and in accordance with the Local Plan. The design of the proposal would be of a high quality and would do much to enliven and improve the appearance of the street scene. While there would be some harm to heritage assets, these are considered to be significantly outweighed by the public benefits of the proposal, complying with the NPPF. The proposal would have an impact on existing levels of daylight and sunlight enjoyed by existing residents, which is unfortunate but inevitable for any development on this tightly constrained site. However, it is considered that the proposal strikes a reasonable balance fulfilling the development opportunity presented by the site whilst also respecting the daylight amenity of the surrounding properties.

16.2 The development proposals are considered acceptable in all respects and accordingly, the application is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Development Control Committee A – 6 March 2024

Application No. 23/01407/F : NCP Rupert Street City Centre Bristol BS1 2PY

17.0 The CIL liability for this development is £2,339,846.79

RECOMMENDATION:

18.0 Approve subject to a Section 106 Planning Agreement to cover the following:

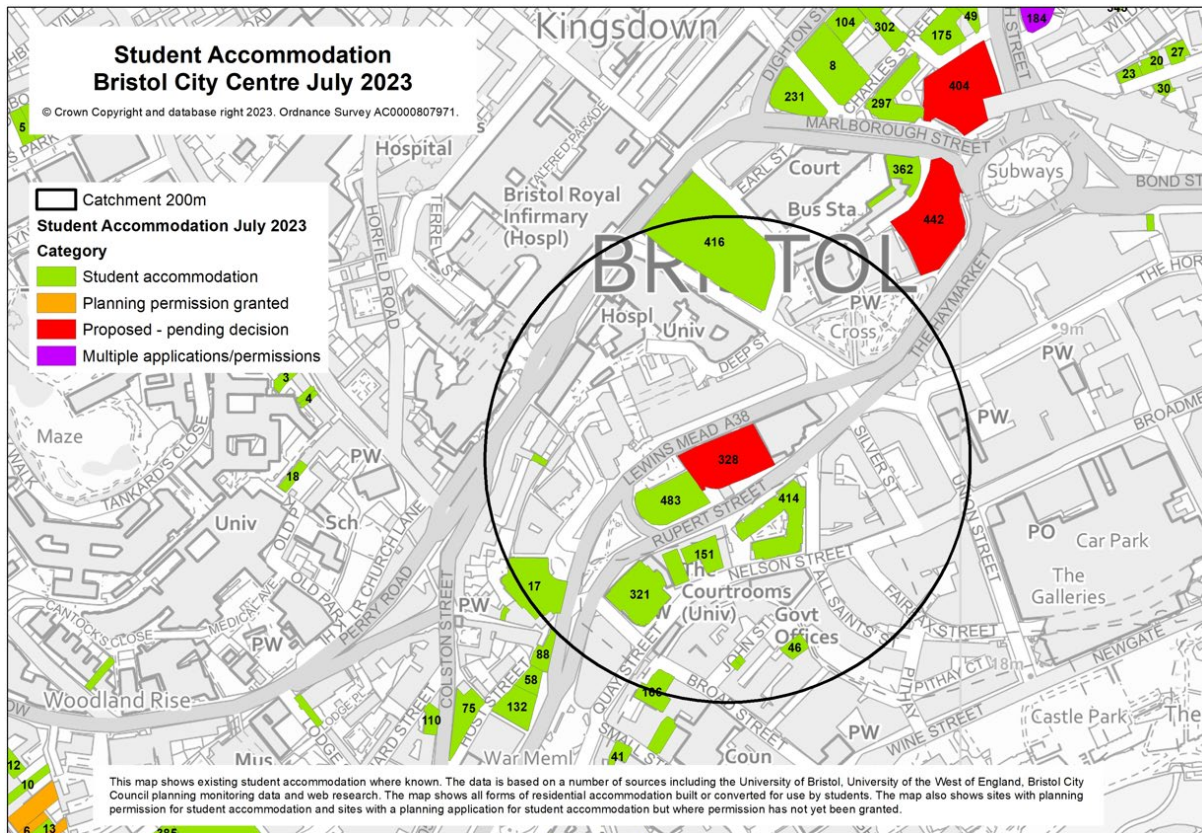
- Provision of Affordable Rent in 20% of the co-living studios
- Restriction of Units 1 and 2 to occupation by community/charitable users (6 months)
- Exclusion of students from the co-living accommodation
- Travel Plan Implementation: student: £33,000; Co-living: £54,780
- Replacement VMS (variable message sign) signage: £81,250
- Bus stop improvements (B6 and B4 on Rupert Street): £94,482
- Upgraded crossing on Rupert Street from Puffin to Toucan: £100,000
- Contribution on the Lewins Mead frontage towards an upgrade of the footway between the site and the crossing at Lower Maudlin Street: £11,050

Request delegated authority for officers to prepare the required planning conditions to cover the following issues:

- Archaeology
- Detailed Design
- Landscaping
- Land Contamination
- Highways
- Construction Management
- Nature Conservation
- Air Quality
- Pollution Control
- Flood Risk
- Sustainability (including connection to the Local Heat Network)
- Broadband Connectivity

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Appendix 1: Student Accommodation in vicinity of application site



Appendix 2: Images 16 and 21 from the Townscape and Visual Impact Analysis Report



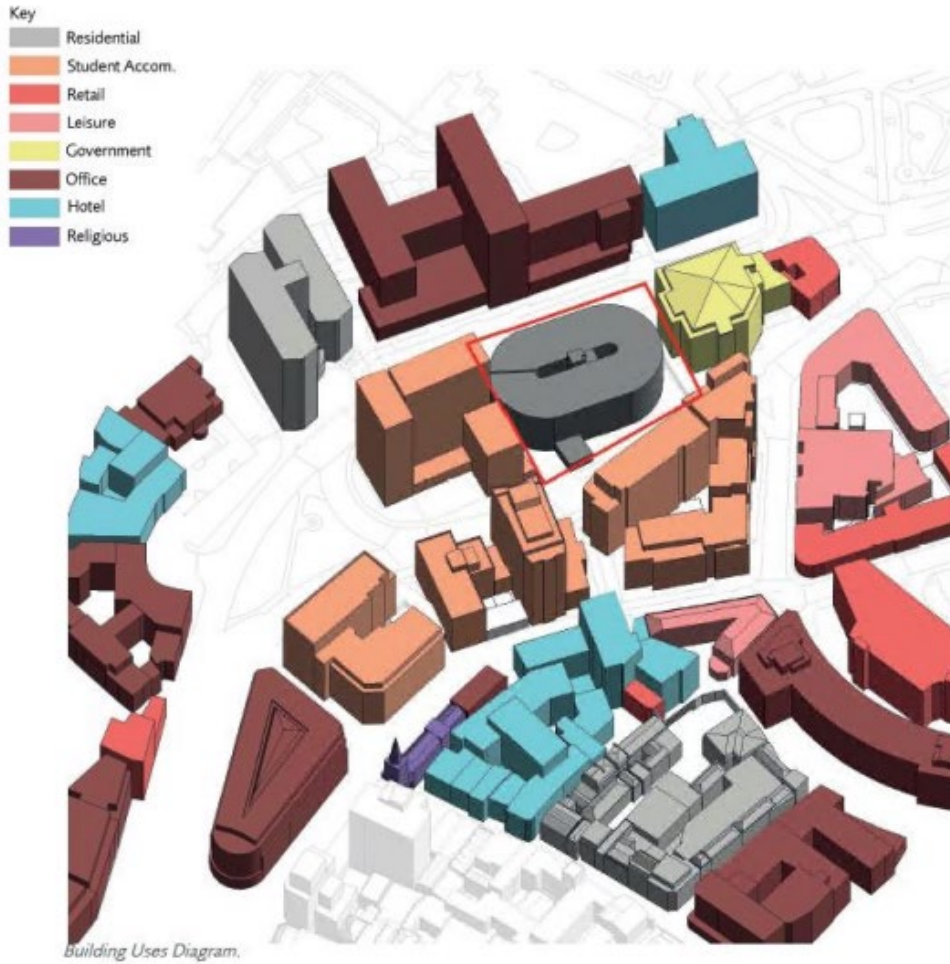
Viewpoint 16: Colston Almshouses from western side of St Michael's Hill



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Application No. 23/01407/F : NCP Rupert Street City Centre Bristol BS1 2PY

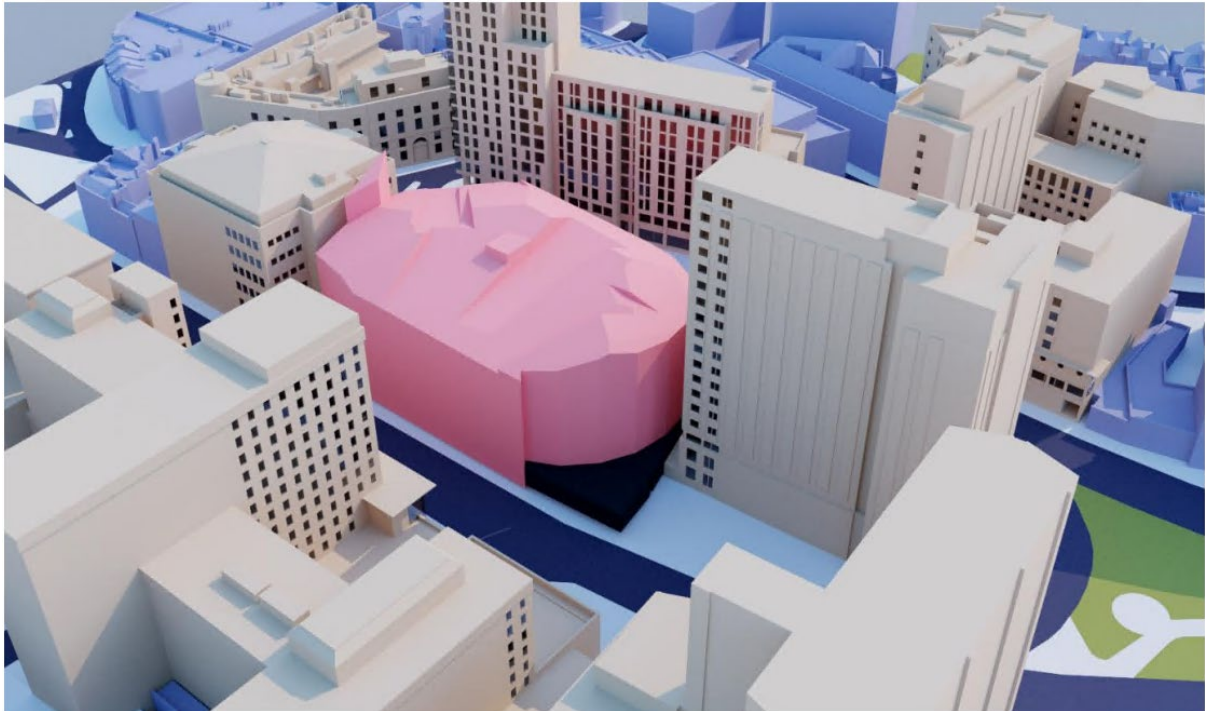
Viewpoint 21: Church of St Nicolas from Victoria Park

Appendix 3: Existing Land Uses Surrounding the Site



Appendix 4: 'Cutback Massing':

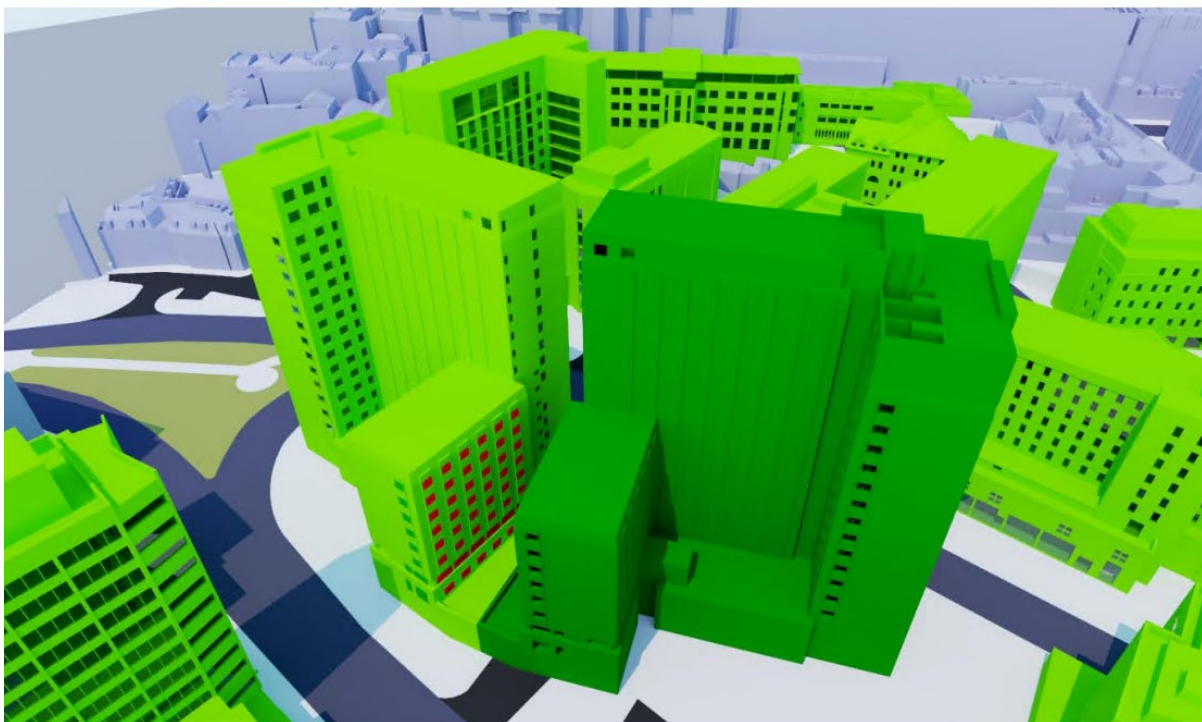
This shows the extent of built massing possible whilst maintaining full compliance with BRE guidance for daylight amenity.



Appendix 5: 'Mirrored Massing Images for New Bridewell and Fusion Tower



New Bridewell Mirrored Massing (dark green)



Fusion Tower Mirrored Massing (dark green)

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Application No. 23/01407/F : NCP Rupert Street City Centre Bristol BS1 2PY

Appendix 6: Images of Results: Existing Scenario and Mirrored Massing Scenario

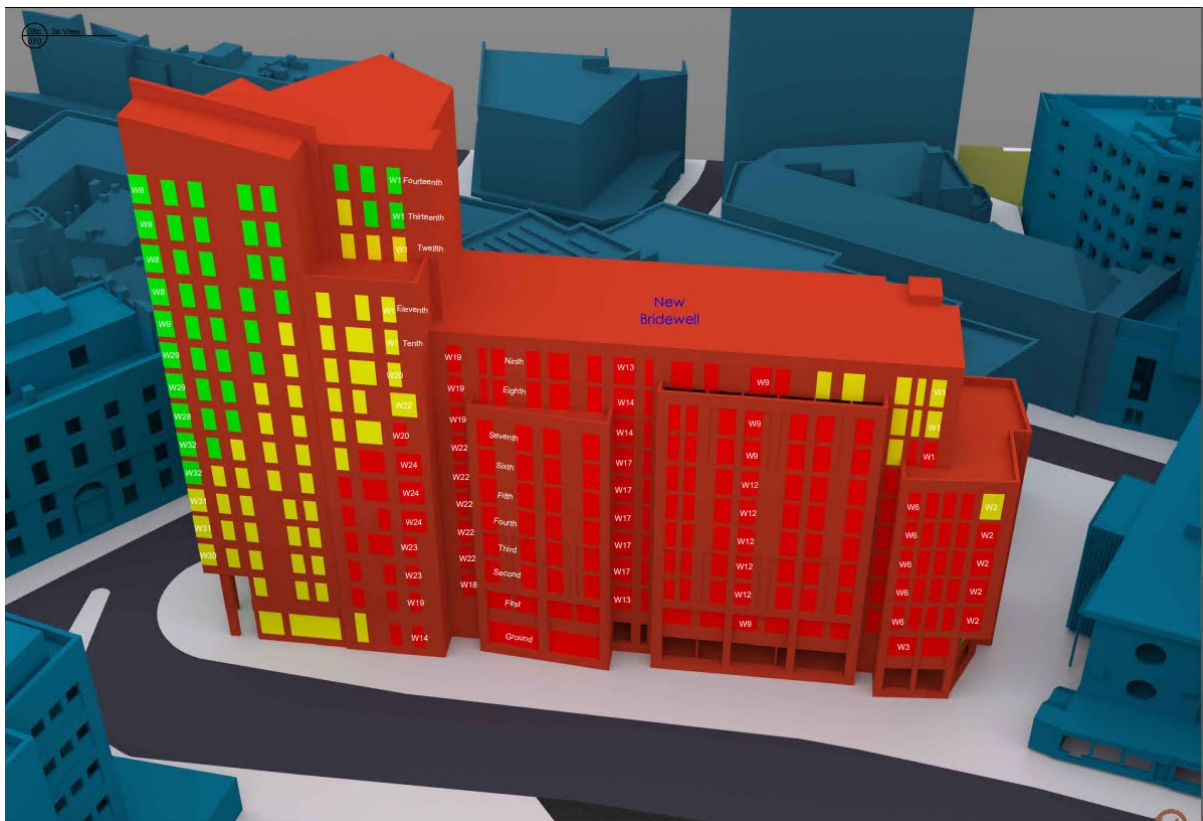
Key:

Blue: Gains

Green: <30%

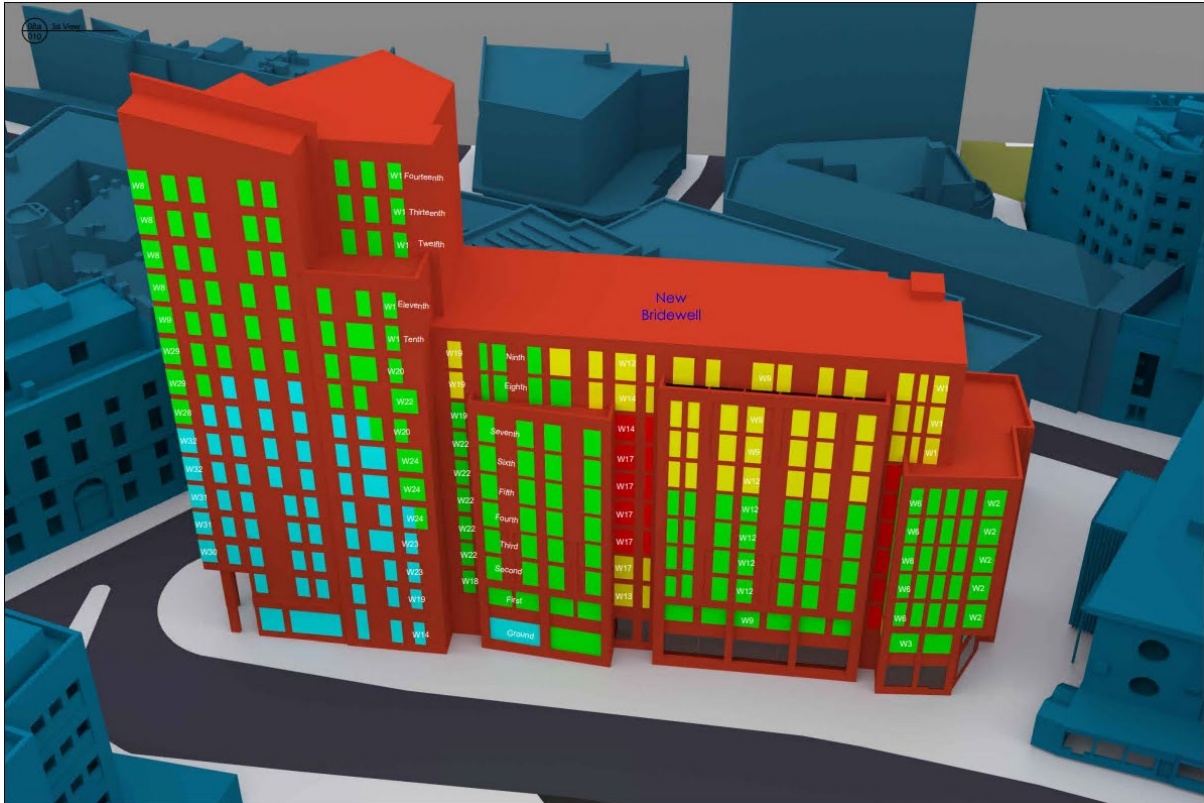
Yellow: 30 – 40%

Red: >40%



New Bridewell Existing Scenario: Impact of Proposed Development

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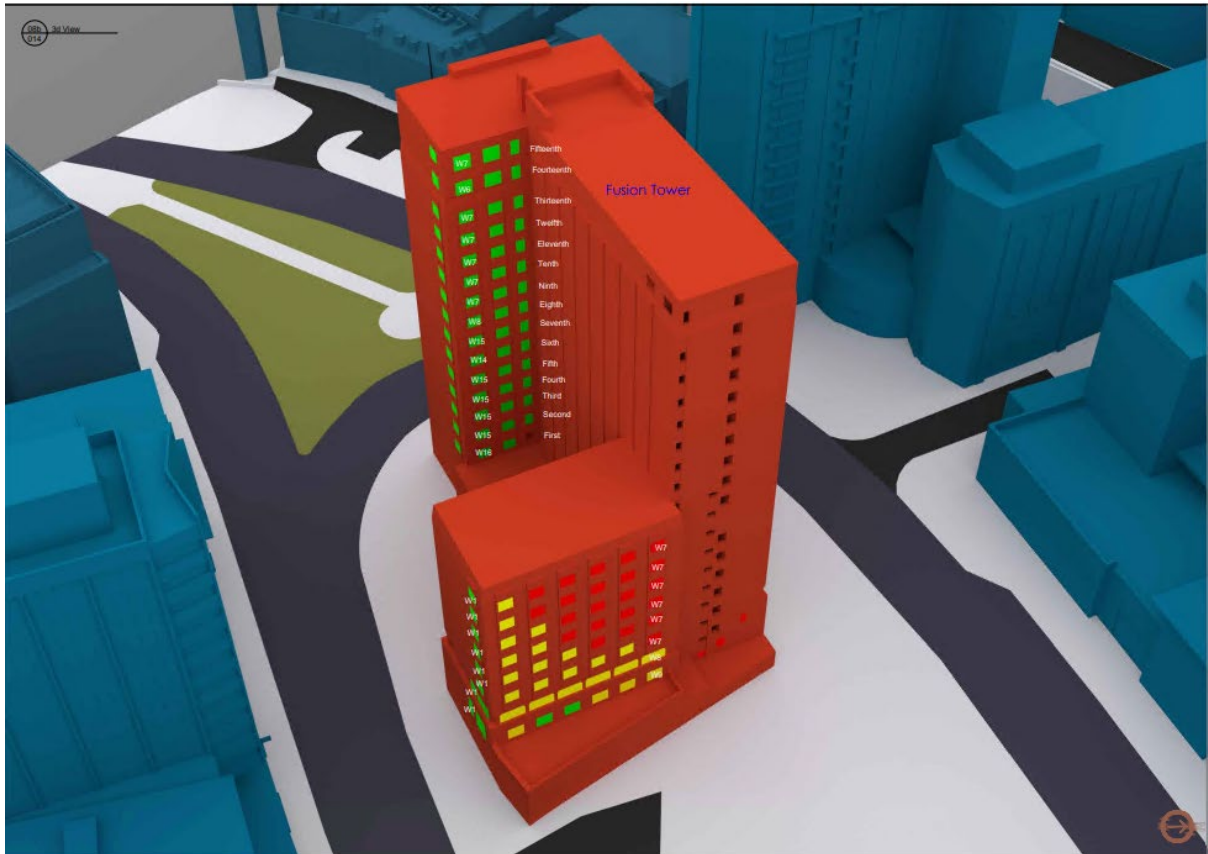


New Bridewell Mirrored Massing Scenario: Impact of proposed development



Fusion Tower: Existing Scenario: Impact of proposed development

Development Control Committee A – 6 March 2024
Application No. 23/01407/F : NCP Rupert Street City Centre Bristol BS1 2PY

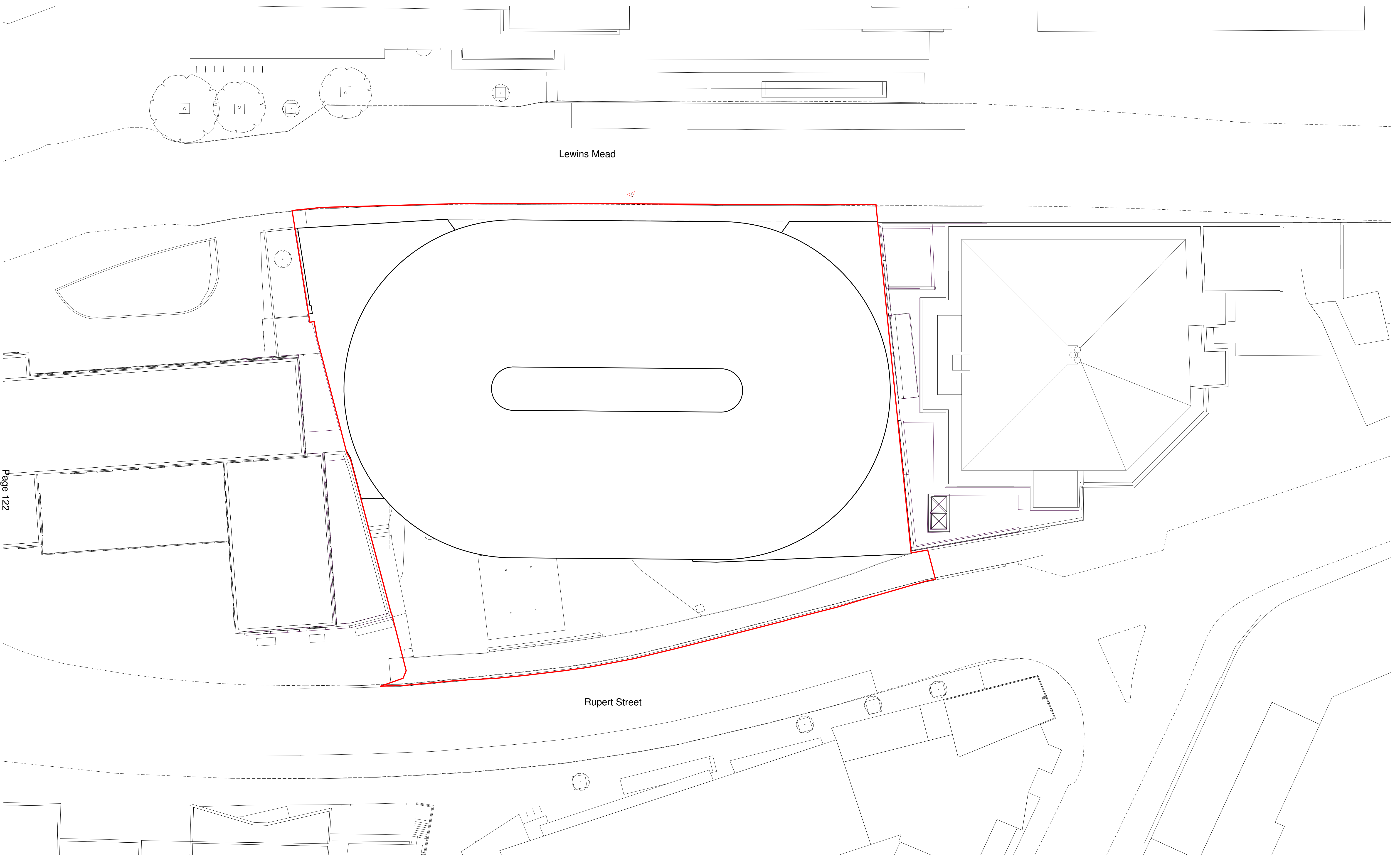


Fusion Tower: Mirrored Massing Scenario: Impact of proposed development

Supporting Documents

2. NCP Rupert Street, City Centre.

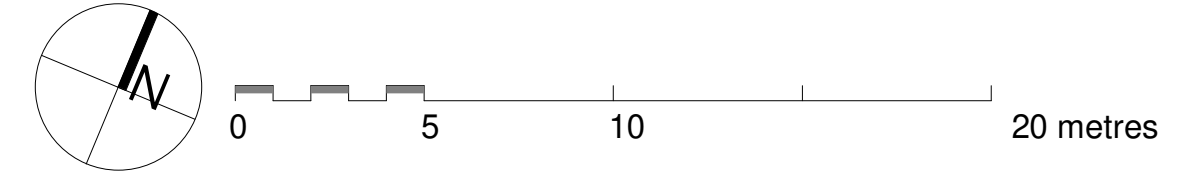
1. RUP-AFA-XX-XX-DR-A-1001 D1 Existing Site Plan
2. RUP-AFA-XX-XX-DR-A-1101 D1 Proposed Location Plan
3. RUP-AFA-XX-ZZ-DR-A-1250-D3 Proposed South Elevation
4. RUP-AFA-XX-ZZ-DR-A-1251-D3 Proposed North Elevation
5. RUP-AFA-XX-ZZ-DR-A-1252-D3 Proposed West Elevation
6. RUP-AFA-XX-ZZ-DR-A-1253-D3 Proposed East Elevation
7. RUP-AFA-XX-01-DR-A-1202-D3 Proposed Level 01
8. RUP-AFA-XX-07-DR-A-1204-D3 Proposed Level 07
9. RUP-AFA-XX-ZZ-DR-A-1205-D3 Proposed Level 08-13
10. RUP-AFA-XX-ZZ-DR-A-1206-D3 Proposed Level 14-16



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Lewins Mead

Rupert Street



Existing Location Plan
■ Application Site Boundary

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Rev	Description
D1	Final Planning Submission

Date	Drawn	Checked
01/03/23	EM	RFG

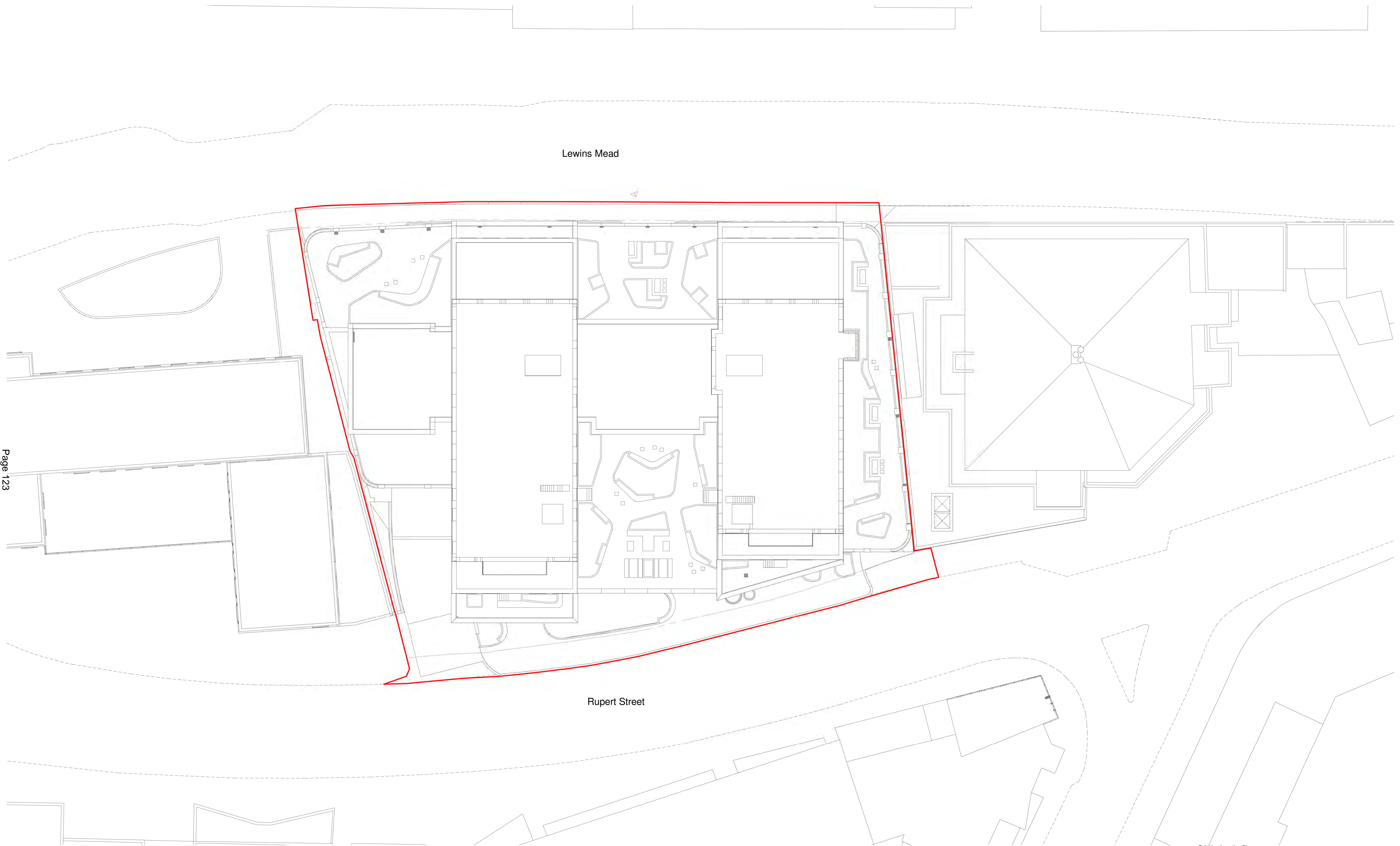
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S1: Coordination
S2: Information
S3: Int. Review
S4: Construction
D1: Costing
D2: Tender
D3: Contractor Design
D4: Procurement

A: Construction	Scale	Date	AFA Project No.	Drawn by	Checked by
B: Partially Signed-off	As Indicated @A1	22/02/23	5149	SMC	ZN
AS: As Built				Rev.	Status

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Rupert Street Co-living & Student
 Rupert Street, Bristol
Existing Site Plan

Drawn: SMC
 Checked: ZN
 Rev: D1
 Status: S2

Stage: RIBA Stage



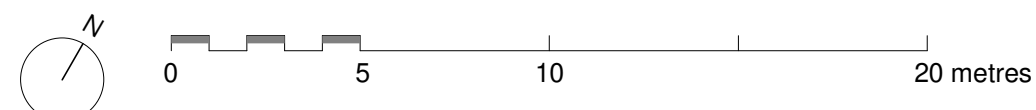
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Lewins Mead

Rupert Street

Existing Location Plan

Application Site Boundary



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D1	Final Planning Submission

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01/03/23	EM	RFG

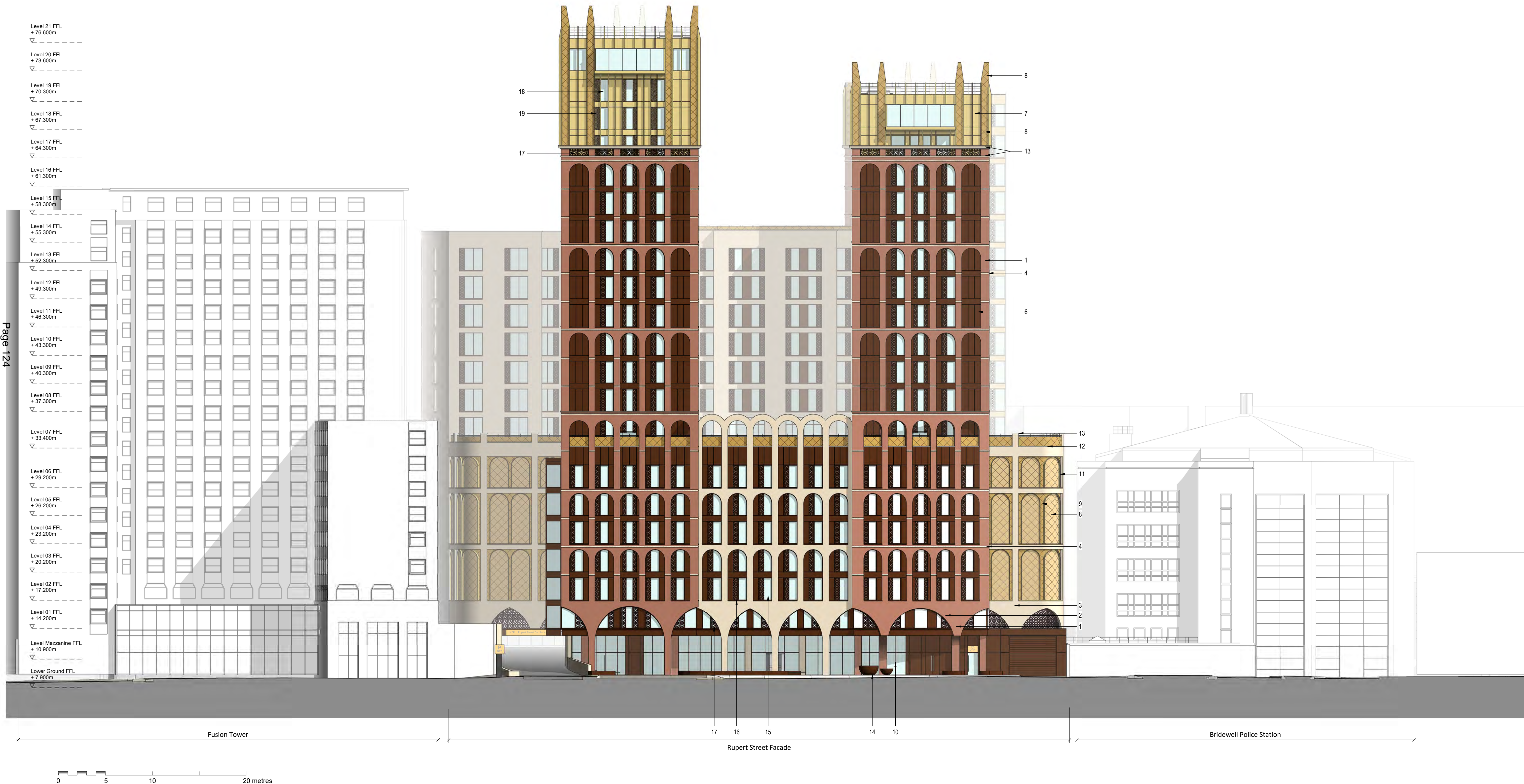
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Rupert Street Co-living & Student
 Rupert Street, Bristol
 Proposed Location Plan

Scale	Date	AFA Project No.	Drawn by	Checked by
As Indicated @A1	01/03/23	5149	RFG	MO
Drawn by	Checked by	Status	Rev.	Status
RUPAFA - XX - XX - DR - A - 1101	D1	S2		

RIBA Stage 2



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- 2 Facing Brick - Textured Dark Red - Soldier Course / Voulsoir
- 3 Facing Brick - Textured Cream - Running Course
- 4 Facing Brick - Textured Cream - Soldier Course
- 5 Facing Brick - Textured Dark Brown - HG & Miss
- 6 PPC Aluminium Bronze Effect Cladding Panel
- 7 PPC Aluminium Bronze Effect Cladding Panel with Vertical Fins
- 8 Steel Mesh Brass Effect Cladding - 50% free area
- 9 Steel Mesh Brass Effect Cladding - 40% free area
- 10 Curtain Walling System with Bronze Effect Framing
- 11 PPC Aluminium Bronze Effect Arch Frames
- 12 Steel Mesh Brass Effect Balustrade with Glass Backing - Brass Effect PPC Aluminium Posts & Hand Rails
- 13 Cast Stone Coping and Lower Band
- 14 Cor Ten Planters / Plant Pots

Doors, Windows & Grilles:

- 15 PPC Aluminium Bronze Effect Window Frame with Inward Opening Window - Bronze Effect PPC Aluminium Sills
- 16 PPC Aluminium Bronze Effect Perforated Bespoke Screen with Mesh Backing
- 17 PPC Aluminium Bronze Effect Perforated Bespoke Screen without Mesh Backing
- 18 PPC Aluminium Bronze Effect Window Frame with Inward Opening Window - Brass Effect PPC Aluminium Sills
- 19 PPC Aluminium Bronze Effect Perforated Bespoke Screen with Mesh Backing

Rev	Description
01	Final Planning Submission
02	Revised Planning Submission
03	Levels 17 to 21 cladding design updated

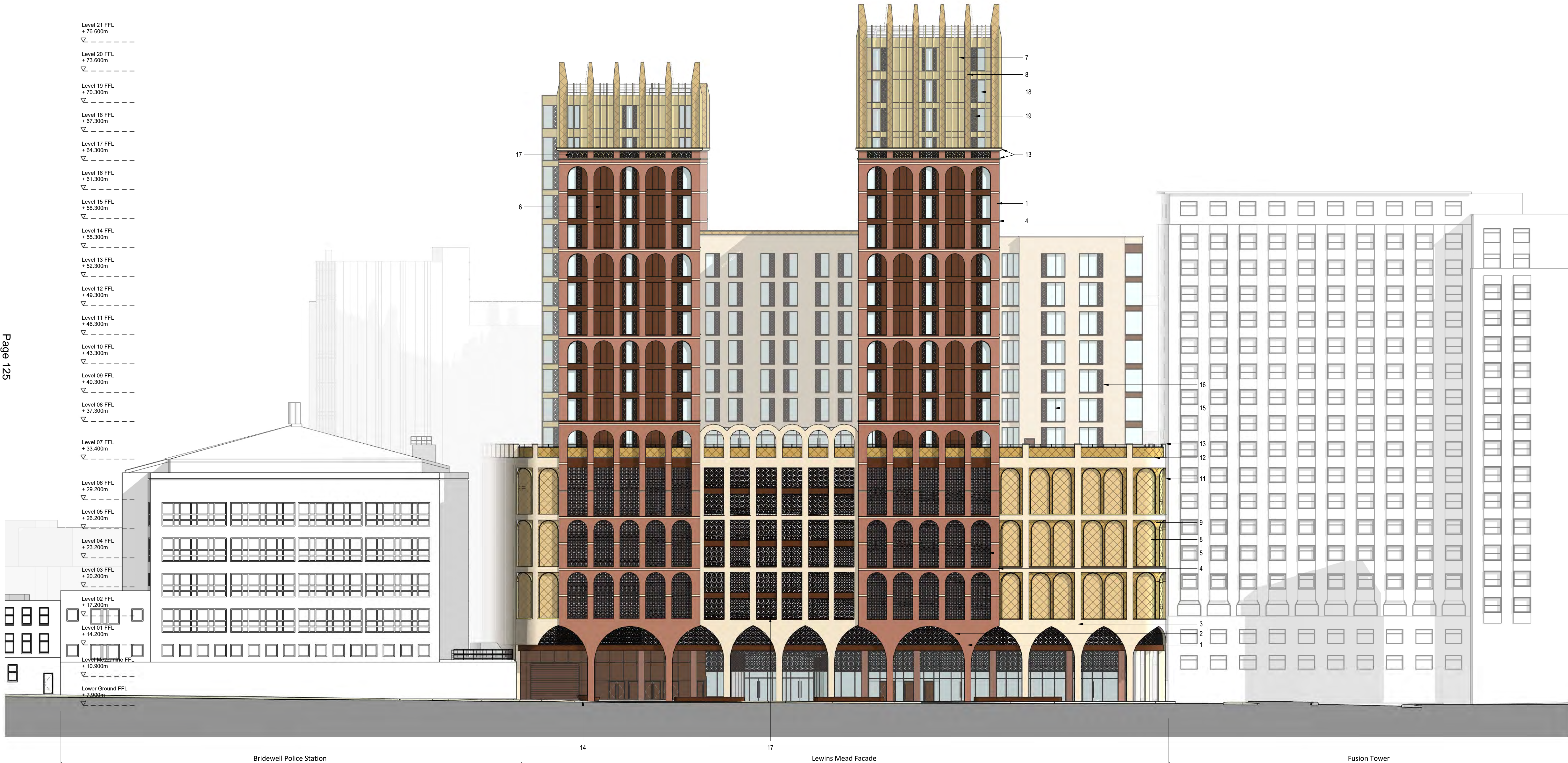
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Drawn by	Rev:	Status	Rev:	Status
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Rupert Street Co-living & Student
 Rupert Street, Bristol
 Proposed South Elevation

RIBA Stage 2



0 5 10 20 metres

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3. Facing Brick - Textured Cream - Running Course
4. Facing Brick - Textured Cream - Soldier Course
5. Facing Brick - Textured Dark Brown - H&M
6. PPC Aluminium Bronze Effect Cladding Panel
7. PPC Aluminium Bronze Effect Cladding Panel with Vertical Fins
8. Steel Mesh Brass Effect Cladding - 50% free area
9. Steel Mesh Brass Effect Cladding - 40% free area
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12. Steel Mesh Brass Effect Balustrade with Glass Backing - Brass Effect PPC Aluminium Posts & Hand Rails
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14. Cor Ten Planters / Plant Pots

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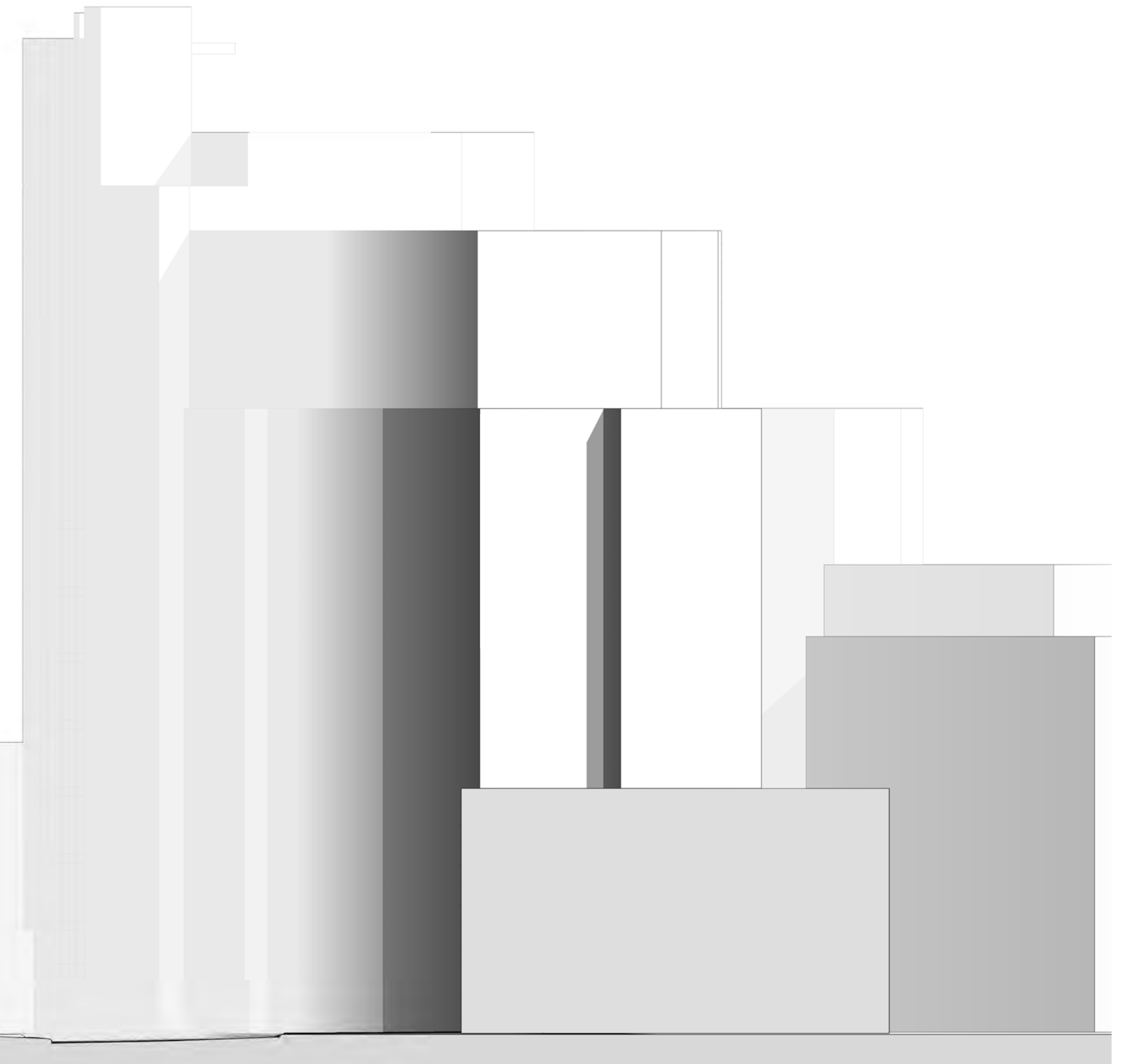
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Rupert Street Co-living & Student
 Rupert Street, Bristol

Proposed North Elevation

RIBA Stage 2

- Level 21 FFL + 76.600m
- Level 20 FFL + 73.600m
- Level 19 FFL + 70.300m
- Level 18 FFL + 67.300m
- Level 17 FFL + 64.300m
- Level 16 FFL + 61.300m
- Level 15 FFL + 58.300m
- Level 14 FFL + 55.300m
- Level 13 FFL + 52.300m
- Level 12 FFL + 49.300m
- Level 11 FFL + 46.300m
- Level 10 FFL + 43.300m
- Level 09 FFL + 40.300m
- Level 08 FFL + 37.300m
- Level 07 FFL + 33.400m
- Level 06 FFL + 29.200m
- Level 05 FFL + 26.200m
- Level 04 FFL + 23.200m
- Level 03 FFL + 20.200m
- Level 02 FFL + 17.200m
- Level 01 FFL + 14.200m
- Level Mezzanine FFL + 10.900m
- Lower Ground FFL + 7.900m

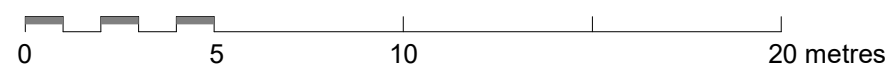


White Friars

Lewins Mead

Rupert Street West Elevation

Rupert Street



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Doors, Windows & Grilles:
 15. PPC Aluminium Bronze Effect Window Frame with Inward Opening Window - Bronze Effect PPC Aluminium Sills
 16. PPC Aluminium Bronze Effect Perforated Bespoke Screen with Mesh Backing
 17. PPC Aluminium Bronze Effect Perforated Bespoke Screen without Mesh Backing
 18. PPC Aluminium Bronze Effect Window Frame with Inward Opening Window - Brass Effect PPC Aluminium Sills
 19. PPC Aluminium Bronze Effect Perforated Bespoke Screen with Mesh Backing

Rev	Description
01	Final Planning Submission
02	Revised Planning Submission
03	Levels 17 to 21 cladding design updated

Date	Drawn	Checked
01/05/23	EM	RFG
03/11/23	SMG	RFG
22/01/24	DM	MO

Status Codes
S0: WIP
S1: Coordination
S2: Information
S3: Int. Review
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Rupert Street Co-living & Student
 Rupert Street, Bristol
 Proposed West Elevation

Scale	Date	AFA Project No.	Drawn by	Checked by
As Indicated @A1	02/03/23	5149	SMC	ZN
Drawn by	Rev:	Status	Drawn by	Checked by
RUPAFA - XX - ZZ - DR - A - 1252	D3	S2		

RIBA Stage 2



Rupert Street East Elevation

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Materials Key
External Materials:
 1 Facing Brick - Textured Dark Red - Running Course
 2 Facing Brick - Textured Dark Red - Soldier Course / Voulsoir
 3 Facing Brick - Textured Cream - Running Course
 4 Facing Brick - Textured Cream - Soldier Course
 5 Facing Brick - Textured Dark Brown - HE & Miss
 6 PPC Aluminium Bronze Effect Cladding Panel
 7 PPC Aluminium Bronze Effect Cladding Panel with Vertical Fins
 8 Steel Mesh Brass Effect Cladding - 50% free area
 9 Steel Mesh Brass Effect Cladding - 40% free area
 10 Curtain Walling System with Bronze Effect Framing
 11 PPC Aluminium Bronze Effect Arch Frames
 12 Steel Mesh Brass Effect Balustrade with Glass Backing - Brass Effect PPC Aluminium Posts & Hand Rails
 13 Cast Stone Coping and Lower Band
 14 Cor Ten Planters / Plant Pots

Doors, Windows & Grilles:
 15 PPC Aluminium Bronze Effect Window Frame with Inward Opening Window - Bronze Effect PPC Aluminium Sills
 16 PPC Aluminium Bronze Effect Perforated Bespoke Screen with Mesh Backing
 17 PPC Aluminium Bronze Effect Perforated Bespoke Screen without Mesh Backing
 18 PPC Aluminium Bronze Effect Window Frame with Inward Opening Window - Brass Effect PPC Aluminium Sills
 19 PPC Aluminium Bronze Effect Perforated Bespoke Screen with Mesh Backing

Rev	Description
01	Final Planning Submission
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Date	Drawn	Checked	Status Codes
01/03/23	EM	RFG	S0: WIP
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22/01/24	DM	MO	S2: Information

Date	Drawn	Checked	Status Codes
01/03/23	EM	RFG	S3: Int. Review
03/11/23	SMC	RFG	D1: Coordination
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Scale	Date	AFA Project No.	Drawn by	Checked by
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			Rev:	Status
			D3	S2

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Rupert Street Co-living & Student
 Rupert Street, Bristol
Proposed East Elevation

RIBA Stage 2	Scale		Date	AFA Project No.	Drawn by	Checked by
	As Indicated @A1		02/03/23	5149	SMC	ZN
	Rev:		Status			
	D3		S2			

Extent of Site Ownership

Parking Schedule

Type

ACC

ACC: 24

Motorcycle

Motorcycle: 4

P&C

P&C: 12

Standard

Standard: 364

Total Cars: 4004

Accommodation

- Ancillary
- Plant
- Car Park
- Circulation
- Co-Living Amenity
- Co-Living Studio Room
- Student Studio Room
- Flexible Class E/F2(b)
- Ensuite Room (6ppl)
- Ensuite Room (7ppl)
- Ensuite Room (8ppl)
- Student Amenity
- Student Kitchen (6ppl)
- Student Kitchen (7ppl)
- Student Kitchen (8ppl)
- Shared Amenity

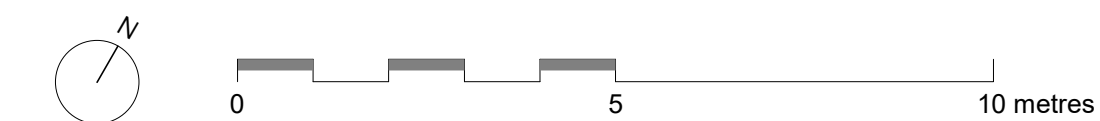
EV Charging Points

- Active - Single
- Active - Double
- Passive - Single
- Passive - Double

Active - 40 units

Passive - 160 units

Note: Locations are indicative options for charging



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Rev	Description
D1	Final Planning Submission
D2	Revised Planning Submission
D3	Revised Planning Submission

Date	Drawn	Checked
01/03/23	EM	RFG
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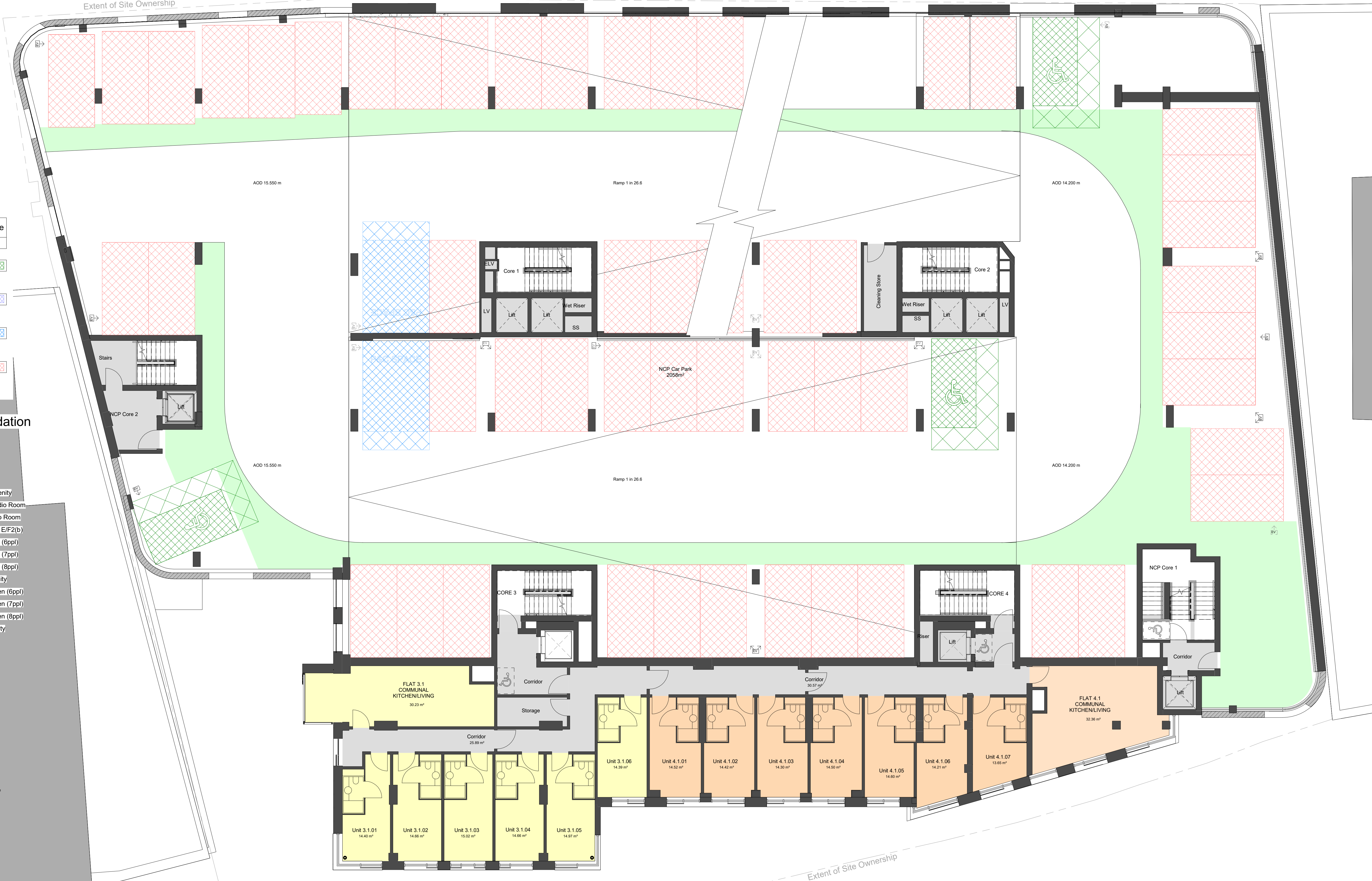
Rupert Street Co-living & Student

Rupert Street, Bristol

Proposed Level 01

Scale	Date	AFA Project No.	Drawn by	Checked by
1: 100 @A1	02/03/23	5149	SMc	ZN
Rev:	Status:	Rev:	Status:	
RUP-AFA-XX-01-DR-A-1202	D3		S2	

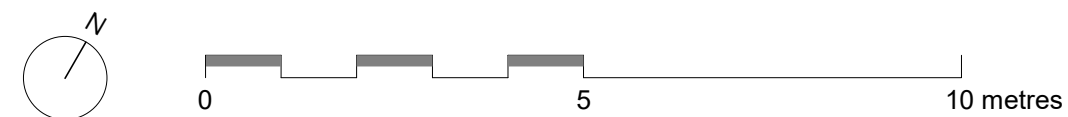
Sheet RIBA Stage 2



Extent of Site Ownership

Accommodation

- Ancillary
- Plant
- Car Park
- Circulation
- Co-Living Amenity
- Co-Living Studio Room
- Student Studio Room
- Flexible Class E/F2(b)
- Ensuite Room (6ppl)
- Ensuite Room (7ppl)
- Ensuite Room (8ppl)
- Student Amenity
- Student Kitchen (6ppl)
- Student Kitchen (7ppl)
- Student Kitchen (8ppl)
- Shared Amenity



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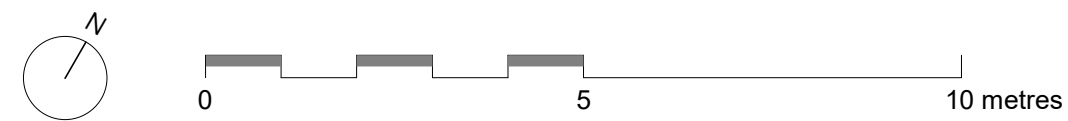
Rupert Street Co-living & Student
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Proposed Level 07

Scale	Date	AFA Project No.	Drawn by	Checked by
1: 100 @A1	02/03/23	5149	SMC	ZN
Rev.	Status	Rev.	Status	
RUP-AFA-XX-07-DR-A-1204	D3	S2	S2	

Accommodation

- Ancillary
- Plant
- Car Park
- Circulation
- Co-Living Amenity
- Co-Living Studio Room
- Student Studio Room
- Flexible Class E/F2(b)
- Ensuite Room (6ppl)
- Ensuite Room (7ppl)
- Ensuite Room (8ppl)
- Student Amenity
- Student Kitchen (6ppl)
- Student Kitchen (7ppl)
- Student Kitchen (8ppl)
- Shared Amenity



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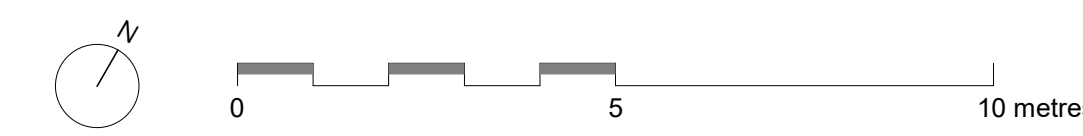
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Proposed Level 08-13

Scale	Date	AFA Project No.	Drawn by	Checked by
1: 100 @A1	02/03/23	5149	SMC	ZN
Rev	Status	Rev	Status	
RUP-AFA-XX-ZZ-DR-A-1205	D3	S2	S2	

Accommodation

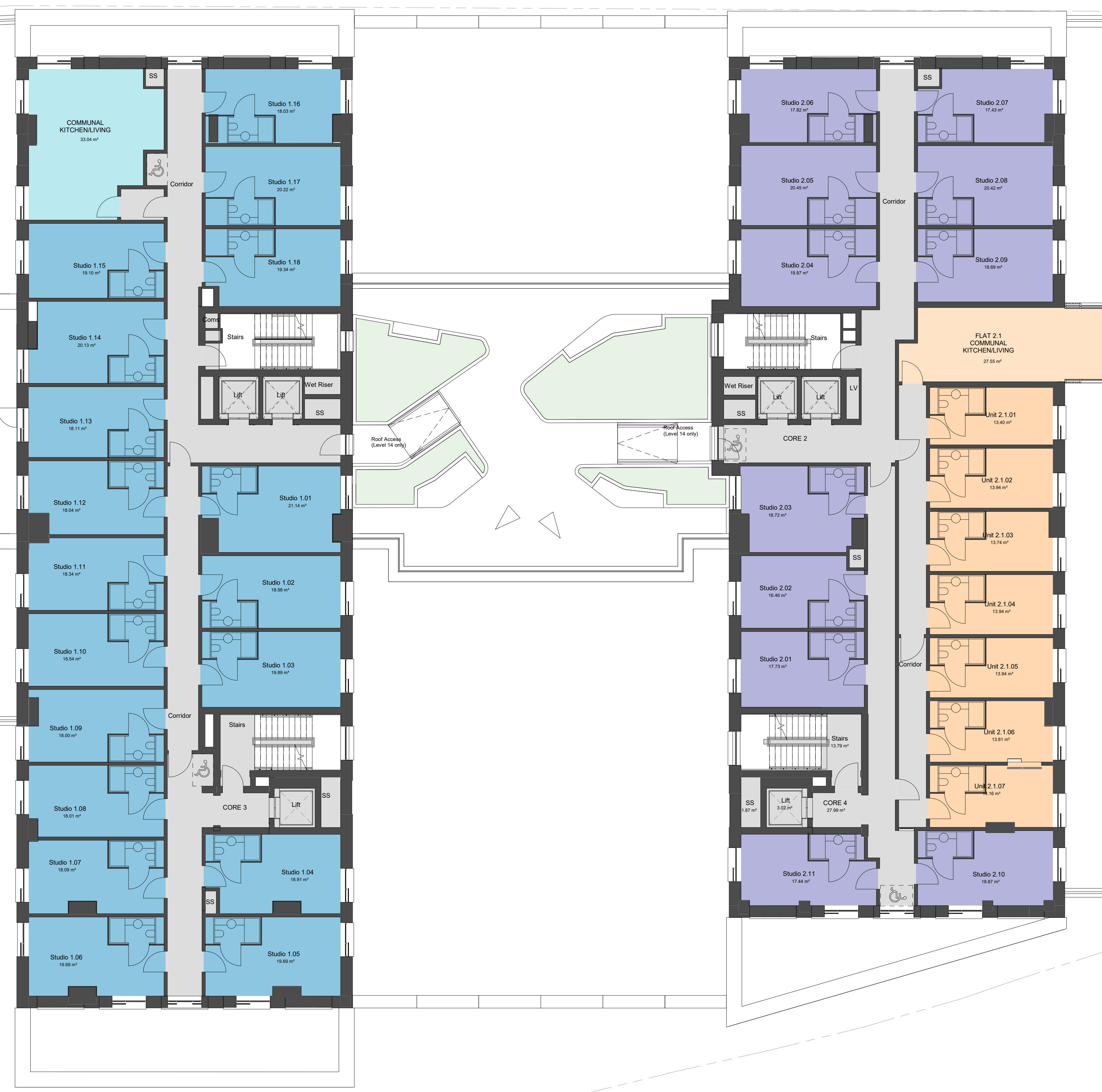
- Ancillary
- Plant
- Car Park
- Circulation
- Co-Living Amenity
- Co-Living Studio Room
- Student Studio Room
- Flexible Class E/F2(b)
- Ensuite Room (6ppl)
- Ensuite Room (7ppl)
- Ensuite Room (8ppl)
- Student Amenity
- Student Kitchen (6ppl)
- Student Kitchen (7ppl)
- Student Kitchen (8ppl)
- Shared Amenity



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Rupert Street Co-living & Student
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Proposed Level 14-16

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1: 100 @A1	02/03/23	5149	SMC	ZN
Rev:	Status:	Rev:	Status:	
RUP-AFA-XX-ZZ-DR-A-1206	D3		S2	